



HEARINGS ON H.R. 12047, H.R. 14925, H.R. 16175,
H.R. 17140, AND H.R. 17194—BILLS TO MAKE
PUNISHABLE ASSISTANCE TO ENEMIES OF U.S.
IN TIME OF UNDECLARED WAR

Part 1

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

EIGHTY-NINTH CONGRESS

SECOND SESSION

AUGUST 16-19, 1966
(INCLUDING INDEX)

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COMMITTEE ON UN-AMERICAN ACTIVITIES

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PUBLIC LAW 601, 79TH CONGRESS

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

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

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

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

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *
(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

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

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

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

* * * * *
RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

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

RULES ADOPTED BY THE 89TH CONGRESS

House Resolution 8, January 4, 1965

* * * * *

RULE X

STANDING COMMITTEES

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

* * * * *

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

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

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

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

* * * * *

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

HEARINGS ON H.R. 12047, H.R. 14925, H.R. 16175, H.R. 17140, AND H.R. 17194—BILLS TO MAKE PUNISHABLE ASSISTANCE TO ENEMIES OF U.S. IN TIME OF UNDECLARED WAR

Part 1

TUESDAY, AUGUST 16, 1966

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

PUBLIC HEARINGS

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:15 a.m., in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Joe R. Pool (chairman of the subcommittee) presiding.

(Subcommittee members: Representatives Joe R. Pool, of Texas, chairman; Richard H. Ichord, of Missouri; George F. Senner, Jr., of Arizona; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama. Alternate member: Representative Del Clawson, of California).

Subcommittee members present: Representatives Pool, Ichord, Ashbrook, and Buchanan, and also Representative Clawson, alternate member.

House members also present: Representatives James G. Fulton, of Pennsylvania; Albert W. Watson, of South Carolina; Willard S. Curtin, of Pennsylvania; Chester L. Mize, of Kansas; James R. Grover, Jr., of New York; Earle Cabell, of Texas; William L. Hungate, of Missouri; and Elford A. Cederberg, of Michigan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Ray McCommon, Jr., Herbert Romerstein, and Philip R. Manuel, investigators.

Mr. POOL. The subcommittee will come to order.

Some subpoenaed witnesses have received copies of the opening statement; others have not. Will counsel call the names of those subpoenaed witnesses who have not, and ask that they come forward and receive copies, so that they will be able to follow it, as it is read, and will be fully informed as to the nature and scope of the hearings.

Just do it in order here. He will call your name out, and you come forward and you get copies of the opening statement.

Mr. NITTLE. Would Richard Mark Rhoads please come forward?

Mr. POOL. Repeat his name.

Mr. NITTLE. Richard Mark Rhoads.

Mr. POOL. Let the record show that he didn't respond to the call.

Mr. NITTLE. May I call him a third time, Mr. Chairman?

Mr. POOL. Call him a third time.

Mr. NITTLE. Will Richard Mark Rhoads please come forward?
Would Jeffrey Gordon come forward, please?

Mr. POOL. Speak a little louder, please.

Mr. NITTLE. Would Jeffrey Gordon come forward, please? Would
Jeffrey Gordon come forward, please?

Would Allen Krebs come forward?

Mr. POOL. This is for the purpose of receiving copies of the opening
statement so that you can follow the statement as it is read to
you.

Mr. NITTLE. Would Allen Krebs come forward, please?

Mr. KREBS. Allen Krebs is here.

Mr. NITTLE. Are you Allen Krebs?

Mr. KREBS. I am.

Mr. POOL. Present him with the opening statement there and mark
the record there, showing that he received the opening statement.

(Document handed to Mr. Krebs.)

Mr. POOL. Call the next one.

Mr. NITTLE. Walter Dorwin Teague III.

COUNSEL. He is here.

Mr. NITTLE. Walter Dorwin Teague III.

Mr. TEAGUE. Right.

Mr. NITTLE. Are you Walter Dorwin Teague?

Mr. TEAGUE. That is correct.

Mr. NITTLE. Let the record show that the witness has received a
copy of the opening statement.

(Document handed to Mr. Teague.)

Mr. NITTLE. Would Stanley Nadel come forward, please?

COUNSEL. This is Mr. Nadel.

Mr. NITTLE. You are Stanley Nadel?

Mr. NADEL. That is correct.

Mr. NITTLE. Let the record show that the witness has been handed
a copy of the chairman's opening statement.

(Document handed to Mr. Nadel.)

Mr. NITTLE. Anatole Ben Anton?

Mr. DONNER. He is on his way here. He is trying to park his car.
I will take the statement for him. I am his counsel.

Mr. NITTLE. What is your name, sir?

Mr. DONNER. My name is Frank J. Donner.

Mr. NITTLE. Make a notation that his counsel received the opening
statement for the witness.

(Document handed to counsel.)

Mr. NITTLE. Would Stuart McRae come forward please?

Mr. DONNER. He is also on his way, and I am his counsel.

Mr. NITTLE. Will you receive a copy of the opening statement on his
behalf?

Mr. DONNER. Yes, I will

(Document handed to counsel.)

Mr. NITTLE. Would Steven C. Hamilton come forward, please?

Would Steven C. Hamilton come forward, please?

Would Steven C. Hamilton come forward, please?

There is no answer, Mr. Chairman.

Mr. POOL. Let the record show there is no answer. Go ahead.

Mr. NITTLE. Would George Ewart, Jr., come forward, please?

Would George Ewart, Jr., come forward, please?

Mr. POOL. Let the record show no response.

Mr. KUNSTLER. With reference to the last two witnesses, we know their counsel is in town and that they are on their way over here. I think that because of the court situation, we have had some problems.

Mr. POOL. All right.

Mr. NITTLE. Would you state your name for the record, please?

Mr. KUNSTLER. William M. Kunstler. I am not counsel for them, but their counsel is Ira Gollobin, who is on his way over.

Mr. NITTLE. Do you have any knowledge of the whereabouts of, expected attendance of Richard Mark Rhoads and Jeffrey Gordon?

Mr. KUNSTLER. I think they are in the same group. There should be four of them. They were all at the courthouse this morning.

Mr. POOL. Did we call Windrim Smith a while ago?

Mr. NITTLE. No, sir.

Would Steven Cherkoss come forward, please?

Mr. KUNSTLER. Same category, Mr. Chairman, as the other four that were not present.

Mr. NITTLE. And that is a statement by Mr. Kunstler, for the record?

Mr. KUNSTLER. That is correct.

Mr. NITTLE. Would John Windrim Smith, Jr., come forward, please?

Mr. FORER. He is here, Mr. Nittle. Mr. Smith? He is here. I represent him.

Mr. NITTLE. Would you state your name for the record, please?

Mr. FORER. Joseph Forer.

Mr. NITTLE. Mr. Forer, you are present with your client, John Windrim Smith, Jr.?

Mr. FORER. Yes.

Mr. NITTLE. And you have received a copy of the opening statement?

Mr. FORER. Just received it.

(Document handed to counsel.)

Mr. NITTLE. Would Jerry Clyde Rubin come forward, please?

Mrs. AXELROD. I am counsel for Mr. Rubin. I will accept the statement.

(Document handed to counsel.)

Mr. NITTLE. Would you state your name for the record, please?

Mrs. AXELROD. Beverly Axelrod.

Mr. NITTLE. And you have just received a copy of the statement on behalf of your client?

Mrs. AXELROD. I have.

Mr. NITTLE. Mr. Chairman, that concludes the calling of the names of witnesses for the purposes of receiving a copy of the opening statement.

Mr. POOL. Call the four witnesses. I believe you have four there that didn't receive it. Call their names one more time.

Mr. NITTLE. Would Richard Mark Rhoads come forward, please?

Would Jeffrey Gordon come forward, please?

Would Steven C. Hamilton come forward, please?

Would George Ewart, Jr., come forward, please?

Mr. KUNSTLER. Mr. Pool, for the record, again, just to protect those witnesses, I am not their counsel, but their counsel is in town and has left for this room from the courthouse, and I would respectfully request that another call be made as soon as their counsel gets here.

Mr. POOL. All right, if you see them come into the room, I would appreciate your informing the committee.

Mr. KUNSTLER. I will, Mr. Chairman.

Mr. NITTLE. And does that apply as well to Steven Cherkoss?

Mr. KUNSTLER. That is all. I think there are five, are there not?

Mr. NITTLE. That is right.

Mr. POOL. Witnesses and attorneys will take their places. Do you have a place to sit down? Counsel?

From the Floor: Mr. Chairman, there are no seats provided for counsel or witnesses.

Mr. POOL. All right, I instruct the staff to see that the witnesses and counsel have chairs, if you have to go get some.

[Disturbance and demonstration.]

Mr. GUTMAN. Mr. Chairman, Mr. Rubin is not being allowed into the room for some reason. I hear his counsel calling in protest.

Mrs. AXELROD. If the committee please, I am counsel for the witness and I am not being allowed in.

Mr. POOL. Will the officer over there at the door allow the witness to come into the room.

[Applause and disturbance.]

Mr. GUTMAN. Mr. Chairman, the uniformed officers are attempting to take out of the hands of counsel for Mr. Rubin certain documents which are in her possession as an attorney.

Mr. POOL. Come up here.

From the Floor: She is ready to address the committee.

Mrs. AXELROD. (Inaudible statement on the floor.)

Mr. POOL. The orders of this committee are that no packages will be allowed in here. Now I don't know what you are discussing there. If the officer will come forward here with the witness, or the attorney, I will talk to them up here at the desk.

Does that have to do with your case?

Mrs. AXELROD. I am sorry, sir. I didn't hear you.

Mr. POOL. What are the papers for?

Mrs. AXELROD. These are materials that may be needed in the course of my client's testimony, depending upon what the questions are. And I don't know whether or not I will need it, but I demand the right to keep it, in the event that it is needed.

Mr. POOL. All right, you keep it.

Mrs. AXELROD. Thank you, sir.

Mr. POOL. Now, if the first row will give up their seats for these witnesses and the lawyers. The front row.

The first row will give up their seats for the lawyers and the witnesses. And from now on, I want the officers in here to reserve that front row for witnesses and attorneys.

Mr. NITTLE. Mr. Chairman, I have reason to believe that Richard Mark Rhoads, Jeffrey Gordon, Steven C. Hamilton, George Ewart, Jr., and Steven Cherkoss have arrived.

Mr. POOL. All right. Counsel will call the names of those witnesses who have not received the opening statement.

Mr. NITTLE. Would Richard Mark Rhoads come forward, please? You are Richard Mark Rhoads?

Mr. RHOADS. That is correct.

Mr. NITTLE. We hand you a copy of the chairman's opening statement.

(Document handed to Mr. Rhoads.)

Mr. NITTLE. Would Jeffrey Gordon come forward, please?

You are Jeffrey Gordon?

Mr. GORDON. I was blocked from entering this hearing by the——

Mr. POOL. Come here.

Mr. GORDON. I was blocked from entering this hearing by a lieutenant and other officers, who refused to allow me to come into this hearing that I was subpoenaed for.

Mr. POOL. You are here now.

Mr. GORDON. Well, I would like that to be known. Is this a hearing, you don't let people, witnesses——

Mr. POOL. You are in here now, so get your opening statement.

Mr. NITTLE. I hand you a copy of the chairman's opening statement.

(Document handed to Mr. Gordon.)

Mr. GORDON. I was subpoenaed last week. Why didn't I receive this then?

Mr. ASHBROOK. It is an opening statement for now.

Mr. GORDON. I am a witness. I would like to read the statement before——

Mr. POOL. Has he identified himself, Counsel?

Mr. NITTLE. Yes, sir; and he has received a copy of the opening statement.

Mr. POOL. All right, have a seat out there. You have a seat on the front row.

Mr. NITTLE. Would Steven C. Hamilton come forward, please?

You are Steven C. Hamilton?

Mr. HAMILTON. That is right.

Mr. NITTLE. I hand you a copy of the chairman's opening statement.

(Document handed to Mr. Hamilton.)

Mr. HAMILTON. Am I supposed to be familiar with this before the trial starts?

Mr. POOL. I am going to read it, and you can follow me in the reading. That will make you familiar with it.

Mr. NITTLE. Would George Ewart, Jr., come forward, please?

George Ewart, Jr., come forward, please?

You are George Ewart, Jr.?

Mr. EWART. That is right.

Mr. NITTLE. I hand you a copy of the chairman's opening statement.

(Document handed to Mr. Ewart.)

Mr. EWART. I would like it made clear, I would like to make it clear that this statement is supposed to be handed to me—

Mr. POOL. You are out of order.

Mr. EWART. —48 hours before the hearing, that it should have been handed to me, it should have been noted on my subpoena.

[Applause and demonstration.]

Mr. EWART. I want it known.

[Demonstration and boos.]

Mr. POOL. Do you have further witnesses?

Mr. NITTLE. Would Steven Cherkoss come forward, please?

Would Steven Cherkoss come forward, please?

Are you Steven Cherkoss?

Mr. CHERKOSS. Yes, I am.

Mr. NITTLE. I hand you a copy of the chairman's opening statement.

(Document handed to Mr. Cherkoss.)

Mr. CHERKOSS. We weren't even allowed to come in this place. The cops barred the doors. There is people outside. Let's adjourn this meeting to a bigger room. Let all the people in.

Mr. POOL. Take a seat.

[Applause and demonstration.]

Mr. POOL. All right, let's have order. I want to make this statement, that the opening statement that we have presented these witnesses is not required under our rules. We are doing that as a courtesy to the witnesses.

[Disturbance and shouts, "That's a lie."]

Mr. POOL. All right. The meeting will proceed now. I want at this time to recognize the following Congressmen, who are in attendance here this morning, and welcome them to the House Committee on Un-American Activities hearing: Albert Watson, South Carolina; James Fulton, of Pennsylvania; Chester Mize, of Kansas; James R. Grover, from New York. Bill Hungate, of Missouri; Earle Cabell, of Texas. Willard Curtin, of Pennsylvania.

Glad to have you with us here today.

At this time, also, Congressman Del Clawson, a member of the House Committee on Un-American Activities, is sitting with the subcommittee.

This subcommittee of the House Committee on Un-American Activities is convened today to conduct hearings on the subjects of inquiry, and for the legislative purposes set forth in a resolution of the full committee adopted on July 14, 1966. That resolution reads as follows:

BE IT RESOLVED, That hearings by the Committee on Un-American Activities, or a subcommittee thereof to be designated by the Chairman, be held in Washington, D.C., or at such other place or places and on such date or dates as the Chairman may determine, relating to (a) the extent, character, and objectives of organizations and groups within the United States which solicit money, supplies, and material assistance for delivery to, or in aid of, Communist powers or forces engaged in armed conflict with the United States; (b) the extent, character, and objectives of organizations and groups within the United

States which advocate or employ force, physical impediments, or any unlawful means to obstruct the movement of personnel and supplies of the armed forces of the United States; (c) the extent, character, and objectives of organizations and groups within the United States which engage in activities—

Mr. ICHORD. Mr. Chairman, a point of order. Would the members of the press please refrain from getting in front of the chairman when he is reading the statement? Would the members please refrain from taking pictures while the chairman is reading the statement?

Mr. POOL. All right, the point is well taken. [Continues reading:]

designed to impair or interfere with the loyalty, morale, or discipline of the armed forces of the United States and the recruitment of personnel for such forces; (d) Communist propaganda activities in the United States conducted in support of the Communist regime in North Vietnam, or for the purpose of advancing the policies and objectives of the world Communist movement generally; (e) the activities of United States citizens acting on behalf of, or in the interest of, foreign Communist principals, and foreign travel undertaken by United States citizens in connection with such activities; and (f) all other questions in relation thereto, for the following legislative purposes:

(1) To provide factual information to aid the Congress in the disposition of presently pending legislation, including but not limited to H.R. 12047, H.R. 14925, and H.R. 16175, bills to amend the Internal Security Act of 1950, which would make punishable the giving of certain assistance to foreign powers engaging in armed hostilities with the United States and the obstructing of the free movement of personnel and supplies of the armed forces of the United States.

(2) Consideration of the advisability of amending the Internal Security Act of 1950, with particular reference to section 6 of such Act to regulate travel abroad by citizens of the United States, the registration of Communist organizations, and making punishable the obtaining of money or property by fraud to benefit a foreign government or alien.

(3) Consideration of the advisability of amending the Subversive Activities Control Act of 1950 so as to impose certain disabilities in the manner and form therein provided upon those persons who are "affiliated with" Communist organizations, as well as upon persons who are members thereof.

(4) To provide factual information to aid the Congress in the proposal of any necessary remedial legislation in fulfillment of the authority and directions contained in the mandate to the committee by House Resolution 8 of January 4, 1965, and Public Law 601 of the 79th Congress.

A number of witnesses subpoenaed to testify in these hearings requested last week that they be informed of the subject of the hearings and the "relevant legislation involved."

In answer to that request they were sent a copy of the committee resolution of July 14, which I have just read, and a copy of one of the three identical bills mentioned in paragraph (1) of the resolution. It was not deemed necessary to send them copies of the statutes mentioned in paragraphs (2), (3), and (4) of the resolution—the Internal Security Act of 1950, title I of which is cited as the Subversive Activities Control Act of 1950—because they are enacted law. The texts of House Resolution 8 of January 4, 1965, and Public Law 601 of the 79th Congress are contained in the committee's Rules of Procedure.

For the benefit of the witnesses who requested this information and all the witnesses subpoenaed to testify in these hearings, I wish to make this statement:

This is an investigative hearing. The subjects of this hearing are outlined in subsections (a), (b), (c), (d), (e), and (f) of the first (unnumbered) paragraph of the committee resolution of July 14. While the ultimate end of these hearings is legislative—to provide the Congress with information relevant to the bills and laws mentioned

in paragraphs (1), (2), (3), and (4) of the resolution—this is *not* a legislative hearing; that is, it is not a hearing to receive views or opinions on the statutes within the committee's jurisdiction or the bills pending before it which are mentioned in the resolution.

The Supreme Court has held that, in the domain of national security, this committee has "pervasive authority" to investigate Communist activities. When this country is engaged in open hostilities with a foreign Communist power, the sending of aid or assistance to that power involves the national security; obstructing the movement of military personnel or supplies affects our national security; impairing or interfering with the loyalty, morale, discipline, and recruitment of military personnel affects our security, and so do Communist propaganda activities carried out in this country in behalf of the Communist power with which we are engaged in hostilities, and travel and any other activities undertaken in behalf of that power and the world Communist movement.

Clearly, the committee has the authority to investigate the extent of subversive or Communist influence in such activities.

The Congress cannot and does not legislate in a vacuum. If it is to enact sound laws it must have accurate and thorough knowledge of the conditions pertinent to the legislation under consideration, so that it may determine whether particular legislation is desirable and necessary. The investigative process is one of the means by which it acquires such information.

When it is dealing with subversive and conspiratorial activities it must rely principally on the investigative process to obtain the knowledge it needs because of the secrecy with which such activities are normally carried out.

The committee is not sitting as a prosecutor or court. We are not here to convict anyone. We do have the duty, however, to develop information which will assist the Congress in performing its constitutional legislative function. Witnesses subpoenaed to testify in these hearings have been summoned because committee investigation indicates they have knowledge of the subject under investigation.

Communist publications and some of the witnesses subpoenaed to testify have already claimed that this hearing is an attack on the first amendment right of free speech and dissent, that it is an attempt to stifle dissent and brand it as treason. Before these hearings are over—and after they are—I am sure others will echo this refrain.

Nothing could be further from the truth.

This committee recognizes the right of every citizen to disagree with and criticize both the domestic and foreign policies of the United States Government. It does not believe, however, that the Constitution gives any citizen, in a time of actual, though undeclared, war, the right to assist the enemies of this country—either by sending aid to them in any form or in any way sabotaging the movement or supply of its Armed Forces.

Aiding an enemy of your country in time of war has always been regarded as treason.

In endeavoring to protect our security we must deal with realities. The Korean conflict was not a war in the legal or technical sense. It was an actual war, however, and was—and is—commonly referred

to as "The Korean War," not only in everyday speech but in almanacs and other standard reference works. Over 54,000 Americans died in that war. Our casualties totaled over 157,000 men.

Today, we are fighting a similar undeclared, but actual, war in Vietnam. Every branch of our Armed Forces is committed. Every one of our weapons—except nuclear weapons—is being used. No one could convince any one of our 375,000 troops committed to the Vietnam conflict that they are not involved in a war. Over 5,600 Americans have died as a result of this war. Our overall casualties to date number over 31,000. Last week, reports stated that by the end of this year, we may have as many men committed in South Vietnam as we had in Korea at the peak of that conflict.

Thus, we are dealing with a war situation today, but under such conditions that our wartime treason and certain other statutes are not operable. Certain citizens and groups in this country have therefore been able to engage in activities and to make declarations and statements which, if there were a formal state of war, might subject them to prosecution. The fact that they cannot be prosecuted under the wartime statutes, however, does not mean that Congress cannot inquire into their activities or make punishable certain activities which endanger the national security.

Over and above the fact that we are engaged in a war today, *de facto*, if not *de jure*, I would like to point out that the Constitution declares that treaties made under the authority of the United States "shall be the supreme law of the land." Citizens therefore have a duty to observe treaties and to refrain from any activity which would impede or obstruct the United States in the execution of its lawful treaty commitments. U.S. Forces are committed to Vietnam under a supreme law of this land, the Southeast Asia Collective Defense Treaty, signed by this country in accordance with constitutional process on September 8, 1954.

Because allegations have been made that this hearing is an attempt to stifle dissent, I will make this further comment.

These hearings are concerned largely with overt acts, not mere expressions of opinion. Sending aid, or attempting to send aid, to an enemy of the United States is an overt act; it is not mere dissent. Obstructing the movement of Armed Forces personnel and supplies is an overt act; it is by no stretch of the imagination mere dissent. Impairing the morale, discipline, and recruitment of military personnel is not mere dissent. Organized propagandizing for, and acting in behalf of, the Communist government of North Vietnam or the Viet Cong are not mere dissent. All are overt acts.

The "dissent" charge is nothing but a "red herring" dragged into these proceedings in an attempt to cover the trail of persons and groups who have worked to aid forces with which the United States is now engaged in large-scale, open hostilities.

Finally, I would emphasize this point. I and other members of the committee have our own views of U.S. foreign policy as it applies to Vietnam. This hearing, however, does not concern the foreign policy of the United States. This committee has no jurisdiction in that area. It is not the Foreign Affairs Committee. Debate or argumentation on U.S. foreign policy as it applies to Vietnam is not pertinent to this hearing.

I now offer for inclusion in the record the July 28, 1966, order of appointment of the subcommittee to conduct these hearings.

Addressed to Mr. Francis J. McNamara, director of Committee on Un-American Activities:

Pursuant to the provisions of the law and the Rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Honorable Joe R. Pool, as Chairman, and Honorable Richard H. Ichord, Honorable George F. Senner, Jr., Honorable John M. Ashbrook and Honorable John H. Buchanan, Jr., as associate members, to conduct hearings in Washington, D.C., commencing on or about Tuesday, August 16, 1966, and/or at such other times thereafter and places as said subcommittee shall determine, as contemplated by the resolution adopted by the Committee on the 14th day of July, 1966, authorizing hearings relating to the extent, character, and objectives of organizations and groups within the United States which solicit money, supplies, and material assistance for delivery to, or in aid of, Communist powers or forces engaged in armed conflict with the United States, and other matters recited therein, and other matters under investigation by the Committee.

I also hereby designate Honorable Del Clawson to serve on this subcommittee in place of any subcommittee member who may not be able to attend any hearing or meeting conducted by the subcommittee.

Please make this action a matter of Committee record.

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

Given under my hand this 28th day of July, 1966.

Signed "Edwin E. Willis, Chairman, Committee on Un-American Activities."

The Chair wishes to welcome to the committee Congressman Curtin of Pennsylvania, and Congressman Cederberg of Michigan. We are glad to have you with us today.

Counsel will call the first witness.

Mr. NITTLE. Will Phillip Abbott Luce come forward, please? [Demonstration.]

Mr. POOL. Officers, I want you to maintain order in this room. If anyone demonstrates any further, now, I want you to escort him out of the hearing room.

Raise your right hand and be sworn. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LUCE. I do.

Mr. PEMBERTON. Mr. Chairman, I request leave to make a motion.

Mr. POOL. Come up here, if you are an attorney, and want to ask something. Come around here. You are not allowed to make a speech, but if you are an attorney, you can act as counsel, as that is all the rules provide for.

Mr. PEMBERTON. Mr. Chairman, I appear as attorney for six of the witnesses subpoenaed and I request leave to make a motion, if the committee would entertain it at this point.

Mr. NITTLE. Would you state your name for the record, please?

Mr. PEMBERTON. My name, sir, is John Pemberton, Jr.

Mr. POOL. What is this?

Mr. PEMBERTON. My motion—

Mr. POOL. You are here to advise your witness, not make a statement or make speeches.

Mr. PEMBERTON. I am merely requesting leave to make this motion, respectfully, Mr. Chairman.

Mr. POOL. It will be in the form of a request, and not a motion.

Mr. PEMBERTON. The motion that I request leave to make is a motion that the committee stay its proceedings and adjourn these hearings while a case pending in the United States District Court for the District of Columbia concerning these hearings is still at issue; or in the alternative, while an application for an interlocutory injunction is pending. Thank you.

Mr. POOL. What is the will of the committee on the request?

Mr. PEMBERTON. Mr. Chairman, I would like to inform the committee of the status of the proceedings.

Mr. POOL. Just a minute. You have made your request. If you have a further one, state it.

Mr. PEMBERTON. Mr. Chairman, this proceeding which is brought for a declaration of that portion of Rule XI which constitutes the mandate of this committee is unconstitutional, for a permanent injunction against the conduct of the business of this committee under that mandate and against the enforcement of these subpoenas and for an interlocutory injunction against the enforcement of these subpoenas of the element of criminal sanctions against the subpoenaed witnesses is presently under consideration by a three-judge United States District Court, convened by Chief Judge Bazelon this morning.

And that court, I have just been informed, has agreed to meet at 2:30 tomorrow afternoon, to hear applications for interlocutory relief on behalf of the subpoenaed witnesses.

My proposition is very simply that the action of the court has been premised on the court's finding that a substantial constitutional issue is raised by these pleadings and by this case, and that the orderly procedures of the law would best be served by allowing that court, with due deliberation, but without any undue delay, to proceed to hear the case before it. The case concerns the very proceedings that are here today.

It is my motion, therefore, that the committee stay its proceedings, in the alternative, either for the duration of the proceedings before this three-judge-court or, at the very least, for the duration of the proceedings applying for an interlocutory injunction.

Mr. POOL. Is that all you have to say?

Mr. PEMBERTON. That is it.

Mr. POOL. That has covered everything you have to say.

Mr. PEMBERTON. That covers—

Mr. POOL. I will poll the committee and see what they think.

Mr. PEMBERTON. Thank you.

Mr. POOL. What do you think?

(Discussion off the record.)

Mr. POOL. You are unanimously rejected, your request is unanimously rejected.

Mr. PEMBERTON. I thank you, sir, for hearing me.

Mrs. AXELROD. Mr. Chairman.

Mr. POOL. I have this further statement to make. Since this has been brought up, the Chair wishes to make this statement. I have this statement concerning the reasons why the committee is proceeding with hearings this morning.

The Committee on Un-American Activities is an instrumentality of the House of Representatives of the United States. In conformity

with the Constitution of the United States, it acts under the authority of the House of Representatives and no other authority. It is acting here today on the grounds of the Capitol of the United States in the very buildings provided for the Members and committees of the Congress who meet in the Capitol to carry out their constitutional duties.

Because I and the committee believe in the Constitution as it was conceived by the Founding Fathers of this country and as it has been interpreted by the courts for close to 200 years, it is my position and the position of the committee that, while we respect the courts, recognize their constitutional function, and have no desire to be defiant of any court, we still cannot recognize the authority of any court to interfere with the operations of the House of Representatives or any one of its committees when they are carrying out their constitutional duties.

If the House orders us to desist from performing the duties mandated to us by the House, we shall, of course, do so. Otherwise, we conceive it our duty to proceed.

The Constitution clearly provides for three coequal and independent branches of the Government. Our legislature is independent of the courts just as the courts are independent of the legislature, with the exception of such limitations as the Constitution provides. Neither I nor the committee will be a party to the erosion by the judiciary of the constitutional powers delegated to the United States Congress by the Constitution of the United States.

Mrs. AXELROD. Mr. Chairman.

Mr. POOL. It is my view that the United States Supreme Court is in agreement with the position that this committee is taking this morning that the courts do not have the power to enjoin a legislative function of a committee of the Congress. In the recent Yellin decision, in an entirely comparable situation, the Chief Justice stated:

If the Committee ignores his request for an executive session, it is highly improbable that petitioner could obtain an injunction against the Committee that would protect him from public exposure. * * *

All right, Mr. Counsel, go ahead with the witnesses.

Mrs. AXELROD. Mr. Chairman, I am Beverly Axelrod—

Mr. POOL. Come up here.

Mrs. AXELROD.—representing Jerry Rubin, a witness subpoenaed here today. On August 4 of this year, an article appeared in the *San Francisco Examiner* with the byline of Ed Montgomery, announcing that among others, Jerry Rubin, Steven Cherkoss, Stephen Smale, George Ewart, and Steve Hamilton had been subpoenaed by this committee. Jerry Rubin and the other witnesses, some of the other witnesses also did not receive their subpoenas until after this announcement was made to the press.

Rule XVI of this committee's own rules provide that no statement shall be released as to the witnesses subpoenaed. I request and move that this committee declare itself null and void on the basis that it has violated its own rules: that immediate hearing be held about the release of this information; subpoenas be issued to all members of the committee and the staff to determine the matter of the release of this information to the press contrary to the Rule XVI of the committee.

Mr. POOL. All right, you are a lawyer. Where is your evidence that anybody on this committee or anybody on the staff revealed that information?

Mrs. AXELROD. I ask for a hearing to determine that. Our information is that the committee and its staff released that information. It could have come from nowhere else. The witnesses did not even know about it at the time the matter was released to the press.

Mr. POOL. Time after time, the witnesses themselves release this thing to the press, and that is where it gets out, and they blame the committee for letting it out.

Mrs. AXELROD. The witnesses did not even know that they were going to be subpoenaed until after it was in the press.

Mr. POOL. Your request is denied. Proceed with the witness.

Mr. DONNER. I have a motion, Mr. Pool.

Mr. POOL. If there are any other lawyers that have motions, they had better come up here right now, because we are going ahead.

Mr. DONNER. Mr. Chairman, my name is Frank Donner, and I represent two of the witnesses subpoenaed here today, and my motion is directed to the fact that on August 4 the committee moved and subpoenaed the lists of six student organizations, the membership lists of six student organizations at the University of Michigan and University of California. And the grounds of my motion is a Supreme Court case of NAACP against *Button*.

This is an invasion of the right of association, and to me, Mr. Pool, it is a scandalous violation of academic freedom. These young people joined—

[Demonstration and applause.]

Mr. POOL. I am instructing the police officers here to remove any demonstrator from now on that demonstrates or in any way disturbs this meeting.

Mr. DONNER. The American university campus is a place where relations of trust and confidence are supposed to repose.

Mr. ASHBROOK. This is not a speech, Mr. Chairman?

Mr. DONNER. I am making my motion, Mr. Ashbrook.

Mr. ASHBROOK. You are making a speech, Mr. Donner.

Mr. POOL. Just come up here to talk to us in a quiet manner. You don't have to be so loud. This committee gives you a right to come up here and make an objection. We don't give you a right to make a speech under the rules of this committee.

Mr. DONNER. I am not making a speech.

Mr. POOL. Otherwise, I am going to sit you down and go ahead with the witness.

Mr. DONNER. I am talking.

Mr. POOL. Talk like a lawyer should do.

Mr. DONNER. I am talking like a lawyer.

Mr. POOL. Tell us what you want.

Mr. DONNER. I move to suppress all of the lists that your committee has subpoenaed of young people who have joined these organizations on the ground that it is a violation of the first amendment, a violation of academic freedom, and unreasonable search and seizure.

Mr. POOL. All right.

Mr. ICHORD. Mr. Chairman, I believe these subpoenas were discussed very thoroughly in the committee, not only by the members, but also

by the legal advisers of the committee. There is no doubt in my mind that these subpoenas are valid, that they are not an invasion of constitutional rights.

Therefore, I would be constrained to deny the request of the attorney. I vote no.

Mr. POOL. Mr. Ashbrook?

Mr. ASHBROOK. Same thing.

Mr. POOL. Mr. Buchanan.

Mr. BUCHANAN. Same.

Mr. POOL. I vote no, also, and the request is denied.

Mr. DONNER. I except.

Mr. POOL. Go ahead. Mr. Clawson.

Mr. CLAWSON. No.

Mr. POOL. Mr. Clawson votes no also. Your request is denied. Go ahead with the witness.

You want to make a request?

COUNSEL. Yes.

Mr. NITTLE. Would you state your name for the record, please?

Mr. GOLLOBIN. Ira Gollobin.

Mr. NITTLE. Whom do you represent on the record?

Mr. GOLLOBIN. I represent George Ewart on the record. I request that the committee assure counsel that their conversations at this proceeding will be private and that there are no devices that will in any way interfere with the privacy of conferral between counsel and client.

Mr. ICHORD. Of course, Mr. Chairman, I don't quite understand the request that Mr. Gollobin—"Gollobin"—is that the correct pronunciation?

Mr. GOLLOBIN. Yes.

Mr. ICHORD. Of course, Mr. Gollobin has appeared before this committee many times, representing his clients. I think he is familiar with the rules of the committee, and that is that you are not supposed to put words in the mouth of the witness; that the witness does have the right to ask you for any advice as to how he is to answer any questions. Is that the context?

Mr. GOLLOBIN. No; the context element is, Mr. Ichord, that in Buffalo, and at other times, the issue was raised that privacy did not exist between the client and his counsel at these proceedings, that there had been listening devices.

Mr. ASHBROOK. Wait a second. Where has this been raised?

Mr. ICHORD. Just a minute, Mr. Chairman; point of order. Was the attorney in Buffalo at that time? Were you representing a client in Buffalo?

Mr. GOLLOBIN. I was. But there was—this was a news item in the press.

Mr. ASHBROOK. That is specious.

Mr. ICHORD. I think, Mr. Chairman, that at one time that point was raised; I happened to be presiding over the Buffalo hearings. And I will inform Mr. Gollobin that at no time have there been any listening devices, and I would be the first to severely reprimand any member of the staff or any member of this committee if any listening devices were installed to listen between attorney and his client.

I think the gentleman's request—we have always abided in keeping confidential the communications between the attorney and the client. I don't see the pertinence of your request, Mr. Gollobin. I think, as an individual, that I can assure you that I will do my best to watch to see that nothing goes on. And I can assure you that nothing will go on, sir.

Mr. ASHBROOK. Mr. Chairman, I feel that while it is a request made on a specious statement or a specious allegation of something that is supposed to have happened, from a newspaper clipping, and so forth, and there is no basis in fact, that we certainly can, nevertheless, assure him of his motion and agree to it, because there is no intention at any time for listening devices and I think to base a request on an article that might have appeared in the paper is a rather questionable thing to do.

Mr. ICHORD. I don't think the request calls for any ruling. I don't think the request calls for any ruling by the Chair. The Chair can assure the lawyer that there will be confidence kept between the attorney and the client. That has always been the practice of this committee and that will continue to be the practice of this committee. The gentleman from—Mr. Buchanan?

Mr. BUCHANAN. Yes, I would certainly join in this assurance that this has been and shall be the case here, and I will join in a vigorous effort to do anything necessary to make certain that is the case.

May I inquire, was this press report in the *Daily Worker*, or elsewhere?

Mr. GOLLOBIN. It was in the Buffalo press.

Mr. BUCHANAN. I see.

Mr. GOLLOBIN. Buffalo, New York.

Mr. ICHORD. The gentleman has his assurance, Mr. Chairman.

Mr. ASHBROOK. He has his assurance.

Mr. POOL. All right, I want to make this statement. The TV and photographers will please desist from taking any further pictures during the hearing, and kind of spread out away from the front, here, if you can.

Mr. GUTMAN. Mr. Chairman, I have an additional request. My name is Jeremiah Gutman. I represent Mr. Nadel. I request the members of this committee to file with the records and minutes of this committee copies of transcripts of all statements and interviews which they have given to the press, and articles which they have written on the subject and released in other forms, on the subject matter of the activities and related activities of the witnesses who have been subpoenaed and the subject matter of this hearing, in order that there may be spread on the record, if there be any basis for it, substantiation, if there be any, for any bias which any one or more of you gentlemen may have towards any one of these people or the organizations with which they may be associated.

Mr. POOL. You have got a copy of the opening statement. I think that is sufficient to take care of your needs.

Mr. GUTMAN. If I may, I respectfully differ with you, Mr. Chairman. I have asked that the statements which you gentlemen as individuals, not in the name of the committee, which you have just read

now, but during the course of interviews which you may have granted to the various media, articles which you may have caused to be published in one publication or another, be spread upon and made part of this record, so that we may see what basis there is for allegations that there is prejudice among some or all of you with respect to the activities in each of the subject matters of the inquiries.

Mr. POOL. Your request is insulting to the committee, and we don't appreciate it. It is denied.

Mr. KUNSTLER. Mr. Chairman, I have one more motion. My name is William M. Kunstler. I am one of the attorneys for Dr. Allen Krebs and Mr. Walter Teague, and I move now for the disqualification of Mr. Buchanan from sitting on this committee, as being from an electorate found by this Congress to have systematically excluded Negroes from participation in the voting process. I ask this committee to disqualify him from sitting, based on your own finding under the Voting Rights Act of 1965.

Mr. POOL. We have had this up before, and that is also insulting to the committee, and it is denied.

Mr. KUNSTLER. My objection.

Mr. POOL. All right, go ahead with the witness, now; that is all the lawyers we have up here.

TESTIMONY OF PHILLIP ABBOTT LUCE

Mr. NITTLE. Would you state your full name for the record, please?

Mr. LUCE. My name is Phillip Abbott Luce.

Mr. NITTLE. You have been subpoenaed to appear here to testify?

Mr. LUCE. Yes, sir, I have been subpoenaed to testify.

Mr. NITTLE. You are not appearing with counsel.

Mr. LUCE. No, sir, I am not.

Mr. NITTLE. Do you desire counsel?

Mr. LUCE. No, sir.

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

Mr. LUCE. 10-18-36 in Lancaster, Ohio.

Mr. NITTLE. Would you relate the extent of your formal education?

Mr. LUCE. I have a bachelor's degree from Mississippi State University. I have a master's degree in political science from Ohio State University. I have done some Ph. D. work.

Mr. NITTLE. Would you state the period during which you attended the various schools, and when you received your degrees?

Mr. LUCE. I graduated from Mississippi State in 1958; I received my master's degree in 1960 from Ohio State.

Mr. NITTLE. What is your present occupation?

Mr. LUCE. I am presently a writer.

Mr. NITTLE. Have you been a member of the Progressive Labor Movement or Party?

Mr. LUCE. Yes, sir, I was a member of the Progressive Labor Movement.

Mr. NITTLE. Would you tell us, please, the period during which you maintained your membership?

Mr. LUCE. It is somewhat difficult to state in specific terms, because I was a secret member for a period of time. However, it would be from approximately July of 1964 until January of 1965.

Mr. NITTLE. Would you tell us, please, what is the Progressive Labor Movement?

Mr. LUCE. The Progressive Labor Movement, now the Progressive Labor Party, according to its own definition, is a Marxist-Leninist Communist organization. Progressive Labor was founded in 1961, following the expulsions of Mortimer Scheer and Milton Rosen from the Communist Party of the United States for what was considered to be left deviationism. They were considered to be the Chinese faction, the Albanian faction, of the Communist Party. They were expelled.

Following their expulsion, they set up another Communist party in the United States, which they named the Progressive Labor Movement.

Mr. NITTLE. Would you briefly relate the circumstances under which you came to be associated with this Communist organization?

Mr. LUCE. I first became associated with it when I agreed to go on a trip to Cuba in the summer of 1963. And following that, my associations continued and increased until at a certain point, as I said before, I decided to join Progressive Labor.

Mr. NITTLE. Now, you referred to a trip to Cuba in 1963. Was that trip organized by the Progressive Labor Movement?

Mr. LUCE. Yes, sir, it was.

Mr. NITTLE. Could you relate in more detail the circumstances under which you came to associate with an organization of this type? What was the background which led you into this?

Mr. LUCE. I suppose that in part it began while I was in college, when I decided to associate myself with various leftwing causes and ideologies, to begin a somewhat systematic reading of the material available from the left. And at one point, I considered joining the Communist Party of the United States, but then decided, as have a number of younger people, that it was not, quote, "revolutionary," end quote, enough. And following the trips to Cuba and other activities, decided that the Progressive Labor Movement, which espouses a line similar, at least, to the revolutionary line of the Chinese Communists, did have an ideology which I thought I could ascribe to.

Mr. NITTLE. Could you tell us the means by which you were brought in contact with the left, as you describe it, while at the university?

Mr. LUCE. Not specifically. There were a number of instances and matters which came to my attention, and I became convinced at that point—at least, if not convinced, at least interested in discovering whether or not what I considered, at least, to be the social problems of the country could be solved through a democratic process.

I decided that they could not. And that, instead, what was needed was a socialist revolution in the country. And as I say, through a period of reading and associating with people both in the Communist Party and in other leftwing organizations, I came to the decision that I should indeed align myself with these people and join a Communist organization.

Mr. NITTLE. Did you become associated with Communists at the university?

Mr. LUCE. Yes; some.

Mr. NITTLE. And what was the nature of the contacts with the Communist movement while at the university?

Mr. LUCE. It was in discussions, in reading, in going to New York and talking with various leaders of the Communist Party of the United States.

Mr. NITTLE. Was there any participation by the faculty or student groups at the colleges you attended by which you were brought in contact with the Communist movement?

Mr. LUCE. Some; but it was not excessive.

Mr. NITTLE. Now, you have described the Progressive Labor Movement as a Marxist-Leninist organization. Would you elaborate upon that point for the record?

Mr. LUCE. Yes, sir; Progressive Labor is a Communist organization. It considers itself to be a Communist party. In many respects, it considers itself to be the only true Communist party in the United States. Its literature, its periodicals, its members admit to being Communists. They have published a number of statements calling for a revolution in the United States. They have called for a—or have stated publicly that we need a Marxist-Leninist form of government in this country. They have never denied the fact that they are Communists or that they do advocate a revolutionary situation in this country.

As further proof, I would give to the committee a pamphlet published by the Progressive Labor Movement in November of 1964, called *Road to Revolution*, and within this publication, it gives a number of the programs and policies of the Progressive Labor Movement then, now Party, and as its title would indicate, calls for a road leading to a revolution in the United States in which Marxism-Leninism would be the objective.

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

Mr. NITTLE. When you talk about revolution, do you mean a forcible overthrow of the Government of the United States?

Mr. LUCE. I would be amiss if I would say that the Progressive Labor Party intended or hoped to take power in this country through any other means except an overthrow of the Government.

Mr. NITTLE. Now quite obviously, under existing circumstances at least, it doesn't appear as though any group of this sort could seize control by force of the United States Government. How do they expect to accomplish this revolution?

Mr. LUCE. Well, to begin with, I would certainly agree that there is in the United States today none of these small ultraleftwing organizations that has the power or the membership to overthrow the Government in Washington, and certainly, at this point, it would be a kamikaze attack. It would be suicidal for them to attempt anything such as that.

Their program is of a more long-range nature, in which you would build a cadre of hard-core members, who would indeed intend in some

cases to incite riots, to incite uprisings within various parts of the country, with the hope and in the hope that if enough anarchy was created within the United States, that then perhaps either with assistance from another foreign power or simply the total state of anarchy within this country would bring down the Government.

Mr. NITTLE. Now you have told about their desire to create a state of anarchy, and to create a base for revolution, through that process. Could you tell us by what means they expect to instill or to accomplish the anarchy or the state of anarchy in this country?

Mr. LUCE. Through a number of means. In part, through attempting to spur and incite, and once they take place, to continue riots within various ghettos in the cities; through the formation of radical, so-called anti-imperialist student groups, which would attempt to get students involved in organizations and attempts to disrupt the local governments and to start this state of anarchy.

Mr. NITTLE. What is the function of propaganda and agitation in the overall attempt to create a revolution in the United States?

Mr. LUCE. The function of propaganda is certainly one of the highest, throughout the history of communism. The Communists have always thought, and will continue to believe, which perhaps is correct, that while they do not have a majority of the people, that through the usage and promulgation of a tremendous amount of propaganda within a country, you can begin to sow or to begin the seeds of distrust and perhaps anarchy.

Therefore, Progressive Labor and all Communist organizations operating within this country and abroad spend a tremendous amount of time and money on the creation of a wide variety of propaganda aimed at specific groups which they would like to incite.

Mr. NITTLE. Did the Progressive Labor Party teach or advocate any particular action to be taken by the Communist cadre, which they were setting up, in the event of war between the United States and any Communist power or powers?

Mr. LUCE. At one point, there was a plan within Progressive Labor that if the United States went into a full-scale war with China, that the members or various members of Progressive Labor would drop out of sight for all intents and purposes and attempt to organize within sections of the country an underground operation, which indeed would attempt to impede any war effort that we had with China.

Mr. NITTLE. Mr. Luce, you must have witnessed the demonstration in this hearing room at the commencement of this hearing. Would you comment upon the use of demonstrations as a technique of the Progressive Labor Party?

Mr. LUCE. Well, it was an obvious technique which they would employ here or at most other hearings in an attempt to not only disrupt the hearings, but to make speeches, to attempt to cast doubt and aspersion upon the members of the committee. More important than that, of course, is, it holds a basic part of the ideologies of many of these young groups to simply involve people in action. And how marvelous it is if you can get up and scream a phrase, and it is not only good for your digestive tract, but it is also a revolutionary form—or forum, in this case—and so, as they sit there and, in many cases, shout, they

do it for two reasons. One is to try to disrupt everything that is going on and, secondly, of course, is simply to show that they are more revolutionary than thou, and it becomes—it is not only a propaganda trick, it is not only a tactic that the Communists use, but it is also a psychological game which all Communists, especially the younger variety, are involved in, in which they want to prove that they are indeed not only more revolutionary than their elders, but in many cases, more revolutionary than their other members, so I would expect this type of action on their part, because it is something that is ingrained within the organization.

Mr. NITTLE. What is the function of resistance to law and civil disobedience in the Communist ideology?

Mr. LUCE. It varies at some parts from organization to organization, but, in general, the concept would be that there are laws which we obey and laws which we won't obey, and we will decide what laws we are going to obey. And civil disobedience, in their concept, serves two functions: one, it disrupts, it creates this partial anarchy; and secondly, and perhaps more importantly, it then involves these young people in actions with the police. And the hope is, of course, that if you are in an action with the police, and perhaps the police arrest you, or you get in some kind of real fracas with them, and you end up in jail, that then your revolutionary fervor will be increased.

So the civil disobedience plays a very important role, and in many cases the Communists would like to have these young people arrested, like to have them in jail, in the hopes that this indeed will just create more of a revolutionary consciousness on their part.

Mr. NITTLE. By what means does the Communist Party, "the secret core of revolutionaries," as Lenin said, communicate with the mass of people? How do they gain contact and access to the ear of the average loyal citizen?

Mr. LUCE. Well, in most cases, of course, they don't. They are obviously mistaken if they think that coming before a group of elected Congressmen and screaming at them and creating a scene is going to impress the average citizen in Columbus, Ohio, or Birmingham, Alabama. As a matter of fact, most American citizens are immediately repulsed by these antics; but their hope, of course, is not to get to the mass at this point. The point is to get other young people who may be struggling against authority and angry with the Congress over a variety of issues, or just simply young alienated people in this country, to say, "Well, look, these kids have got it right, because they are here and they are going to fight the cops and they are going to fight all authority," and so forth and so on; so they are not really after the great majority of Americans. Instead, they are trying to impress other students and other young people that they think might follow their cause.

Mr. NITTLE. Did the Progressive Labor Party utilize the technique of creating fronts?

Mr. LUCE. Yes, sir.

Mr. NITTLE. In order to establish contact with the public?

Mr. LUCE. Yes, it has.

Mr. NITTLE. What is the purpose of the utilization of a front?

Mr. LUCE. Well, within the Communist ideology, it is advisable in many cases to create what is known as a front, which is an organization that operates under the control of Communists, but has other people, either in a purported leadership position, or at least in a membership position, so that it will give the impression of not being controlled by the Communists.

The point in this is to try to influence other people into contact with communism, who perhaps after a period of time will actually join a Communist organization.

Mr. NITTLE. Did the Progressive Labor Movement establish a number of fronts?

Mr. LUCE. Yes, sir; it did. A number of them. It has not been in existence long enough to have the record of the Communist Party of the United States, but it has created fronts. Among those fronts would be the May 2nd Movement, the Student Committee for Travel to Cuba, the Harlem Defense Committee,¹ and an organization cryptically known as Cerge, C-e-r-g-e, which somehow stands for the Committee to Defend Resistance to Ghetto Life.

And since the time that I have left Progressive Labor, they have formed other fronts, but these are some of them.

Mr. NITTLE. Now would you tell us, please, about the May 2nd Movement front?

Mr. LUCE. Yes, sir. The May 2nd Movement was an organization which had its beginnings at a conference called at Yale University on March the 14th, 1964, and this Yale University conference was called the Yale Socialist Union Conference, and it was, I believe, a 3-day meeting of young leftists from the West Coast, representing almost all brands of what has come to be known as the New Left ideology.

Mr. ICHORD. Mr. Counsel, if you will excuse me, there, I would like to ask the witness, were you a member of the May 2nd Movement?

Mr. LUCE. Yes, sir; I was.

Mr. ICHORD. Did you participate as a member in the demonstrations—I believe they were out in Berkeley, or San Francisco, in August of 1965?

Mr. LUCE. No, sir; I did not.

Mr. ICHORD. There was a May the 2d demonstration or an attempt to interfere with the movement of troop trains in Berkeley, was there not, in August '65? Are you familiar with that activity.

Mr. LUCE. I am familiar with the fact that there was a demonstration, but I am not familiar with the auspices of it.

Mr. ICHORD. Proceed, Mr. Counsel.

Mr. POOL. Proceed, Mr. Counsel.

Mr. NITTLE. Would you continue to relate your experience in the May 2d movement?

Mr. LUCE. Yes, sir; at this Yale Socialist Union Conference, there were a number of people there interested in the war in Vietnam.

¹ Correct name "Harlem Defense Council."

Mr. NITTLE. May I suggest that you advise us how this conference took place? Who called it, what was the occasion for it, and your purpose in being there?

Mr. LUCE. The conference was called, as I said earlier, by the Yale Socialist Union, and it was called in order to hear a number of speakers representing the left.

Mr. NITTLE. Was that an organization at Yale?

Mr. LUCE. Yes, sir, I believe it was.

Mr. NITTLE. It was in existence prior to the calling of this meeting?

Mr. LUCE. I believe so, sir.

Mr. NITTLE. And did you attend it?

Mr. LUCE. Yes, sir, I did. I attended it as a representative of the Student Committee for Travel to Cuba.

Mr. NITTLE. Who issued the invitation for your attendance, or the attendance of your group there?

Mr. LUCE. I don't know, sir. As I say, a number of people there were interested in the war in Vietnam and attempting to find some focal point with which to create objections to the war.

At that point, I had personally just drafted a declaration calling on young Americans to refuse to fight in the war in Vietnam, which I took to the Yale Socialist Union and passed out there. On Saturday afternoon, which I assume was March the 15th, 1964, although I am not certain of the date, Milton Rosen, the head of the Progressive Labor Movement at that point, who is now, I understand, president of the Progressive Labor Party, made a speech to the young people who were gathered at Yale. And he called on the people there to form themselves into some type of an ad hoc organization, to call a protest, some place on the East Coast, to oppose the war in Vietnam.

And as a result of his speech, it was decided to set up the May 2nd Committee, and the May 2nd Committee came about, as I say, as a result of that, and the letter was sent out on May 2nd Committee stationery almost immediately following that conference, which outlined as its purposes—and if I may, I would read a paragraph of it.

Mr. NITTLE. Yes.

Mr. LUCE. Quote:

The May 2nd Committee is a group of young people who oppose the use of American troops in Vietnam. Our group was organized on March 14, 1964, in New Haven, Connecticut, as an ad hoc committee to plan and execute a demonstration in New York City on May 2, 1964, to demand the withdrawal of American troops from South Vietnam. The committee was formed by young people participating in the Yale Socialist Union's conference "Socialism in America." The conference agreed unanimously to support some demonstration on Vietnam. * * *

The demonstration that was held was held on May the 2d, 1964, in New York City.

(Document marked "Luce Exhibit No. 2" follows:)

LUCE EXHIBIT No. 2

STOP

McNAMARA'S WAR in VIETNAM!



**MASS RALLY:
SATURDAY: MAY 2**

110th St. and 8th Ave. 1:00 p.m.

HEAR: Helen Lamb Lamont, Russ Nixon, Conrad Lynn, Bill Scott,
Bill Epton, Benjamin Ortiz, Levi Laub and others.

SPONSORED BY The May 2nd Committee

LUCE EXHIBIT No. 2—Continued

THE MAY 2nd COMMITTEE

315 Founders Hall Haverford College Haverford, Pa.

New York Office--- 140 West 69th Street - Room 39B

Chairman
Russell Stetler

Coordinators
Levi Laub
Peter Camejo

Edith Black
Smith College
Harvey Blume
Columbia U.
Charles Buchanan
North Bergen, N.J.
Edward Campbell
Bridgeport, Conn.
Ira Feder
Sarah Lawrence College
Ellen Goldberg
Goucher College

Marc Graham
Wesleyan U.
Gus Horowitz
Boston, Mass.
Douglas Ireland
New York, N.Y.
Peter Irons
Washington, D.C.

Joseph Knowles
Harvard U.
Victor Lippit
Yale U.

Phillip Luce
New York, N.Y.
Robin Maisel

U. of Pennsylvania
Marjorie Mazel
Smith College

Janet Oldt
Antioch College

Catherine Prenskey ✓
New Rochelle, N.Y.

David Raboy
Clark U.

Richard Rhoads
New York, N.Y.

Jeffrey Roven
New York U.

Gail Sanger
Bryn Mawr College

Joan Sekler
City College, N.Y.

Mark Stahl
Yale U.

The May 2nd Committee is a group of young people who oppose the use of American troops in Vietnam. Our group was organized on March 14, 1964, in New Haven, Connecticut, as an ad hoc committee to plan and execute a demonstration in New York City on May 2, 1964, to demand the withdrawal of American troops from South Vietnam. The committee was formed by young people participating in the Yale Socialist Union's conference "Socialism in America." The conference agreed unanimously to support some demonstration on Vietnam. Many diverse and often opposed Socialist groups joined together on the Committee. Other groups whose members are represented include SPU and SDS. We have campus representatives on some 20 campuses.

Many groups have spoken out against U.S. intervention in South Vietnam. Still, more people are expressing concern over the possible extension of the war to North Vietnam and perhaps creating a nuclear war. The May 2nd Committee takes Senator Wayne Morse's stand - for complete withdrawal of U.S. troops from South Vietnam - as our demand. The May 2nd demonstration offers an opportunity to all those who have spoken out on Vietnam to translate their protest into concrete action. We invite everyone to join with us in our opposition to McNamara's War in South Vietnam.

If the May 2nd demonstration is to be a success we need the support of all Americans who are opposed to the useless and senseless killing of American troops in the jungles of Vietnam. The May 2nd Committee was formed initially for demonstrations on May 2nd but as the civil war in Vietnam increases in intensity and more and more Americans are murdered there we may reorganize ourselves into a permanent committee to make Vietnam a political issue in this the year of national political conventions. The war in Vietnam must be stopped and stopped now. This is a major question for American youth and we pledge ourselves to doing everything possible to stop American involvement in Vietnam.

(Schools listed for identification only)

Mr. NITTLE. Before you tell us about that, did you say that this statement had been prepared for presentation at the Yale Socialist Union Conference?

Mr. LUCE. No, sir; it was prepared immediately following the Yale Socialist Union Conference.

Mr. NITTLE. And following the speech of Milton Rosen, advocating protest action against United States involvement in Vietnam?

Mr. LUCE. Yes, sir.

Mr. ASHBROOK. Mr. Counsel, may I ask two questions?

First, over whose signature did this letter go out, which you read? Do you recall?

Mr. LUCE. I think I wrote it.

Mr. ASHBROOK. Did you participate in the demonstration in New York City?

Mr. LUCE. Yes, sir.

Mr. NITTLE. At the time you appeared at the Yale Socialist Union, you were not a member of the Progressive Labor Movement?

Mr. LUCE. No, sir; I was a fellow traveler.

Mr. NITTLE. Were you invited to attend by Milton Rosen, the head of the Progressive Labor Movement?

Mr. LUCE. No, sir, I believe that another member of Progressive Labor just simply said, "Let's go up to the conference, and we may have a chance to speak about Cuba up there," and so he and myself went up, with some other members of Progressive Labor.

Mr. NITTLE. Now, at the time you were merely involved in the Student Committee for Travel to Cuba?

Mr. LUCE. Yes, sir.

Mr. NITTLE. And was that a Progressive Labor activity?

Mr. LUCE. Yes, sir, it was. It was composed of the people that went to Cuba in 1963. It was a closed club. You had to have gone to Cuba in 1963 to be a member. However, there was an executive committee of the Student Committee for Travel to Cuba, of which I was a part.

Mr. NITTLE. And was the Student Committee for Travel to Cuba a front of the Progressive Labor Movement?

Mr. LUCE. Yes, sir, it was.

Mr. NITTLE. Now, would you tell us what happened with regard to the anti-Vietnam letter?

Mr. LUCE. The May 2nd Committee initially had as chairman of it, according to their letterhead on our stationery at the time, Russell Stetler from Haverford College; and two coordinators were appointed at the Yale Socialist Union meeting: Levi Laub, of Progressive Labor, and Peter Camejo, who at that time was an official of the Young Socialist Alliance, a Trotskyist organization.

Following the Yale Socialist Union Conference, however, upon our return to New York, the basis for the May 2nd demonstration and, in fact, the control of the May 2nd Committee became completely dominated by people within Progressive Labor. Progressive Labor did all of the printing, all of the writing of material, the distribution of material, the actual organization of the meeting was carried on almost exclusively by Progressive Labor people. The day of the May 2nd Committee demonstration, I met and had lunch with two officials of the Progressive Labor Movement, and we discussed at that point a

draft program which had been drawn up by Fred Jerome, who at that point was editor of the Progressive Labor newspaper, called *Challenge*, and Mr. Jerome, at that point, showed us, as I say, this prospectus or this outline, this draft, that he had prepared, which he had hoped we would introduce the night of the May 2nd demonstration, which would call for a continuing group, an organization to be called the May 2nd Movement. And following the May 2nd demonstration, Mr. Laub presented to the people that had gathered that evening, many of whom demonstrated that day, this proposal and this program, and it was accepted; and from that point on, the May 2nd Committee became permanent and became known as the May 2nd Movement.

Mr. NITTLE. Did they establish a national executive committee for the conduct of the operation of this Progressive Labor front?

Mr. LUCE. Yes, sir. Later, in the fall of 1964, or the late summer of 1964—I think it was the fall, however, 1964—they did create a national executive committee of the May 2nd Movement; and on this national executive committee, from then until the time I left, it is composed of 12 people, and of the 12 people, the vast majority, if not—and, in fact, I think, I believe, I think there are 9 of the 12 members from Progressive Labor, so that it was controlled at all points by Progressive Labor.

Mr. NITTLE. Will you tell us the names of the persons who composed the national executive committee of the May 2nd Movement?

Mr. LUCE. The members of the national executive committee of the May 2nd Movement that were members of Progressive Labor were Levi Laub, Roger Taus, Marc Schleifer, Rick Rhoads, Jeff Gordon, Mike Brown, Albert Maher, Judith Warden, and myself.

Mr. NITTLE. And at that time who were the three members who were not likewise members of the Progressive Labor Movement, to your knowledge?

Mr. LUCE. I don't recall the names at the moment, sir. May I just add to that, that within the national executive committee of the May 2nd Movement, that I said was composed of 12 people, there was a Progressive Labor Club. And the nine of us met almost weekly to decide on what policies we would present at the next national executive committee meeting of the May 2nd Movement, and, of course, these policies were always carried, since we had the majority vote. At least two of the other members of the national executive committee of the May 2nd Movement did not know that some of the members of the national executive committee were members of PL and had no idea that a club existed.

Mr. NITTLE. So that the Progressive Labor members within the May 2nd Movement met separately, caucused, decided policy, and then appeared to go through a meeting with the entire executive committee, the nonmembers of PLM, and establish policy?

Mr. LUCE. Yes, sir.

Mr. NITTLE. Now, you mentioned Russell Stetler as being chairman of the M2M group. Did you know him then as a non-PLM member?

Mr. LUCE. Yes, sir, I knew him as a non-PLM member.

Mr. NITTLE. At that time, was Rick Manderfeld a member of the May 2nd Movement National Executive Committee?

Mr. LUCE. I think he became a member at approximately the time I was leaving.

Mr. NITTLE. Was Frances Kissling at any time a member of the May 2nd Movement National Executive Committee?

Mr. LUCE. She was a member of May 2nd, but not of Progressive Labor.

Mr. NITTLE. At these meetings, what were the principal policies established for the conduct of the work of the May 2nd Movement?

Mr. LUCE. At that time, it was hoped that the May 2nd Movement could form organizations on a number of American college campuses with the specific purpose of advocating immediate withdrawal of American troops from Vietnam and of attempting to instill some type of a genuine and serious propaganda effort on these campuses, to simply create the illusion that most American students were opposed to the war in Vietnam.

Mr. NITTLE. So that there was then an agreement and a policy that May 2nd Movement chapters in effect would be formed on various college campuses. Is that right?

Mr. LUCE. Yes, sir, is was.

Mr. NITTLE. Was there discussed the means of accomplishing the organization of May 2nd Movement chapters at various colleges?

Mr. LUCE. This would be carried on in a number of ways. At that time, we had a film from the so-called National Liberation Front of Vietnam, the Viet Cong, that the May 2nd people showed on the campuses, and it was hoped that through this film it might be possible to organize young people.

Mr. NITTLE. Was that a Viet Cong film sometimes titled and shown as "Heroic Vietnam, 1963"?

Mr. LUCE. I believe so; yes, sir.

Mr. NITTLE. Where was that film obtained?

Mr. LUCE. That film was obtained by us in Cuba, brought into the United States in a diplomatic pouch through the Cuban mission, and picked up at the Cuban mission to the United Nations by a representative of Progressive Labor.

Mr. NITTLE. Who were the persons appointed to the task of displaying this film on various college campuses and seeking at the same time to organize May 2nd chapters at various campuses?

Mr. LUCE. Almost all of the members of the national executive committee; at one point or another, each person was assigned to a campus or a series of campuses which he or she was supposed to visit and supposed to speak against the war in Vietnam, about Cuba, about some type of "anti-imperialist" policies.

May I just add, also, regarding the organization on the campuses, that the May 2nd Movement also attempted to get young people to sign a declaration similar to mine, although not the same as the one I initiated, calling on young Americans to refuse to fight in Vietnam. And the May 2nd Movement, according to its own propaganda literature, stated—and if I may quote:

Some chapters of May 2 plan campaigns to donate blood and other medical aid to the National Liberation Front of South Vietnam, to concretely show our support for national liberation struggles. Receiving blood from U.S. college students will be a terrific morale boost to the Vietnamese people. Collecting pledges for blood on campus can also show where the administration stands * * *. (See Gordon Exhibit No. 2, p. —.)

From the Floor: Let's stop this fink testimony. You get out of here.
[Disturbance, applause, and demonstration.]

Mr. POOL. Remove that man.

We will have order in here.

Mr. LUCE. Mr. Counsel, if I might comment on that, it is a typical example of what I had said earlier. You see, the young man who jumped up and made his—not statement, he does not want to carry on any kind of democratic dialogue. He wants to shout slogans.

[Demonstration.]

Mr. POOL. Wait a minute.

From the Floor: That's democratic dialogue?

[Disturbance and demonstration.]

Mr. POOL. Go ahead. I want to make this statement to the audience.

This is a legislative hearing, and we are going to have order in here.

Go ahead.

Mr. NITTLE. Mr. Luce, I believe you were testifying, before the interruption, about a statement that was circulated on various college campuses.

Mr. LUCE. Yes, sir; and if I may continue that, I have spoken about blood and the institution of the policy in some May 2nd chapters to attempt to collect blood. And again, quoting from documents of the May 2nd Movement, it gives an idea of exactly the type and approach, the program that we were attempting to institute on these campuses, and again I quote two paragraphs, basically:

Out of this understanding of imperialism as responsible for the poverty of our lives, and out of the void of inaction of the existing peace and left groups on the campuses, the May 2nd Movement was formed. M2M is campus based, attempting to organize students to fight the system and not docilely (or gripingly) accept it.

They then go on to say that most people realize that the U.S. is not fighting for freedom—

Mr. POOL. Just a minute. Let us have order is here now.

Go ahead.

Mr. LUCE. I will skip down:

We say to those who are being forced to kill and die for the interests of imperialism—DON'T GO. The May 2nd Movement is launching an anti-induction campaign on the campuses. This campaign will organize existing resistance to the draft, based on the refusal to fight against the people of Vietnam. Each campus and each community should say, "No one from this college (or community) should be drafted". Declarations and literature will be circulated, forums and meetings held, demonstrations organized and acts of disobedience engaged in. The theme will be "WE WON'T GO." (See Gordon Exhibit No. 2, p. 1002.)

Mr. ASHEROOK. On that point, Mr. Luce, what acts of disobedience were contemplated? Do you have anything you could give the committee on that subject?

Mr. LUCE. Well, in part, simple refusal to allow yourself to be inducted into the Army. It was contemplated at one point, possible attempt to have actual sitdowns or demonstrations within induction centers, to pass out literature in front of induction centers, to get young people to sign these declarations, refusing to go into the war in Vietnam.

Mr. NITTLE. In connection with the antidraft activities, was there a petition circulated amongst the students at the various universities

where your May 2nd Movement people appeared, to declare the refusal to fight and to oppose being drafted?

I believe a statement of that sort appeared in an advertisement in the *National Guardian* on April 25, 1964, a pro-Communist journal, and in the *New York Herald Tribune* on May 28, 1964. I have copies of those advertisements. Would you comment upon that?

(Documents handed to witness.)

Mr. LUCE. Yes, sir. Neither of these advertisements were run by the May 2nd Movement. Both advertisements were run by myself. They were both—the one that was run in the *Herald Tribune* is a copy of the one in the *National Guardian*, with the inclusion of a number of more names. The May 2nd Movement, however, at a certain point, decided to take over the campaign to get young people to sign a declaration refusing to fight in Vietnam, and at that point, I turned over my lists of names to them, and they brought out a different declaration, one which was much shorter, and one which took out—

Mr. NITTLE. Well, now, would you please read the declaration that you had prepared for the initial ad hoc committee and then tell us, please, in what way the statement differed that was circulated later by the May 2nd Movement?

Mr. LUCE. Yes, sir, my declaration—

Mr. NITTLE. And why the change was made.

Mr. LUCE. My declaration read as follows, and I quote:

WE THE UNDERSIGNED,
ARE YOUNG AMERICANS OF DRAFT AGE. We understand our obligations to defend our country and to serve in the armed forces but we object to being asked to support the war in South Vietnam.

Believing that United States participation in that war is for the suppression of the Vietnamese struggle for national independence, we see no justification for our involvement. We agree with Senator Wayne Morse, who said on the floor of the Senate on March 4, 1964, regarding South Vietnam, that "We should never have gone in. We should never have stayed in. We should get out."

BELIEVING THAT WE SHOULD NOT BE ASKED TO FIGHT AGAINST THE PEOPLE OF VIETNAM, WE HEREWITH STATE OUR REFUSAL TO DO SO.

(Documents marked "Luce Exhibits Nos. 3-A and 3-B," respectively, and retained in files.)

The declaration was modified by the May 2nd Movement, and there were a number of various changes that came out at different times, but the final draft that I have ever seen of it read as follows:

"WE WON'T GO. The war on Vietnam is not a war for freedom or democracy. It is a war against the people of Vietnam.

"The government has no right to draft any citizen to participate in such a war.

"We, the students of the United States, refuse to be drafted. We do not recognize the right of the government to draft our fellow students. We refuse to be turned into killers and corpses for a war that is not ours."

The changes that were brought about, although they are numerous, and there is really no relationship between the first and second, were brought about in part because a number of the Communists within the organization objected strenuously to the section of my statement which said, in part, and I quote—"We understand our obligations to defend

our country and to serve in the armed forces * * *." Their contention being that being anti-imperialist meant that you would refuse to serve in any war of imperialism or any action or any army created by the United States Government.

(Document marked "Luce Exhibit No. 4" follows:)

LUCE EXHIBIT No. 4

W E W O N ' T G O

The war on Vietnam is not a war for freedom or democracy. It is a war against the people of Vietnam.

The government has no right to draft any citizen to participate in such a war.

We, the students of the United States, refuse to be drafted. We do not recognize the right of the government to draft our fellow students. We refuse to be turned into killers and corpses for a war that is not ours.

Name	Address	School
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

We authorize the publication of our names with the above declaration.

JOIN The MAY 2nd MOVEMENT

National membership cards cost \$2 per year. Members receive a monthly report of May 2nd activities and plans. (let us know your mailing address changes.)

Members who are working together on a campus or elsewhere organize in a May 2nd chapter. Often the national office is able to provide new members with the names of other members in the same area, so that a chapter may be formed. Chapters elect representatives to the National Coordinating Committee, which also includes national staff workers. The NCC meets regularly to decide national policy.

MAY 2nd MOVEMENT, 640 Broadway, room 307, New York 10012 N.Y.

Tel: (212) 982 5550

Mr. POOL. I want to ask the witness, how widespread was the May 2nd Movement?

Mr. LUCE. Before its demise earlier this year, it had gained some strength on a number of campuses, but it was never what the founders hoped for it to be, a mass movement of college students. The actual membership of this, I would not know, having left prior to its dissolving, but I am confident that it never gained any more certainly than a thousand members, if that many.

Mr. POOL. I understand from the information that I have that it was formed on 20 university campuses, does that figure sound about right?

Mr. LUCE. I have seen that figure published by the May 2nd Movement itself; yes, sir; and I believe that it is possible that that is true.

Mr. POOL. Go ahead.

Mr. NITTLE. In setting up May 2nd Movement chapters at various campuses, did the Progressive Labor Movement also utilize Progressive Labor Club cells that they had previously organized at some of these universities?

Mr. LUCE. To the best of my knowledge, some of these universities, the direct contact between May 2nd and—the formation of May 2nd came about as a result of the impetus of Progressive Labor members.

Mr. NITTLE. Now, you talked about the adoption of a policy by the May 2nd Movement to send blood and medical supplies to North Vietnam, or the Viet Cong. Was that policy discussed at meetings of the May 2nd Movement National Executive Committee?

Mr. LUCE. It was indeed discussed there, on a number of occasions, but no actual institution of that policy took place before I had left.

Mr. NITTLE. You testified a moment ago that all members of the national executive committee had some responsibility and that it was desired they make some effort to establish the May 2nd Movement at various college campuses.

FROM THE FLOOR. This hearing is so—
[Disturbance and demonstration.]

Mr. POOL. Let us have order. Please remain seated.

Let us have order here. Please sit down.

Go ahead, Counsel.

Mr. NITTLE. Mr. Luce, would you tell us, please, what role Jeff Gordon played in the May 2nd Movement during the period you were in it?

Mr. LUCE. Mr. Gordon was a member of the national executive committee of the May 2nd Movement and devoted the major part of his free time to attempting to proselytize for the May 2nd Movement.

Mr. NITTLE. Did Mr. Gordon visit various college campuses, to your knowledge?

Mr. LUCE. I recall that he did, but I cannot recall at this moment where.

Mr. NITTLE. What role did Richard Rhoads play?

Mr. LUCE. Richard Rhoads was in part enrolled at City College of New York in an attempt to form a May 2nd Movement chapter there.

Mr. NITTLE. Was there a Progressive Labor Club or cell formed at the City College of New York?

Mr. LUCE. Yes, sir, there was.

Mr. NITTLE. Was Rhoads a member of that cell?

Mr. LUCE. No, sir, he was not. He was a secret member of Progressive Labor during the time that I was associated with it. He was not a publicly known member.

Mr. NITTLE. Did he have contact with the club or cell of the Progressive Labor Party at CCNY, to your knowledge?

Mr. LUCE. He may have cooperated with them, but to my knowledge there was no direct relationship.

Mr. NITTLE. Mr. Luce, could you tell us whether there were any contacts made with or by the May 2nd Movement with the Chinese Communists or anyone acting as their agent or representative or on their behalf?

Mr. LUCE. I do know that we received communications from Peking and, specifically, I recall a letter sent to me from Anna Louise Strong, an American Communist who now lives in Peking. And this letter was read to the national executive committee of the May 2nd Movement because it was considered that it gave the correct line on how we should begin to propagandize for the VC's.

Mr. NITTLE. Did you know her as a delegate to a conference of Communist countries that was convened in Hanoi in 1964?

Mr. LUCE. I know it through reading of the Chinese press; yes, sir.

Mr. NITTLE. Now, I have a copy of that letter from Anna Louise Strong, and would you identify it, please?

(Document handed to witness.)

Mr. LUCE. Yes, sir. This is a letter sent from Anna Louise Strong in Peking, China, to myself, on December 7, 1964.

Mr. ICHORD. Mr. Chairman, I think at this point, it would be appropriate for me to interrupt the counsel as it is now 12 o'clock, and I understand that the Chair will adjourn until 2 o'clock. Before we adjourn, Mr. Luce, I have one or two questions I would like to ask you now.

You have stated that you have been a member of the Progressive Labor Movement. Over how long a period of time were you a member of the PLM?

Mr. LUCE. A relatively short period of time; 6 or 7 months.

Mr. ICHORD. Six or seven months?

Mr. LUCE. Yes, sir.

Mr. ICHORD. Now, you defined the organization as a Marxist organization and, in your words, as an organization which has an ideology similar to the Chinese Communists. By way of preface to my statement, or to my question, Mr. Luce, I would state to you that last June, as a member of the House Committee on Armed Services, I was designated as a member of a special subcommittee of the House Committee on Armed Services to go to South Vietnam. The committee was headed by the Honorable Otis Pike, of New York.

While in Vietnam, I was advised by intelligence sources and by—and in the field, that often, when the anti-south Vietnam demonstrations were staged here in the United States, and let me hasten to say that I realize that many of the anti-involvement of the United States in South Vietnam are not headed or staged, in my opinion, by subversives—many of them, I am sure, are sincere pacifists who are opposed to South Vietnam, but we ascertained that often when these demonstrations would occur, that they would be picked up by the Viet Cong and publicized in South Vietnam. That is, the Viet Cong would

go to their own people and they would say, "Look, here is what is going on back in the United States. The American people themselves are against American involvement in South Vietnam. If we hold on, we will eventually win out, because the American people will get tired of South Vietnam."

And today, I have just had handed to me one of these leaflets which purports to have been distributed on the battlefield in South Vietnam. It has been mailed to a Member of Congress. I will not reveal his name at this time, until I check the authenticity, signed—I will read the letter:

Dear Sir,

The enclosed leaflet is forwarded in that I thought that it might be of interest if you had not previously seen one. It was acquired during participation in Operation Hastings near Dong Ho Republic of Vietnam. * * * I am taking the liberty of sending this leaflet to you.

And the letter is signed "Sincerely, J. A. Frasier 3rd., Capt. of Marines."

And the leaflet is a four-page affair. On the front of the leaflet is a picture of an anti-South Vietnam war demonstration. On the back side is another photograph showing a wooden cross, with a helmet of a soldier draped over the top of the cross, and inside are two statements of two very famous Americans opposing American action in South Vietnam, and I will not reveal their names, again, until I check the authenticity as to whether this leaflet was actually distributed as propaganda leaflets by the Viet Cong on the battlefield.¹

But the question I have for you, sir: Do you have any personal knowledge of PLM ever staging any demonstration with the intent or design of furnishing propaganda for the Viet Cong or any other hostile power to the United States?

Mr. LUCE. Not specifically. I would say that any demonstration against, for instance, the war in Vietnam that would be carried on by a hard-core Communist organization would have a collateral purpose, certainly, of attempting to create this image of the restless multitudes of this country being opposed to the war in Vietnam. I don't think—

Mr. ICHORD. Was that discussed at any of the meetings, as to the propaganda value of any of the demonstrations that might be staged to the Viet Cong or the Chinese or some other Communist nation?

Mr. LUCE. Not specifically; no, sir.

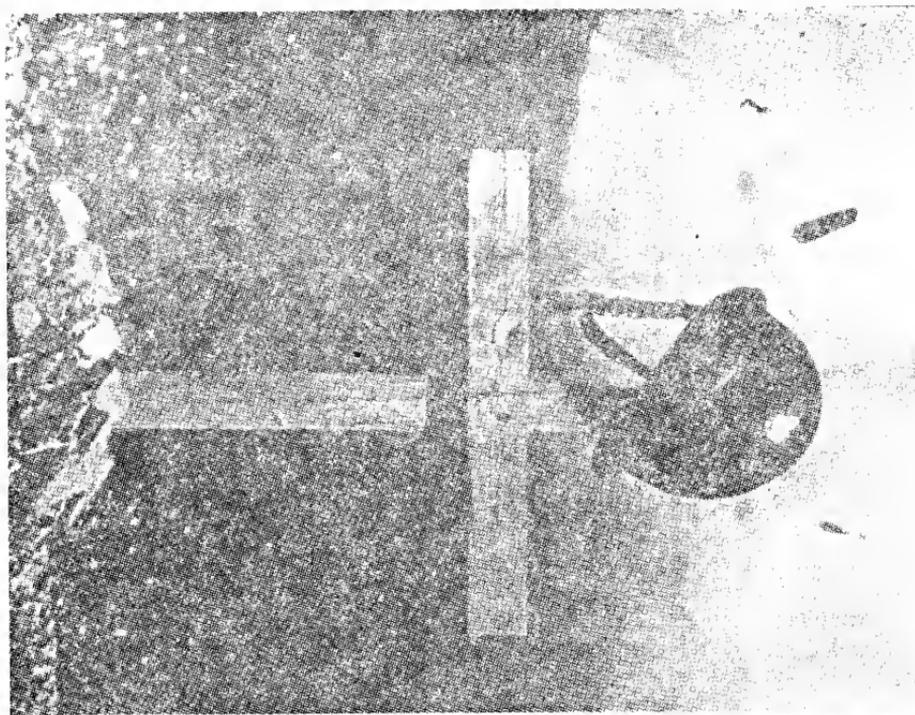
Mr. ICHORD. Thank you very much.

Mr. ASHBROOK. What about generally? It is and has generally been discussed that they would aid in every way possible, up to and including blood, by some donors. When you say "specifically," do you mean—

Mr. LUCE. I mean that it was not—to the best of my knowledge, I have never sat in on a meeting where somebody said, "Well, let's go have a demonstration against the war in Vietnam, because we know that Peking will give it an eight-column head tomorrow and its value

¹ Committee investigation determined that this leaflet had actually been distributed in the battle area of South Vietnam.

The letter of Marine Corps Captain J. A. Frasier III, in which the leaflet was enclosed (see reproduction, p. 944) was addressed to Representative Mendel Rivers, chairman of the House Armed Services Committee.



Reproduction of outside of leaflet introduced by Mr. Ichord.

Committee investigation determined that the lower picture was taken at approximately 11 a.m., Saturday, November 20, 1965, on Shattuck Avenue, Berkeley, during the Vietnam Day Committee march of that day. (See Edwin Meese testimony, p. —.)



The above picture, published in the *San Francisco Chronicle* of November 21, 1965, was also taken during the Vietnam Day Committee march in Berkeley and Oakland on Saturday, November 20, 1965.

will be that." That indeed—certainly, it is a—you understand that Peking may give it an eight-column head, but that's not the primary reason that you are doing it.

Mr. ICHORD. Well, of course, you understand that as a natural result, from the demonstration.

Mr. LUCE. Yes, sir.

Mr. ASHBROOK. What about the—promoting the idea that we do something specifically to aid the Viet Cong, in a sense of distributing leaflets, or some have advocated, in a sense of giving blood, supplies, anything beyond what we might call, from their point of view, morale assistance, or support of their goals of this country, anything specific in a material sense?

Mr. LUCE. Well, as I said, it was a question at one point of trying to send blood, and I have heard discussions of attempting to send money to various international organizations to try to get medical supplies sent to the Vietnamese.

Mr. ASHBROOK. To the best of your knowledge, you know of no leaflets being produced to be sent there for that purpose?

Mr. LUCE. I don't know of any being produced to be sent there, but I do know that having left the Progressive Labor Movement, perhaps a year before, I suddenly discovered in the New York papers, last December, or December of 1965, suddenly, an article which said that leaflets had been distributed in South Vietnam to our troops, which carried the original statement that I had written, calling on young people to refuse to fight in Vietnam, so that I have personal knowledge that it certainly is being done.

Mr. POOL. Before we adjourn for lunch, I would like to make this statement.

This is from the U.S. Code, and I will just read the provisions:

Whoever corruptly, or by threats of force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any witness in any proceeding pending before any department or agency of the United States, or in connection with any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress; or

Whoever injures any party or witness in his person or property on account of his attending or having attended such proceeding, inquiry, or investigation, or on account of his testifying or having testified to any matter pending therein; or

* * * * *
Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which such proceeding is being had before such department or agency of the United States, or the due and proper exercise of the power of inquiry under which such inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

I make this statement with the idea that you should be warned of the protection that the witness before this committee has. And I think that is all I have to say, and if any witness is threatened or

injured in any manner, it certainly should be reported to this committee, and proper action will be taken by the Justice Department.

Mr. ICHORD. Mr. Chairman, Mr. Luce has not been threatened or subjected to intimidations in any form in appearing before this committee—have you, Mr. Luce?

Mr. LUCE. No, sir.

Mr. POOL. Well, in case you do, I make this statement, for everyone to know.

With that in mind, the committee will adjourn until 2 o'clock.

(Subcommittee members present at time of recess: Representatives Pool, Ichord, Ashbrook, and Buchanan, and also Representative Clawson.)

(Whereupon, at 12:20 p.m., Tuesday, August 16, 1966, the subcommittee recessed, to reconvene at 2 p.m., the same day.)

AFTERNOON SESSION—TUESDAY, AUGUST 16, 1966

(The subcommittee reconvened at 2:05 p.m., Hon. Joe R. Pool, chairman of the subcommittee, presiding.)

(Subcommittee members present: Representatives Pool, Ashbrook, and Buchanan and also Representative Clawson.)

Mr. POOL. If the photographers will take their cameras outside—and no tape recorders, also, will be allowed in the hearings.

Mrs. AXELROD. Mr. Chairman—

Mr. POOL. Go ahead. Come on up here.

Mrs. AXELROD. Mr. Chairman, at this point, I would like to object to the method of seating the audience in this room. There are many witnesses here who have friends who have come to watch the hearing, and I believe that it would be proper and dignified for this hearing committee to admit people on a first-come, first-served basis. I understand that not more than 10 or 20 people were admitted who were standing in line, and the balance of the audience, virtually all of them, were admitted by special cards, received from—I don't know where—but I presume the cards were received from the committee.

Mr. POOL. If you will tell your folks to quit demonstrating in here and trying to make fools out of themselves, maybe we will be able to work something out.

[Applause.]

Mrs. AXELROD. I am not objecting, sir—Sir, I am not objecting to the refusal to admit anyone who has caused a disturbance. I am objecting to the refusal to admit peaceable people, who were standing in line and who should be admitted the same way as everyone else.

Mr. POOL. I thought they had in mind out there—who is in charge? (Off the record.)

Mrs. AXELROD. I would like to inquire as to how anyone gets these cards, because virtually all of the audience has received special cards to enter the room.

A POLICEMAN. They are cards of staff members.

Mr. ASHBROOK. There is always a tendency to admit staff members, but I would like to know of anyone else who has a card. I would like to see one.

Mr. POOL. Well, your objection is noted.
Let us go on with the hearing.

TESTIMONY OF PHILLIP ABBOTT LUCE—Resumed

Mr. NITTLE. Mr. Luce, at the time we recessed, we were discussing the question whether the May 2nd Movement maintained Chinese contacts, and you were telling us about a communication you had with Anna Louise Strong. Would you tell us, please, what is the substance and content of that letter?

Mr. LUCE. This is, as I indicated prior to the recess, a letter addressed to me, from Anna Louise Strong, in Peking, China. It is on her own personal stationery. And I would like to read just a section of the letter, to give you an idea of why we considered it, at the time, an important communication from China.

It is dated December the 7th, 1964:

“Dear Mr. Luce,”—and the rest is a quote:

Having just returned from Hanoi I send you this special issue of the Vietnam Courier on the tremendous conference just held. You will want it for your files, because it contains, in brief, speeches from all 64 delegations, and especially contains in full, on the last four pages, the resolutions on Vietnam and on the worldwide anti-imperialist struggle and the Appeal to the American people. These are now authoritative formulations as unanimously adopted by a conference including *all the Socialist nations* plus other prominent delegates.

I call attention of my Western friends to the fact that a slogan we have nearly all been using, and that I myself used two weeks ago, namely to call for “negotiation”, usually in a Geneva-type conference, is NOT the demand of Vietnam. Laos and Cambodia want such a conference and should have it. Vietnam does not ask for it. * * *

* * * * *

After much thought, I decided the Vietnamese are right. It is simpler, better to state clear aims than methods that are not clear. “Take the US troops out; let us settle our own affairs” is a clear, honest demand. “Negotiate” raises questions. The 1954 Geneva Conference cannot be reconstituted, if only because in 1954 the Vietminh came as victor and now it is not even a participant. The US broke the Agreements and split Vietnam, and now it is the South Vietnam National Front for Liberation that is victor. * * * Too many alleged friends are dreaming up new strait-jackets for South Vietnam; “Neutralization without liberation”. The Vietnamese are through with that. They want national sovereignty * * *.

So better just say: “The U.S. must respect the Geneva Agreements * * *.” That means: “Get out.” * * * But be clear that no Geneva nations brought it about, but the long hard fight of the Vietnamese.

Think it over.

And it is signed, “Anna Louise Strong.”

(Document marked "Luce Exhibit No. 5 follows:)

Progressive Labor,
P. O. Box 803
Brooklyn 1, N.Y.

ANNA LOUISE STRONG
9 TAI CHI CHANG
PEKING, CHINA

a letter on Vietnam. Note
last 4 pages for quoting

Dec. 7, 1964 *ALS*

Dear Mr. Luce,

Having just returned from Hanoi I send you the special issue of the Vietnam Courier on the tremendous conference just held. You will want it for your files, because it contains, in brief, speeches from all 54 delegations, and especially contains in full, on the last four pages, the resolutions on Vietnam and on the worldwide anti-imperialist struggle and the Appeal to the American people. These are now authoritative formulations as unanimously adopted by a conference including all the Socialist nations plus other prominent delegates.

I call attention of my Western friends to the fact that a slogan we have nearly all been using, and that I myself used two weeks ago, namely to call for "negotiation", usually in a Geneva-type conference, is NOT the demand of Vietnam. Laos and Cambodia want such a conference and should have it. Vietnam does not ask for it. Her demands given in full in the Vietnam resolution, and given briefly in the Appeal:

- 1) The US Government must respect the Geneva Agreements of 1954;
- 2) Must withdraw its troops, weapons and bases from South Vietnam, and let the Vietnamese people settle their own affairs;
- 3) Stop its acts of provocation and war against the Democratic Republic of Vietnam." (North Vietnam.)

I asked Vietnamese if they opposed the demand for a reconvened Geneva Conference, as made by their Western friends. They said they did not oppose it if their friends found it a useful talking-point, but they thought their own formulation clearer, simpler, more likely to appeal to the world's people. Every nation in the world wants independence without foreign troops on its soil. Americans also want this; how can they then refuse it to the Vietnamese? People everywhere can understand that a nation that has fought 20 years for independence wants it. To demand "negotiation" raises complexities. With whom? For what? This can even confuse.

After much thought, I decide the Vietnamese are right. It is simpler, better to state clear aims than methods that are not clear. "Take the US troops out; let us settle our own affairs" is a clear, honest demand. "Negotiate" raises questions. The 1954 Geneva Conference cannot be reconstituted, if only because in 1954 the Vietminh came as a victor and now it is not even a participant. The US broke the Agreements and split Vietnam, and now it is the South Vietnam National Front for Liberation that is victor. Will the US negotiate with the NFL? Neither Hanoi nor Peking can speak for the NFL and certainly not those two co-chairmen of Geneva who in ten years never could make the US behave. Too many alleged friends are dreaming up new strait-jackets for South Vietnam; "Neutralization without Liberation". The Vietnamese are through with that. They want national sovereignty, not to be wards of any other nation or group of nations.

So better just say: "The US must respect the Geneva Agreements of 1954." That means: "Get out." when the US is ready to get out, a technical method is readily found, Geneva or another. But be clear that no Geneva nations brought it about, but the long hard fight of the Vietnamese.

Think it over,

Anna Louise Strong

We considered this an important document, insofar as it was the first clear and decisive statement that we had had from either the Viet Cong, China, or the Vietnamese concerning their requests of us to stop calling for any type of negotiations in Vietnam, instead, making it a straight U.S. pull completely out, and this was decided—after I read this to the executive committee of the May 2nd Movement, it was decided that this, indeed, would be our policy: to simply call for an immediate withdrawal, to get out, a strong statement, rather than attempting to temper it, as many of the peace groups have, with a call for negotiations.

Mr. NITTLE. Can you think of any instance wherein the policies advocated by the May 2nd Movement or the Progressive Labor Movement departed in any way from the policies of the Chinese Communist Party or the Government of China?

Mr. LUCE. That's a difficult question in part, because, well, the ideology is similar. It is true that you don't export revolutions, and the ideology and even the language used by the Chinese is so dissimilar to that used in this country. The general Communist line and understanding of creating revolutions of anti-imperialism, of anti-Americanism, in fact, as practiced by May 2nd and Progressive Labor is very similar to that of the Chinese, but I think I would be remiss in trying to relate them too closely, as far as wording goes.

Mr. NITTLE. What I meant to ask you was whether the policies adopted by the Progressive Labor Movement and the May 2nd Movement were an endeavor to give support to the position of the Chinese Government.

Mr. LUCE. Well, I think that certainly the ideology as practiced and preached by Progressive Labor would give support to the Chinese contention and position throughout the world.

Mr. POOL. Just a minute. The Chair wishes to recognize as being with us here today, and we welcome to the committee, Congressman Casey, and Congressman Ottinger, of New York. Congressman Casey is from Texas.

Mr. NITTLE. Did your organization have a means of determining the position of the Chinese Communists on international issues?

Mr. LUCE. Progressive Labor received daily reports from London, England, mimeographed press statements of the Chinese Government to the China news service, which is called Hsin Hua. These were mailed, airmail, to Progressive Labor daily, which gave us a fairly complete picture of what the Chinese press thought daily. It was also true that we did receive a number of communications from China, just as our communications were shipped to China. We discussed in Cuba, in 1963, the ideological position, certainly, of the Progressive Labor and the Chinese with Chinese representatives in Cuba, so that I would say that there was a very close understanding of the Chinese position within Progressive Labor, and I am also certain that the Chinese, through letters which they sent us, were totally in agreement with our position.

Mr. NITTLE. Had the Progressive Labor Movement maintained other contacts abroad similar to that which you have just described with China?

Have members of the party been sent abroad to maintain contacts, or to communicate, with the leadership of foreign Communist governments and parties?

Mr. LUCE. Certainly members of Progressive Labor have been abroad and have communicated with leaders of other foreign Communist countries.

Mr. NITTLE. Could you give further examples?

Mr. LUCE. When we were in Cuba in 1963, I had an extended conversation with B. N. Aidit, then head of the Indonesian Communist Party, now deceased. I had extended conversations with the representatives of the Viet Cong while in Cuba. We had extended conversations with Chinese while in Cuba.

In 1964, members of the group that went had similar conversations with Chinese and the Vietnamese, and a member of Progressive Labor attended the tri-continental conference, held in Havana, Cuba, earlier this year.

Mr. NITTLE. Now, was there a staff set up within Progressive Labor to digest the foreign communications, foreign pronouncements, and foreign newsletters, and to communicate them to the membership as a whole?

Mr. LUCE. It was not so much a staff as there were a few people who—I edited for a period of time the monthly publication of Progressive Labor entitled *Progressive Labor*. And at that point, Khrushchev was replaced, and we did an extended editorial relating very specifically to the Chinese line on Khrushchev, and Progressive Labor does use, in its weekly or every 2-week publication, semimonthly publication, *Challenge*, the pen name of Lisa Armand, who deals extensively in relating news from China and news from Southeast Asia, based almost exclusively on press releases from the Chinese.

(At this point, Mr. Ichord entered the hearing room.)

Mrs. LUCE. Lisa Armand is in reality Sue Warren, who is a member of Progressive Labor.

Mr. NITTLE. Would you express a view upon the position of Progressive Labor and the May 2nd Movement in this respect? Did you ever find either group departing from, or taking a position that would be contrary to, the interests or policies of the world Communist movement?

Mr. LUCE. No, sir.

Mr. NITTLE. While the Progressive Labor Movement was Peking-oriented, as you have described, was this position at all inconsistent with the general policies and efforts of the Soviet Union?

Mr. LUCE. I am sorry.

Mr. NITTLE. I mean to say by that, did either group ever take a position that would be harmful to the position of the Soviet Union in international relations so far as the so-called "anti-imperialist" program was concerned?

Mr. LUCE. Both Progressive Labor and May 2nd did not follow a line of so-called peaceful coexistence. Progressive Labor was very vehement in its attacks not only on the Soviet Union, but upon the Communist Party of the United States. It followed very closely the same ideological line as the Chinese did regarding epithets to be thrown at the Soviet Union.

Mr. POOL. Mr. Nittle—

Mr. NITTLE. Was a publication set up named *Free Student* during the period of your membership in the Progressive Labor Movement and May 2nd Movement?

Mr. LUCE. Yes, sir, a publication was set up. It was to be entitled the *Free Student*. It is still in existence and until the last issue that I saw, at least, still had at the top, I think, "Published by the May 2nd Movement."

Mr. NITTLE. Now, would you tell us what was the origin of the *Free Student*? I mean to say, was it a creation of the May 2nd Movement, or was it a creation in fact of the Progressive Labor Movement?

Mr. LUCE. It was a creation of the May 2nd Movement in name. In reality, it was a creation of the Progressive Labor Movement.

Mr. NITTLE. When was that publication first established?

Mr. LUCE. I believe the first issue of the *Free Student* came out in either late December or early January 1964 or '65. The exact date, I cannot recall.

Mr. NITTLE. Were there discussions within the Progressive Labor Movement relating to this paper?

Mr. LUCE. Yes, sir, there were. It was discussed in Progressive Labor that a student newspaper or a paper published for students should be brought out and that the best place to bring it out would be through the youth front, so to speak, of the Progressive Labor Movement, which would be the May 2nd Movement, so it was not only discussed in the Progressive Labor circles, it was extensively discussed in the Progressive Labor Club, within the May 2nd Movement. And at a certain point, it was decided that this newspaper should come out, should be based on a strong anti-imperialist, anti-American line, should attempt to help enlist students into the May 2nd Movement.

Mr. NITTLE. I don't recollect whether you testified as to your membership on the national coordinating committee of the Progressive Labor Movement. Were you a member of that body?

Mr. LUCE. Yes, sir, I was.

Mr. NITTLE. Was the national coordinating committee the top governing body of the Progressive Labor Movement?

Mr. LUCE. Yes, sir, it was.

Mr. NITTLE. Was the plan to create a newspaper known as the *Free Student* a plan of the top leadership?

Mr. LUCE. I didn't—I did not hear it discussed in a national meeting, but it was discussed among individual top leaders within New York.

Mr. NITTLE. Would you say that the top decisions of the parties are made by a few top leaders?

Mr. LUCE. It was at that time; yes, sir.

Mr. NITTLE. Who were the top leaders, in your judgment, at that time?

Mr. LUCE. At that time, it was Milt Rosen, Mort Scheer, Bill Epton, Fred Jerome, Jake Rosen.

Mr. NITTLE. What was the purpose and objective of the *Free Student*?

Mr. LUCE. It was to attempt to get young people interested in a radical political position and to try to get them interested in May

2nd. A policy statement published in the *Free Student* states—and I quote:

FREE STUDENT, the national student newspaper of the May 2nd Movement was designed to reflect and help develop the growing student revolt against the mis-education we receive in our universities, as well as reflect and develop student protest against the war in Vietnam * * *.¹

Mr. NITTLE. Now, that was one of several publications of the Progressive Labor Movement; is that right?

Mr. LUCE. This was the—yes, it was one of a number of the Progressive Labor Movement, but it was the specific publication of the May 2nd Movement. It was printed, designed, laid out in the print shop of Progressive Labor and used Progressive Labor staff and materials to be published.

(Document marked “Luce Exhibit No. 6” and retained in committee files.)

Mr. NITTLE. Would you, in a word or two, describe the publications of the Progressive Labor Movement, and what purpose each publication was meant to serve?

Mr. LUCE. There was a weekly newspaper called *Challenge*, and this newspaper was meant to be used to propagandize and, in some cases, inflame various segments of New York City. A West Coast newspaper entitled *Spark* has been used for the same thing.

There was a monthly—now, I think, it comes out every 2 months—publication entitled *Progressive Labor*. This is a much more theoretical publication. It includes longer articles; it deals in articles of Marxism-Leninism, articles on China, on Vietnam. It is more theoretically inclined.

For a period of time, there was a publication entitled *Marxist-Leninist Quarterly*. That was the theoretical publication until it was merged with the magazine, *Progressive Labor*.

The *Free Student* would be the other publication.

Mr. NITTLE. And that was established on or about January 1965; is that right?

Mr. LUCE. January; yes, sir.

Mr. NITTLE. During your period of membership in the Progressive Labor Movement, did you have occasion to hear discussions relating to the founding of a facility known as the Free University?

Mr. LUCE. While a member of the national executive committee of the May 2nd Movement, we had a number of discussions about the formation of an institution, which later became known as the Free University of New York.

Mr. NITTLE. As a member of the national coordinating committee of the Progressive Labor Movement, did you have occasion to discuss the formation of the Free University?

Mr. LUCE. Not within the national coordinating committee of Progressive Labor.

Mr. NITTLE. Did you discuss this with the Progressive Labor caucus within the May 2nd Movement?

Mr. LUCE. Yes, sir.

Mr. NITTLE. Prior to its formation?

¹ *Free Student*, No. 3 [May 1966].

Mr. LUCE. Yes, sir, I believe so. I know I spoke with a number of members of the Progressive Labor about the formation of the Free University.

Mr. NITTLE. Do you regard the Free University as a creation of the Progressive Labor Movement? Would you tell us what you know about that situation?

Mr. LUCE. No, sir, I would not call it a Progressive Labor-formed institution. Progressive Labor wanted to form its own school, which they intended to designate the John Brown School. This school was not formed, and at about the same time discussions came from at least two members of Progressive Labor about the founding of another school, which they intended hopefully to call the Free School of New York or the Free University of New York. The concept of this would be much broader than the specific Progressive Labor school.

In other words, a school set up by Progressive Labor, which was, as I said, to be called the John Brown School, would teach only issues of extreme interest to Progressive Labor members or other people closely identified with the Communist cause.

In other words, they would teach courses in ideology, courses in Marxism-Leninism or China or Cuba, or so on. The Free University was to be broader in its scope and was to appeal to Communists and non-Communists and was to offer a variety of courses, which hopefully would appeal to young people who thought that they could not find this kind of an education in their local colleges or universities.

Mr. NITTLE. You spoke of two founders of the Free University. Who were they?

Mr. LUCE. I think I said I spoke of the two people in Progressive Labor that were interested in the university. One of them was Marc Schleifer.

Mr. NITTLE. And was he a member of the national coordinating committee of the Progressive Labor Movement?

Mr. LUCE. No, sir, he was not. He was a member of the national executive committee of the May 2nd Movement and a secret member of Progressive Labor.

Mr. NITTLE. He was a secret member of Progressive Labor?

Mr. LUCE. Yes, sir.

Mr. NITTLE. You might, in a word or two, tell us what you mean by secret member of Progressive Labor.

Mr. LUCE. A secret member of Progressive Labor at that time was someone who attended closed, small Progressive Labor meetings, thought of himself as a member of Progressive Labor, and followed the orders of the leadership of Progressive Labor, but was not known to the general public as a member of Progressive Labor.

The reason for this was—there were a number of reasons—one of them being that it was assumed that a number of people who were secret members could function better outside of the pale of communism than they could being known members of a Communist organization.

Mr. Pool. At this time, the Chair wishes to recognize Congressman Long, of Maryland; Congressman Schweiker, of Pennsylvania; Congressman Utt, of California; Congressman Lipscomb, of California;

Congressman Whalley, of Pennsylvania; and Congressman Dickinson, of Alabama. We welcome you to the committee and thank you for coming in to listen to this testimony.

Go ahead Counsel.

Mr. NITTLE. Who was the other person that you described as interested in the Free University?

Mr. LUCE. Levi Laub, who was a member of the national coordinating committee of Progressive Labor and a member of the national executive committee of the May 2nd Movement.

Mr. NITTLE. And what role did he play in the founding of the Free University?

Mr. LUCE. Again, this was in a discussion period, and his actual role in the procedures of forming it, I would not know. I do know that he helped to institute the idea at national executive meetings of May 2nd, though.

Mr. NITTLE. Now, the actual director of the Free University is Professor Allen Krebs; is that right?

Mr. KUNSTLER. Objection.

May I state my objection?

Mr. Chairman, my name is William M. Kunstler. I am an attorney—one of the attorneys for Dr. Allen Krebs. This is the first time that his name has appeared in these proceedings, and I object to any testimony relating to him, unless it is either held in executive session or I am given the right to cross-examine him as I would have in a court of law, when such testimony was evoked.

I would like to have that objection noted and have you rule on it.

Mr. POOL. Under the rules, you don't have the right to cross-examine. This is not a courtroom. This is an investigative hearing of a committee of Congress. And what is your other point?

Mr. KUNSTLER. I have stated them both. In all fairness, I think, since his name has come out, I should be entitled to cross-examine. I am asking for that right.

Mr. POOL. You don't have the right to do that in this kind of hearing.

Mr. KUNSTLER. All right. I would like the record to note my objection to this proceeding on that score.

Mr. POOL. Certainly.

Let us go off the record.

(Discussion off the record.)

Mr. ICHORD. Mr. Chairman, I submit that the rules, rule 26(m) and the other rules of the committee, Rules of the House of Representatives do not require an executive hearing under these circumstances, and I would request that the Chair deny the request of the attorney.

Mr. NITTLE. Mr. Chairman, before you rule, and with the permission of Mr. Ichord, I would like to advise the chairman that the committee sent a notice to Dr. Allen Krebs, addressed to 90 Bedford Street, New York, New York, on August 12, 1966. He was then notified, pursuant to Rule XI, 26(m) of the House, that the Committee on Un-American Activities had received certain evidence or testimony in executive session pertaining to Dr. Allen Krebs, and he was advised that he had been identified as having attended national executive meetings of the May 2nd Movement, at which discussions regarding the Free University took place.

Dr. Krebs was advised that if he desired to avail himself of the opportunity to appear before the committee prior to these public hearings, I may add, that he should contact the staff director not later than 12 noon Monday, August 15. So far as I am aware, Dr. Krebs has not either personally or through counsel established contact with this committee within that time, and if he had established that contact, the notice would have extended him the privilege of appearing in executive session, prior to being discussed at this hearing today.

He is also a subpoenaed witness, Mr. Chairman, and will be given an opportunity to reply to any of the statements that are made here today concerning him.

Mr. POOL. Even though you are late in making your request, I will poll the committee to see what they want to do on your request.

Mr. KUNSTLER. Mr. Chairman, I think my request is misunderstood by Mr. Nittle. I am referring not to Dr. Krebs' testimony at this point. I am referring to the testimony of the witness who is mentioning Dr. Krebs. That is a different story than what Mr. Nittle is discussing.

Secondly, I would like—

Mr. NITTLE. At this point, Mr. Chairman, I would like to state for the record, and for the benefit of the committee, that the testimony that Mr. Luce is giving here today regarding Dr. Krebs was initially received in executive session and, after this testimony was received, we have notified, as I have just stated, Dr. Krebs to give him the opportunity to come in in private session, prior to the hearing today, to state whatever he had to say.

Mr. POOL. Counsel, in other words, what you are telling us is that you have complied with 26(m) of the rules.

Mr. NITTLE. The committee has complied, in my opinion with House Rule XI, 26(m).

Mr. ICHORD. Mr. Chairman, the client of the attorney has received a 26(m) letter?

Mr. NITTLE. Yes, sir; and the attorney is here today, and we might ask him whether this is not so.

Mr. ICHORD. May I see the 26(m) letter?

Mr. NITTLE. Yes, sir.

(The letter was handed to Mr. Ichord.)

Mr. ICHORD. Well, Mr. Chairman, I renew my request that the Chair rule on the request of the attorney, for the reason that his client has received a rule 26(m) letter and, in that 26(m) letter, the chairman of the full committee notified Dr. Krebs that he would have the opportunity to appear in executive session to deny, refute, or explain any of the testimony that might have been given against him.

If the attorney is making a request for an executive hearing, it certainly wouldn't be in order, but I understand the attorney is requesting to cross-examine this witness, Mr. Luce. That is the request, isn't it?

Mr. KUNSTLER. That's the second part, Mr. Ichord.

Mr. ICHORD. That is the second part. The first part is the request for the executive testimony?

Mr. KUNSTLER. For the executive testimony of this witness, not of my client.

Mr. ICHORD. Well—

Mr. POOL. We have already had that.

Mr. ICHORD. The testimony has already been received in executive session. Your client has had the opportunity to present himself in executive session to answer, deny, refute any of the testimony given before, or coming to the knowledge of, the committee. Therefore, Mr. Chairman, the request of the attorney should be denied.

Mr. POOL. The point is well taken. Your request is denied.

Mr. KUNSTLER. I also, then, make a request now for the transcript of the executive testimony of Mr. Luce which was taken before this committee, so that I may study that testimony prior to my client—

Mr. POOL. That is within the discretion of the full committee, and it is impossible to furnish that, because we are sitting in a subcommittee hearing.

Mr. KUNSTLER. Is it possible, Mr. Chairman, to assemble the full committee before the close of this session to have that request passed upon?

Mr. POOL. I see no reason at this time to do that. You are just delaying the proceedings.

Mr. KUNSTLER. All right, I want my objection on the record.

Then lastly, as the Congressman pointed out, I have the further request to be able to cross-examine Mr. Luce with relation to any testimony pertaining to Dr. Krebs at the conclusion of his direct testimony.

Mr. POOL. Well, for your information, you don't have the right to cross-examine in any proceedings of this committee. If you will read the rulebook, you will see it spelled out in black and white.

Mr. KUNSTLER. Mr. Chairman, I know what the rulebook says. I am asking you, in fairness to a client of mine, that I be given this right in an American forum to cross-examine Mr. Luce.

Mr. POOL. He will have his opportunity to testify, and we will be glad to let him answer the questions. I hope he does.

Mr. KUNSTLER. I am renewing my request. I want the opportunity to cross-examine.

Mr. POOL. Well, your request is denied, and you are here to advise him.

Mr. KUNSTLER. I object to the ruling.

Mr. POOL. Go ahead.

Mr. GUTMAN. Mr. Chairman.

[Disturbance.]

Mr. POOL. Let's have order in here now. Everybody sit down so I can hear the attorney here.

Go ahead.

Mr. GUTMAN. Mr. Chairman, gentlemen of the committee: I move at this time that all of the testimony of this witness be stricken, that he be asked no further questions at this session, on the ground that Mr. Nittle has expressed quite clearly the statement that the testimony of this witness has already been taken in full in executive session, so that whatever knowledge this witness has which this committee may need in order to be able to report to Congress for any legislation which may be properly brought before it, you already have it, and the continued questioning of this witness in public can perform no function

whatsoever, except to harass and embarrass those people who might be mentioned in that testimony.

Mr. POOL. Let's confer a moment.

(Discussion off the record.)

Mr. POOL. Counsel, the issue you have raised in your objection has been considered by the subcommittee prior to this hearing. In regard to this issue, you have not raised any new point of consideration in your objection. For this reason, your objection is overruled.

Mr. GUTMAN. As I understand what you said, Mr. Chairman, I have not raised a point which is new to this committee, but has already in the past considered it, passed upon it, and ruled against the motion.

Mr. POOL. We are complying with the rules of the House, which provide for a public hearing, except when the subcommittee determines it should be an executive hearing.

The subcommittee has considered these matters, and we are now holding a public hearing.

Mr. ICHORD. As a matter of explanation to the attorney, I would point out that the subcommittee did contemplate such an objection being raised, and we discussed it thoroughly at that time and we have further taken it under consideration at this time, and the Chair has ruled in accordance with the feeling, the unanimous opinion of the committee.

Mr. GUTMAN. May I express my objection and reserve exceptions to that, gentlemen.

Mr. POOL. Certainly.

Mr. GUTMAN. And may I request, I realize that you gentlemen are not here to answer questions, but I think that in all fairness to the people whose names may be mentioned and to all the people who are interested in what the function of this committee is, that you may at this time wish to make some statement of what function is served when a witness who has already testified to everything before you—

Mr. POOL. If you have an objection to make, make it. You don't have the right to make a speech.

Mr. ICHORD. Mr. Chairman, the gentleman is here arguing with the committee, but I would point out to the counsel that your client, and the clients of the other attorneys in the room today, did have the opportunity. A rule 26(m) letter was sent to them. They did have the opportunity to come in and testify here in executive session, prior to this witness' testimony, and deny, answer, refute any of the charges that may have been made against them. So, certainly, your objection would not be valid.

Mr. GUTMAN. I respectfully differ. You perhaps misapprehend the thrust of my objection. My objection is not at this point the objection that Mr. Kunstler previously made, that he hasn't had an opportunity to examine the transcript of this witness' testimony, but that there is no legislative function served by repeating in public what you gentlemen have already heard in private.

Mr. POOL. You are arguing the point and you heard my opening statement, and that stated the legislative purpose of the hearing. Your objection is overruled.

Let's have order.

Mr. NITTLE. Mr. Luce, I believe the last question related to Dr. Allen Krebs as director of the Free University. Do you know Dr. Allen Krebs?

Mr. LUCE. Yes, sir; I do.

Mr. NITTLE. Was he a member of the May 2nd Movement?

Mr. LUCE. I believe he was; yes, sir.

Mr. NITTLE. Did he attend any meetings of the May 2nd Movement at which you were present?

Mr. LUCE. Yes, sir; he attended some meetings of the national executive committee at the May 2nd Movement.

Mr. NITTLE. And could you tell us approximately when he attended these meetings?

Mr. LUCE. Approximately, to the best of my recollection, it was in December of 1964, although he was not a member of the national executive committee of the May 2nd Movement. He did attend some meetings, the exact number I don't recall, where the Free University or the discussions concerning the formation of what later became the Free University of New York took place.

Mr. NITTLE. At the time these discussions took place, was he teaching at any school or university?

Mr. LUCE. To the best of my recollection, he was finishing up a term of teaching at Adelphi University, I believe it is, on Long Island. He was either finishing up, or he had stopped teaching there. I can't recall at this time whether school was over or not, but he had been a teacher at Adelphi.

Mr. NITTLE. Did he participate in the discussion of the national executive committee of the May 2nd Movement with regard to the establishment of a Free University in New York City?

Mr. LUCE. Yes, sir; he did.

Mr. NITTLE. What was his position with regard to that plan or program?

Mr. LUCE. He favored it and thought that the concept and the ideas of a Free University were valid and should be carried forth.

Mr. NITTLE. Had a chapter of the May 2nd Movement been established, as far as you know, at Adelphi College, where he taught?

Mr. LUCE. I believe that one was being set up. At this time, I can't recall whether one was in existence or not.

Mr. NITTLE. And do you know by whom that was set up there?

Mr. LUCE. No, sir; I don't.

Mr. NITTLE. Had Dr. Krebs participated in any of the activities of the May 2nd Movement?

Mr. LUCE. Yes, sir; he had.

Mr. NITTLE. Will you tell us what they were?

Mr. LUCE. He participated in a number of open meetings of the May 2nd Movement, or was in attendance. He, as I said before, was in attendance at some national executive committee meetings of the May 2nd Movement. I believe he attended or was on picket lines for the May 2nd Movement.

Mr. NITTLE. And did he make any contributions to the publications of the May 2nd Movement?

Mr. LUCE. I believe he has written for the *Free Student*, but I don't have it in front of me and I am not certain.

Mr. NITTLE. Mr. Luce, would you tell the committee, please, when you left the Progressive Labor Movement and why?

Mr. LUCE. May I look up something, first? I left the Progressive Labor Movement in—not at a specific date, but the latter part of January of 1965. I left for a myriad of reasons. No one specific reason could I give. It was a culmination and a combination of a number of pressures and concepts in my own mind. It was a decision that took time to think through.

In part, I left because I decided that the freedom that was being talked about in Progressive Labor was not the freedom that I envisioned, either for this country or for the people I was involved with. I left in part because I decided that through my own role in Progressive Labor and other Progressive Labor organizations, the Student Committee for Travel to Cuba and May 2nd, I had in some way influenced some young people to join the Communist cause, and I found, as I continued within Progressive Labor, that a tremendous amount of policy was being decided that they had no concept of and that, in fact, I didn't believe that they could countenance, if they did. It seemed to me that the democracy practiced within Progressive Labor was, in Karl Marx's phrase, the antithesis of real democracy.

That democratic centralism as practiced there was really totalitarianism. And I left just because it seemed to me that there is a difference between being a rebel and a revolutionary, and Arthur Koestler once wrote a book called *Arrow in the Blue*, in which he talked about this difference: That in part, the rebel flails out against a number of things he considers abuses, but a revolutionary has one set goal, and that is destruction, that he goes after constantly, and it also seemed to me that the majority of the young people that I knew within the so-called radical movements, the new radical movements, they were almost all—all these organizations are pyramid-shaped, with the majority of young people on the bottom who weren't members of the organizations, aren't Communists, have very little concept of what communism really is, and are simply impelled along because of a number of perhaps very valid humanitarian reasons, but on the top of each of these organizations, there are indeed a number of younger or older people who have had considerable training in communism and within the whole concepts of Marxism-Leninism, and that these people on the top of the pyramid really control it.

And I left in part because I really began to think that not only was I involved in revolutionary acts which my own being couldn't countenance, but I could no longer involve these other young people in activities which might cause them to either go to jail or lose their livelihoods, or lose the possibilities of continuing school or end up in some kind of irreparable physical damage to them.

And so at a certain point, I decided I wanted to stop and think, and as a number of people have written—which I hadn't read then, but have since—it is important for a —well, once the idea of leaving gets in your mind, you are lost, first of all, to them.

It is a truism. But after a period of sitting and thinking and reading some books, one book in particular, Wolfgang Leonhard's book, called *Child of the Revolution*, which is a story of a young man who is in the Russian Communist Party for a period of time and went back

to East Germany after the war and served as one of Ulbricht's aides and then left.

I decided that, indeed, I could no longer continue in the movement, and so I left.

And then at that point, came two other decisions: One, that a certain point it is not enough to leave and just simply go into hiding and sit in the woods and not do anything. But if you really believe that not only were you wrong in what you did, but they are wrong in what they are doing, that somehow you have got to fight back. And at that point, I went to the Federal authorities and spoke with them. And within the same framework, and that same concept, I have continued to try to talk to other young people about Communists and about Progressive Labor and about the pitfalls of the whole thing.

And I suppose at this point, the only thing I could say is that having gone through it once, if I could in my way impart anything to any young person, it is that you don't really have to learn by going through it. It is possible to stand outside of it and see through it, and not have to be arrested or be under indictment or fight the police or get so involved in the Communist movement that it may be impossible, indeed, to leave.

That it is possible to stand outside of it and look at it, and perhaps never make the same mistake I did.

Mr. POOL. Any other questions?

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

Mr. POOL. Do you have a question, Mr. Clawson?

Mr. CLAWSON. Yes, Mr. Chairman, if I may.

Mr. Luce, earlier in response to a question of Mr. Ashbrook, you indicated that there may have been no specifics about plans for civil disobedience and violence. In the May 2nd Movement and in the Progressive Labor Movement were there any plans laid or efforts made to influence other groups, organizations, or clubs, by joining them and then attempting through that affiliation to use a larger front for these activities than might be possible under these particular organizations to which you have testified today?

Mr. LUCE. First of all, I am not certain that I did testify that there were never any plans for any violence, because if I did, I was mistaken.

Mr. CLAWSON. I think you said there were no specific—

Mr. LUCE. Because both May 2nd and Progressive Labor have not only planned violence, but have participated in violence. The May 2nd Movement is no longer in existence, and when it went out of existence, most of—many, according to the documents that I have seen, from the May 2nd Movement at the time of its dissolution have been told to infiltrate other young peoples' groups and to attempt to radicalize them.

It was decided that the May 2nd Movement was not growing fast enough, large enough, and instead that the members that were in it should drop out and join other organizations, such as the Students for a Democratic Society and SNCC, and attempt to help to radicalize or revolutionize those organizations.

Mr. CLAWSON. Thank you.

Mr. POOL. Mr. Buchanan.

Mr. BUCHANAN. Mr. Luce, I appreciate your very valuable testimony. I believe you have written a book on this subject of the "New Left," have you not, by that title?

Mr. LUCE. Yes, sir.

Mr. BUCHANAN. Mr. Luce, you made a statement just a moment ago which I would like you, if you will, to magnify just a bit. You said they had not only planned violence, but participated in violence.

Could you magnify on that just a bit, please, sir?

Mr. LUCE. Well, briefly I think a classic example—

Mr. POOL. Officer, I have ordered all cameras kept on the outside. Go ahead.

Mr. LUCE. The briefest possible example I think I could give is what happened here this morning.

Mr. BUCHANAN. Beg pardon?

Mr. LUCE. I think the briefest possible example I could give is what happened here this morning.

Mr. BUCHANAN. That's a good answer.

Mr. Luce, you have testified as to young peoples' participation in Progressive Labor and the May 2nd Movement organizations. From your experience, and from your experience since you left this movement, would you say that these young people are broadly representative of the young people of our country in their activities and point of view?

Mr. LUCE. Absolutely not. They are a well-organized, verbal, audacious minority, but at no time, if you took all of the Communist groups in the United States, lumped them together, and put all of their membership together, they would probably not equal 5,000. They certainly are not representative of the young people of the country.

Mr. BUCHANAN. Now this certainly would seem to be the case, and of course while we are not moving here against anyone's point of view or philosophy or what they make a speech about or have a rally about, but only against overt acts, in the legislation under consideration, we are moving just against overt acts to aid a force engaged in hostile military actions against American troops, and not peoples' points of view, but I think this is important, because, Mr. Chairman, I would add to the record at this point that in February it was my privilege to spend a week, as Mr. Ichord has, in Vietnam, with our troops there. And I found as fine a group of soldiers as this Nation has produced and a group of young men whose dedication and courage made clear that they believed very deeply in what they are doing there.

And may I say, among them, I met many Alabamians of two races who are fighting with courage and distinction and who are a credit to our State and to this country.

It seems clear to me that these young people are much more broadly and clearly representative of the youth of this country, and dissenters to the contrary notwithstanding, I would say that from my work with young people through the years, this generation is probably as fine as this Nation has yet produced.

I want to thank you for your testimony, Mr. Luce.

Mr. POOL. Mr. Ichord.

Mr. ICHORD. Mr. Chairman, before Mr. Luce leaves the stand, I, too, want to commend Mr. Luce. He is a very articulate witness, and his testimony has been a very valuable contribution to the record.

I recall back in 1964, when Mr. Luce was a witness before the committee, back before he had made the ideological break with the PLM that he has courageously testified to here today. He at that time was also very articulate, but a little on the recalcitrant side. But as I recall, he didn't take the fifth amendment at that time. Is that not right?

Mr. LUCE. That is correct. I did not.

Mr. ICHORD. That is my memory, which you have verified. I also believe at that time you intended to testify fully before the committee, without availing yourself of the right of the fifth, and you had made it a point not to find out anything about the financing of PLM, because you did not want to inform upon any of the members of the organization at that time.

Mr. LUCE. That dealt with the trips to Cuba; yes, sir. That is true.

Mr. ICHORD. Have you learned anything since then about the financing of Progressive Labor Movement? I have been very curious as to where much of the money is coming from. I know that some of the activities require no small sum of money, and certainly there is a lot of travel involved. Are you familiar at this time with any of the financing of the Progressive Labor Movement?

Mr. LUCE. No, sir; I am aware now how the second trip to Cuba was financed, but I am not aware of where, and the committee has pretty full knowledge on that, I think, anyway.

Mr. ICHORD. I remember that it was brought out in the hearings of the unauthorized travel to Cuba of so-called students, that at least \$20,000 was traced through a bank in Texas to the Bank of Mexico, in Mexico City, and some young lady turned up with \$20,000 cold cash to buy the tickets for the trip to Cuba. That money, as I stated, was traced to the Bank of Mexico, in Mexico City. We only know that it came out of the country of Mexico.

Do you have any further information at this time that would perhaps connect that money up with Mr. Castro, who at least supported, financially supported, a great part of the trip when they were in Cuba?

Mr. LUCE. Not about that specific money itself, that was from the Mexican banks. I do know, however, that money for a portion of the 1964 trip to Cuba came directly from the Cuban mission in New York City and was picked up by contacts—well, by people within the Student Committee for Travel to Cuba from the Cuban mission, in New York City.

Mr. ICHORD. Do you know what the sum of that money was?

Mr. LUCE. Not at this moment; no, sir.

Mr. ICHORD. And that was a part of the money that was used to purchase the tickets?

Mr. LUCE. Yes, sir.

Mr. ICHORD. Do you know the parties involved who received the money and the people in the Cuban mission who turned over the money?

Mr. LUCE. I have the names of the people in the Cuban mission written down, but I don't have them with me. A portion of the money

that was paid to the Student Committee for Travel to Cuba for a specific trip of four people that went down in the summer of 1964 was given to Levi Laub, who brought the money to an office that I was working in at that time, in a bag, a paper bag, marked "Alliance for Progress."

They then took the money and counted it out, or gave the money to somebody else to buy the airplane tickets with.

Mr. ICHORD. Thank you very much. Thank you, Mr. Chairman.

Mr. POOL. At this time, the Chair wishes to welcome to the committee the following Congressmen: Congressman Hagen, of California; Congressman Clancy, of Ohio; Congressman Andrews, of North Dakota; Congressman Hansen, of Idaho; Congressman Skubitz, of Kansas; and Congressman McDade, of Pennsylvania; and others who have already been introduced.

We want to welcome you to the committee, and note the interest that about 25 or 30 Congressmen have had in these bills. I introduced one, and Mr. Ashbrook and Mr. Buchanan introduced similar bills. It is very wonderful that you took the time to come visit us.

All right, Mr. Ashbrook.

Mr. ASHBROOK. One more point, Mr. Luce. Did you refer to the Harlem Defense Committee at one time in your testimony?

Mr. LUCE. Yes, sir; I did.

Mr. ASHBROOK. Was this the committee which a year or two ago got involved in the matter of Sergeant Gilligan and had the posters "Wanted for Murder, Gilligan, the Cop"?

Mr. LUCE. This is part of the committee. It was a combination of Progressive Labor-Harlem Defense Council. I am afraid I said committee. I think it is "council."

Mr. ASHBROOK. Aren't they also the ones that issued circulars which we have in this committee which tell the public how to make a Molotov cocktail, and says, "Throw them and watch them run," or something like that?

Mr. LUCE. I am not certain that they did the leaflets. I do know that the "Wanted for Murder, Gilligan, the Cop" posters were printed by Progressive Labor and distributed by the Harlem Defense Council's Progressive Labor within Harlem.

The Molotov cocktail leaflets, I don't know about.

Mr. ASHBROOK. It certainly would be fair to say that a group of that type, which would take such a direct action against the policemen, law and order, could be said to help incite tensions which from time to time have erupted in riots in Harlem and elsewhere?

Mr. LUCE. Well, it is a basic policy of various Communist organizations to attempt to incite people to riot, but if, in fact, they are not the key reasons then it would be a gross mistake to simply say that the Communists were behind, for instance, the riots in Harlem.

It is just not true. But the point is that once the frictions reached the point where riots began, then the Communists did everything within their power to keep them going, to incite further demonstrations and more and more rioting.

Mr. ASHBROOK. Thank you, and I want to, along with the others, add my appreciation to the testimony of this valuable witness, and that's all I have, Mr. Chairman.

Mr. POOL. Mr. Luce, the Chair wants to join with my colleagues on the committee in commending you for appearing before the committee and giving us the benefit of your testimony. I particularly want to point out that the reasons for the change in your philosophy and the changing of heart is a real lesson to the youth of America. I think that your testimony is very valuable in that regard, as well as being informative to the committee in our legislative purpose.

I do want to ask you to step down, but not be released from your subpoena, as we may have reason to call you further.

Mr. LUCE. Thank you.

Mr. POOL. And also point out to you that you have the protection of the statutes against threats or anything like that, and that if you should report to the committee of any threats or any intimidation or anything like that, that causes or puts you in fear—and I am saying this for the benefit of some of those in the audience who might have some bright ideas.

Thank you.

[Laughter.]

(Witness excused, subject to further call.)

Mr. POOL. Call your next witness.

Mr. NITTLE. Would Jeffrey Gordon come forward, please?

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

Mr. GORDON. I affirm.

Mr. POOL. Do you affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. GORDON. I affirm that I have come here to give the whole truth.

Mr. POOL. Proceed, Counsel.

TESTIMONY OF JEFFREY GORDON, ACCOMPANIED BY COUNSEL. IRA GOLLOBIN

Mr. NITTLE. Would you state your full name for the record, please.

Mr. GORDON. What is the relevance of that question, please?

Mr. POOL. The Chair rules that it is relevant. Answer the question.

Mr. GORDON. I would like the reason for that, please.

Mr. POOL. I have just ruled it is relevant.

Mr. GORDON. You are not going to allow me to know the reason, sir?

Mr. POOL. State your reason.

Mr. NITTLE. We must identify the witness, Mr. Chairman.

Mr. GORDON. I will identify the United States as the aggressor in Vietnam.

Mr. POOL. We want to know if your name is the one that appears on the subpoena. That's what we are trying to get at.

Mr. GORDON. My name is Jeffrey Gordon. I identify with the American Revolution.

[Applause.]

Mr. POOL. If the Chair can comment, there was another fellow that was identified with the American Revolution. I think his first name was Benedict.

[Laughter and applause.]

Mr. GORDON. Mr. Pool, in that same category is Lyndon Johnson and McNamara and other people.

Mr. POOL. You are here to answer questions.

Mr. GORDON. You don't conduct the questioning.

Mr. POOL. Ask questions.

Mr. NITTLE. Are you represented by counsel?

Mr. GORDON. Yes, I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. GOLLOBIN. Ira Gollobin, New York City.

Mr. NITTLE. Now Mr. Gordon, where do you live?

Mr. GORDON. I live in Brooklyn, New York.

Mr. NITTLE. What is the date and place of your birth?

Mr. GORDON. I was born in Brooklyn, New York. And I was born during the war against fascism, a war that was fought by Americans against a real enemy. A war that was just. You are not interested in hearing about wars against fascism?

Mr. POOL. Answer the question. You don't have to go into a long rigmarole. Answer the question asked.

Mr. GORDON. I am telling the date and the circumstances under which I was born.

Mr. NITTLE. I didn't ask you the circumstances.

Mr. GORDON. I was born during the war against fascism, a war that was for the people of the world and not a war against the people, as the war in Vietnam is. The year was 1942.

Mr. POOL. The date is all we are asking you.

Mr. GORDON. The exact date was October 30th.

Mr. POOL. Go ahead.

Mr. NITTLE. Now would you relate for the record the extent of your formal education, giving the dates and places you attended?

Mr. POOL. Please speak a little louder, Counsel.

Mr. NITTLE. And any degrees you may have received.

Mr. GORDON. I would like at this point to make certain objections to this hearing.

Mr. POOL. State your objections.

Mr. GORDON. Thank you.

I object to answering any questions of this committee on the ground the Public Law 601, 79th Congress, 60 Statutes 812, Part 2, Rule XI, authorizing the Committee on Un-American Activities, quote "to make * * * investigations of * * * extent, character, and objects of un-American propaganda activities in the United States," violates the Constitution in that the statute is ambiguous and vague, the term "un-American propaganda activities" being nowhere defined, and being in fact incapable of one precise definition, and obscuring the fact that there are not one, but two kinds of un-American activities; first, those that the vast majority of the American people deem un-American, such as the undemocratic activities, including those of this committee.

Mr. ASHBROOK. Mr. Chairman, he is making a statement.

Mr. GORDON. And, secondly, those deemed undemocratic by a small minority of wealthy people, who are escalating the war in Vietnam.

Mr. POOL. Are you taking the fifth amendment?

Mr. GORDON. I am objecting to the committee.

Mr. ASHBROOK. You are making a statement.

Mr. GORDON. I am objecting to the whole proceeding of the committee.

Mr. POOL. This committee of Congress, and we are representing the Congress, does not have to take that kind of insult. We ask you to make your objection and make it now. Do you take the fifth amendment on this question?

Mr. GORDON. There is no question before me. You allowed me to state my objections to this committee; I asked for it and you allowed it. May I continue?

Mr. POOL. Continue asking. Ask the question, Counsel.

Mr. GORDON. I may not make objections to this committee?

Mr. POOL. Yes; but you make them in a proper manner.

Mr. GORDON. Well, may I continue?

Mr. POOL. No; not in that kind of a manner.

Mr. GORDON. I further object to answering any questions of the committee on the ground that the statute on its face, and as applied by the House Un-American Activities during the past 20 years and especially today in its harassment of those opposing the Vietnam war, is repugnant to the freedom of speech, assembly, association, and privacy guaranteed by the Bill of Rights and suppresses, inhibits dissent, and thus infringes not only the rights of the dissenters, but, above all, the right of the American people as a whole, to be informed of the opinions of dissenters, as a basis of the American people correctly making decisions concerning their welfare and their survival. And that the results of this suppression is leading this country down to an American road of fascism.

I would also like to associate myself, Mr. Pool and the committee, with the court injunction placed by a couple of the other defendants that has been in the press the last few days. And that is going to be brought before the press—before the court again tomorrow.

I would also like to make two further objections. One, I did not receive the statement that I received at the beginning of this hearing prior to the hearing, which did not give me a chance to fully understand the nature of this hearing. And, secondly, I would like to object to what I call this white-card hearing, at which people have been admitted who only have white cards, and at which friends and the first-come, first-served basis has not been applied, and that this in fact is being turned into an executive session, because you are only allowing those people in who you wish, now, and you are also not allowing cameramen in, whom you wish. I don't mind cameramen taking my picture or the picture of anything that happens at this hearing. It is only you that object to that, because of the brutality that was, that you carried out at the beginning of this hearing and because you were only allowing certain people in, and that they could have taken a picture of that door, of people handing white cards to the guard, and no one else being allowed in.

Those are my objections.

[Applause.]

Mr. POOL. Now I want to warn you for the last time, those in the audience who see fit to try to disrupt this hearing, that we are not

going to put up with demonstrations, and I am going to remove anyone who does so. I am going to instruct the officers now to remove anyone that you see, and you spot them, if they demonstrate in this audience, we are going to remove them from this room.

Mr. GORDON. Why didn't you say that when they applauded the statement against me that you made?

Mr. POOL. It applies to all.

Mr. GORDON. Well, you did not make that statement at that time, sir, and they applauded for a much longer time, because you stacked the hearing room in your favor.

[Laughter.]

Mr. GORDON. There are hundreds of people outside waiting to get in.

Mr. POOL. Have you had a chance to read the opening statement?

Mr. GORDON. I heard you read it.

Mr. POOL. Did you understand it?

Mr. GORDON. I believe I did. I would like to comment on it.

Mr. POOL. All right, that's good enough. Your objection is overruled, about the opening statement.

Mr. GORDON. Well, could I—

(Witness conferred with counsel.)

Mr. GORDON. But—

Mr. POOL. No; we will ask the questions.

Mr. GORDON. Sir, if I may continue my answer.

Mr. POOL. You are here to give testimony, not to ask.

Mr. GORDON. You didn't give me a chance to finish my answer. I did not have a chance to really study that.

Mr. ICHORD. Point of order. The witness is not stating any objections. He is merely being argumentative with the committee. I would like the counsel again to state the question to the witness, and I hope that he is responsive in the following statements.

Mr. POOL. State the question.

Mr. NITTLE. Would you relate the extent of your formal education, please?

Mr. GORDON. Surely. I went to Public School 192, in Brooklyn, New York, from 9—these are approximate dates—9-48 to 6-54. That was during the cold war and the redbaiting of this committee started.

I went to junior high school in Brooklyn, also. It is called Montauk Junior High School. I went from 9-54 to 6-56. That was when the Korean war began and McCarthyism began.

I then went to high school in Utrecht, Utrecht High School in Brooklyn, from 9-56 to 6-59. That's when you called students a silent generation.

I entered the University of California at Berkeley at 9-59. You gentlemen at that point were out in San Francisco, also, a little later, and that's when I first became involved with political activity. It was called Black Friday, when people were beaten because there was a white-card hearing held there in San Francisco.

Mr. NITTLE. Would you just confine yourself to answering the question?

Mr. GORDON. I am answering the question. I attended from 9-59 to 6-60 at University of California. I then returned to Brooklyn College, in Brooklyn, New York, which is a free school, because I couldn't afford to continue to go to the University of California.

Mr. NITTLE. We are not asking for comments, but for you to simply identify the places at which you attended school and when.

Mr. GORDON. I am doing that. I went to Brooklyn College from 9-60 to 1-62. That was for a year and a half. I then left Brooklyn College and got a job with *Time* magazine.

[Laughter.]

Mr. GORDON. After that——

Mr. NITTLE. In what capacity were you employed?

Mr. GORDON. It was really *Time*, Incorporated, all the magazines.

[Laughter.]

Mr. NITTLE. I say. In what capacity were you employed?

Mr. GORDON. *Fortune*, I worked in the editorial reference department, where they have very extensive files on everyone.

[Laughter.]

Mr. NITTLE. How long were you employed?

Mr. GORDON. All agencies in the Government and friends of the Government have extensive files. That is fascism.

Mr. NITTLE. How long were you employed there?

Mr. GORDON. How long was I employed there?

Mr. NITTLE. Yes.

Mr. GORDON. These are approximate dates, because I jotted these down, because I thought you would ask them. It was something like March to July, '62, when I then left and spent several months in Mexico, writing and doing some thinking and reading. After which I returned to the University of California at Berkeley, 1-63. I was majoring in philosophy, the theory of ideas. It was very sterile philosophy that they teach you there. It wasn't Marxism. I then, as I said, I left in 1-64. Then I did—I returned to school again, 1-66, at Brooklyn College in New York, and I am attending that school presently.

Mr. ICHORD. Counsel, the witness attended school over a long period of time. This member is curious as to what degrees he received, if any.

Mr. NITTLE. Yes; what degrees have you received, if any?

Mr. GORDON. Well, I went to school for 3½ years before returning to Brooklyn College. I didn't have a bachelor's degree. I am going for that now, at Brooklyn.

Mr. NITTLE. What is your present occupation?

(Witness conferred with counsel.)

Mr. GORDON. I am sorry. I didn't hear the question.

Mr. NITTLE. What is your present occupation?

Mr. GORDON. I am a student.

Mr. NITTLE. Do you have any gainful employment?

Mr. GORDON. I think learning is. I am learning a lot here today about the operations of the United States Government. But my full occupation is student.

Mr. NITTLE. Do you have a source of income from any part-time employment?

Mr. GORDON. I would like to know what the relevance of that question is.

Mr. NITTLE. Do you receive any source of income from the Progressive Labor Party?

Mr. GORDON. Again, I would like to understand the relevance of that question. I would like to know why, also, if I may, this committee is misusing the money the American people gave it, and the Government is misusing the money it gets to fight a war against people of Vietnam.

[Demonstration.]

Mr. GORDON. To pass legislation, that's the money that we should talk about, that is being used.

Mr. NITTLE. Will you please answer?

Mr. GORDON. That's the subject of this investigation, the war in Vietnam, U.S. aggression in Vietnam.

Mr. NITTLE. Do you receive any income from the Progressive Labor Party?

Mr. GORDON. Once again, I would like to know the relevance of that question. I believe witnesses are allowed to know the relevance of questions, though you just seem to want to rule on them and not tell the relevance.

Mr. NITTLE. Because we have subpoenaed you today to testify with regard to matters set forth in the committee resolution. The committee is making an inquiry into the extent, character, and objectives of organizations and groups within the United States which solicit money, supplies, and material assistance for delivery to, or in aid of, Communist powers, and those organizations which advocate or employ force, physical impediments, or any unlawful means to obstruct the movement of personnel and supplies of the Armed Forces.

Mr. POOL. I will rule that that is a sufficient relevance, and I order you and direct you to answer the question.

Mr. GORDON. The subject of this hearing is U.S. aggression in Vietnam, not what you stated.

Mr. NITTLE. We believe that you have information that pertains to that subject matter.

Mr. ASHBROOK. He did not answer the question.

Mr. POOL. I want you to answer the question. I am directing you and ordering you to answer the question, and that is the last time I am going to do this.

Mr. GORDON. I still don't understand the relevance of that question.

Mr. POOL. All right, ask the next question, Counsel.

Mr. GORDON. I am still—

Mr. POOL. Are you going to answer the question?

Mr. GORDON. I decline to answer the question on the ground that this committee at present is illegally constituted, because members of this committee, including the chairman, Mr. Pool, and other people, are elected from States that deny the right of a considerable number of Negro and poor white citizens of those States to vote, as required under section 2 of the 14th amendment of the Constitution of the United States, and that this committee as illegally constituted has no right to ask any questions.

Mr. POOL. That is not an objection, and it is overruled.

Mr. GORDON. I further object that you have subpoenaed us here to subject our viewpoints and our persons to a harassment and public condemnation, in which, by the way, you will not succeed, and this is not a purpose—

Mr. POOL. Overrule the objection.

Mr. GORDON. I further object that you already have in your files what you consider satisfactory answers to all questions you are asking, so that—

Mr. POOL. These are no valid objections. If you have a valid objection, state it right now.

Mr. GORDON. I think these are valid objections. I would like a ruling on them.

Mr. POOL. State it.

Mr. GORDON. I would like a ruling on these objections, as I state them.

Mr. POOL. The objections you have stated are not valid objections and, therefore, they are overruled.

Mr. GORDON. I decline to answer on the grounds that the question inquires into my political beliefs and association in a violation of the guarantee of freedom of speech and assembly provided by the first amendment to the Constitution. This committee can't inquire into these matters.

Mr. POOL. I don't think the question has anything to do with that, and I overrule the objection.

Mr. GORDON. Okay.

[Laughter.]

Mr. GORDON. Now, there is such a thing in this country called the Constitution, and I object because I think that these questions and these hearings are in violation to what is the true meaning of the United States Constitution, not the meaning that unpatriotic forces that are carrying on the war in Vietnam put it.

Mr. POOL. That's not a valid objection. I overrule it.

Mr. GORDON. The Constitution is not a valid objection.

Mr. POOL. No, the way you interpret it.

Mr. GORDON. I think it is, the Constitution, the way I interpret it.

Mr. POOL. Overruled.

Mr. GORDON. You are overruling the Constitution. That is what we have been saying you are doing all along.

Mr. POOL. I am overruling you, and the way you interpret it.

Mr. GORDON. Well, let's look at it.

[Laughter.]

Mr. GORDON. "In all criminal prosecutions"—I am reading an amendment to the Constitution.

Mr. POOL. You call upon the immunities of the fifth amendment?

Mr. GORDON. I am reading an amendment to the Constitution, if I may read it, please: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State—"

Mr. POOL. That's criminal prosecution. This is not in a court of law, and your objection is overruled.

Mr. GORDON. Will you please let me finish?

(Witness conferred with counsel.)

Mr. GORDON. This can result in criminal prosecution, if not—or are you giving me immunity from that? The ninth amendment to the Constitution states, “The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.”

Mr. POOL. That does not apply.

Mr. GORDON. It does not apply?

Mr. POOL. Not to the question you have before you there.

Mr. GORDON. So you are overruling the ninth amendment to the Constitution?

Mr. POOL. I am overruling you.

Mr. GORDON. “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved”——

Mr. ASHBROOK. Mr. Chairman.

Mr. GORDON. I am reading the 10th amendment to the Constitution.

Mr. ASHBROOK. Mr. Chairman, there are privileges and immunities in the fifth amendment which this witness can take if he so desires.

(Witness conferred with counsel.)

Mr. ASHBROOK. He has stated sections of the Constitution which have not applied in the past. The courts have been unanimous on that. This committee recognizes the fifth amendment, if he wants to apply it. I suggest that he is in a state of trying to delay our proceedings, and I suggest that he be directed to summon any immunities he may have and cease the dilatory tactics that he is following.

Mr. ICHORD. Well, Mr. Chairman, the witness might have the courage of his convictions. He may want to answer the question.

Mr. GORDON. I think I have a right to state these things, because each case is different, and you are not a court, as was proven today.

Mr. ICHORD. You have stated them, and the courts have held time and time again——

Mr. GORDON. Well, each court session is different, and each thing is different.

Mr. ICHORD. They are not valid objections.

Mr. ASHBROOK. Until they change the rules.

Mr. ICHORD. You have refused to answer the questions. Mr. Chairman, I ask that you direct the witness to answer the questions.

Mr. GORDON. Questions that you are asking are an attempt to get me to be what I call fink, like Phillip Goose, to talk on other people, and that’s what that question is leading into.

Mr. POOL. You are out of order now. And let the record show that this man has been out of order and is not responsive to the questions.

Mr. GORDON. Since you are unwilling—I am stating an objection.

Mr. POOL. You are not allowed to, right at this second.

Mr. GORDON. You are not allowing me to state an objection?

Mr. POOL. I have asked you to state a valid objection.

Mr. GORDON. I am stating an objection right now.

Mr. POOL. How many objections do you have?

Mr. GORDON. This is an objection I am stating.

Mr. POOL. How many do you have left?

Mr. GORDON. This is a—if you want to give my objections for me. I will give my objections, if you are not willing to hear it.

Mr. POOL. How many objections are you going to state?

Mr. GORDON. Please let me state my objection. Since you are unwilling, going against the Constitution, I am forced by this to protect myself against this type of abuse. Therefore, I would like to state something: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury"——

Mr. ASHBROOK. Mr. Chairman, again he is stating objections that are based on a criminal prosecution.

Mr. GORDON. I am reading an amendment to the Constitution.

Mr. ASHBROOK. They are dilatory, and——

Mr. GORDON. Will you please let me finish reading my amendments?

Mr. ASHBROOK. He is not stating anything responsive to the questions.

Mr. GORDON. —"Except in cases of [sic] land or naval forces, or in the militia, * * * nor shall any person be subject"——

Mr. POOL. Mr. Nittle, ask the next question.

Mr. GORDON. I am reading an amendment to the Constitution.

Mr. POOL. I direct you for the last time to answer that question.

Mr. GORDON. I am reading an amendment to the Constitution.

Mr. POOL. All right, let the record show he refused to answer.

Mr. GORDON. I am answering the question.

Mr. POOL. Go on to the next question.

(Witness conferred with counsel.)

Mr. NITTLE. Mr. Luce has identified you as a member of the Progressive Labor Movement at the time he was a member of that organization. Were you a member of the Progressive Labor Movement?

Mr. GORDON. In answer to the last question, I would like to state, "nor shall [any person] be compelled in any Criminal Case to be a witness against himself."

Mr. POOL. Is this responsive to his last question?

Mr. GORDON. You are not letting me answer that last question.

Mr. POOL. I am asking you, Are you trying to answer that last question or the one before that?

(Witness conferred with counsel.)

Mr. GORDON. Would you please repeat the question?

Mr. POOL. Read the last question. Not the previous one.

Mr. NITTLE. To save the reporter——

Mr. POOL. Let the reporter find it.

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

Mr. NITTLE. Mr. Luce has identified you as a member of the Progressive Labor Movement at the time he was a member of that organization. Were you a member of the Progressive Labor Movement?

Mr. GORDON. I received a letter from you, from Mr. Willis, in the mail which said a similar identity and said that a person had identified me as such in executive hearing. I would like the opportunity to have any lawyer and myself cross-examine that person.

Mr. NITTLE. You do not——

Mr. POOL. That isn't sufficient objection. Overruled. I direct you to answer this question.

Mr. GORDON. Okay. I was born to what is called a working-class family. My father has worked all his life, in a factory.

Mr. NITTLE. Mr. Chairman—

Mr. GORDON. I am answering this question in my own way, please. (Witness conferred with counsel.)

Mr. NITTLE. I submit the witness is not responsive to the question.

Mr. GORDON. I am answering this question in my own way.

Mr. NITTLE. The question is specifically—

Mr. GORDON. You are not interested in hearing about workers in this country?

Mr. POOL. Answer the question.

Mr. GORDON. I am answering his question in my own way.

Mr. POOL. Let him try to answer the question.

Mr. GORDON. Please. Thank you. My parents have worked all their lives. My mother—

Mr. ASHBROOK. Mr. Chairman, he is not responding to the question. His continuing dilatory tactics are—

Mr. POOL. I will let him continue. See what he says. We ought to be as fair as we can with him.

Mr. GORDON. My parents have worked hard all their lives. My mother works in an office, my father works in a factory. They are about to retire, but yet, their retirement is not secure. Because they will not necessarily get enough money from Social Security.

Mr. POOL. Now you explained all that. Now answer the question.

Mr. GORDON. It will just take me a few minutes.

Mr. POOL. It is not going to take a few minutes because I am not going to let you take a few minutes. Answer the question.

Mr. GORDON. I am trying to talk about exploitation in this Nation.

Mr. POOL. I direct you to answer the question.

Mr. GORDON. You are not interested in hearing about exploitation of the poor?

Mr. POOL. I direct you for the last time to answer the question.

Ask the last question, Mr. Nittle.

Mr. GORDON. I am answering his question.

Mr. POOL. All right. You answer it, pronto, then, if you want to. Don't take an hour.

Mr. GORDON. The Progressive Labor Party says, talks about this exploitation.

Mr. POOL. We are not here to hear a speech. We want a response to this question.

Mr. GORDON. There is a question which I will answer in my own way.

Mr. POOL. That is the last time I am directing you to answer that question.

Mr. GORDON. I am a member of the Progressive Labor Party.

Mr. POOL. Thank You.

Mr. GORDON. I am sorry that you are not interested in hearing about exploitation in this country. Maybe that would be better, fitting questions to ask about.

Mr. POOL. You are making a very pretty record here. I will say that for you.

Mr. GORDON. You are making a very pretty record in front of the American people in Vietnam, and in holding these hearings.

Mr. POOL. Next question.

Mr. NITTLE. Mr. Gordon, do you hold any office in the Progressive Labor Party?

Mr. GORDON. I am a student organizer of the Progressive Labor Party.

Mr. NITTLE. How long have you served in that capacity?

Mr. GORDON. What is the purpose of asking dates? What does that have to do with legislative purpose of this committee, the Pool-Johnson suppression of peace bill?

Mr. NITTLE. Did you serve in that capacity since on or about March 14, 1964?

Mr. GORDON. As I said, I would like to know the relevance of that question.

Mr. NITTLE. The relevance is that the committee has had testimony, and has information, that you have been a leader in the May 2nd Movement and that you are in fact, and were in fact, a member of the national executive committee of the May 2nd Movement. We have also had testimony that the May 2nd Movement was an organization created, dominated, and controlled by the Progressive Labor Party.

Mr. GORDON. The purpose of the May 2nd Movement, do you know that? Is to get U.S. troops out of Vietnam. That is an American purpose.

Mr. NITTLE. Now will you answer the question, please?

How long have you served as the student organizer of the Progressive Labor Party?

Mr. GORDON. Once again, I would like to know the relevance of that question. I do not think you have adequately shown that. This whole hearing is an attempt to cover up on the war in Vietnam, the murder of American people over there.

Mr. POOL. The relevance is apparent. Answer the question.

Mr. GORDON. Once again, I think that questions like this are questions that are attempting to get me to talk about other people and lead into questions that talk about other people.

Mr. POOL. I have ruled. I have ruled that the question is relevant. Now I direct you to answer the question.

Mr. GORDON. I am saying why this, what the aim of this question is.

Mr. POOL. All right, Mr. Nittle, ask the next question.

Mr. GORDON. I will then state objections to this question.

Mr. NITTLE. Had you served as a member—

Mr. GORDON. You are not going to let me state my objections?

Mr. ASHBROOK. If you will state them—

Mr. GORDON. That's what I have been trying to do all along, but the gavel of the chairman is a very strong weapon, which he uses, I think, all too frequently.

[Laughter.]

Mr. GORDON. It is when an American citizen criticizes his Congressmen.

Mr. ASHBROOK. Mr. Chairman, the question remains unanswered. I suggest that it be redirected and that the witness respond.

Mr. POOL. Answer the question.

Mr. GORDON. Repeat the question.

(Witness conferred with counsel.)

Mr. ASHBROOK. How long have you been a student organizer? I believe is the pending question.

Mr. NITTLE. That is correct. How long have you served as the student organizer of the Progressive Labor Party or Movement?

(Witness conferred with counsel.)

Mr. GORDON. The statement made that a student organizer since 1964 is an incorrect statement.

Mr. ASHBROOK. Mr. Chairman, could he give us the correct information?

Mr. GORDON. I don't have the exact date, but it has been, I would say, within the last couple of months that I have been student organizer.

Mr. ASHBROOK. Thank you.

Mr. POOL. Next question.

Mr. NITTLE. Now what position did you hold in the May 2nd Movement?

Mr. ASHBROOK. Mr. Counsel, before that, I would like to interject one question, Mr. Chairman.

Mr. POOL. All right.

Mr. ASHBROOK. In his capacity as student organizer for the past several months, has he received any remuneration or any expense money or any financial support whatsoever from the Progressive Labor Movement?

Mr. GORDON. The financial support that Congress gets, as Senator Dodd is starting to show, is sometimes a little embarrassing. Shall we go into that, to begin with?

Mr. POOL. That's not responsive to the question.

Mr. ASHBROOK. Mr. Chairman, he is evading the question.

Mr. POOL. I direct you to answer the question.

Mr. GORDON. This question, I believe, is similar to the question asked, a couple of questions ago, by the counsel, and my objections to that question are the same.

Mr. ASHBROOK. You did not give valid objections. Is it your statement you do not want to answer the question?

Mr. GORDON. I gave valid objections.

Mr. POOL. I overruled you.

Mr. ASHBROOK. You have given no valid objections; you have not brought the fifth amendment up or any Constitutional grounds for refusing to answer.

Mr. GORDON. As a matter of fact, I brought up a number of amendments, in which that was included.

Mr. POOL. Well, they were overruled. I direct you to answer the question.

Mr. ASHBROOK. Mr. Chairman, let's reiterate that. If he specifically brought up the fifth amendment, that is one thing. Do you bring up the fifth amendment as a defense against answering this question at this time?

(Witness conferred with counsel.)

Mr. GORDON. I am proud to be a student organizer for the Progressive Labor Party. I, however, do not answer questions about money or names, because those are fink questions, and I am not a fink, like Phillip Goose, and that amendment that you stated was included within—

Mr. POOL. I direct you to answer the question.

Mr. GORDON. —was included within my objections. However, Mr. Pool, in his energetic gaveling, gaveled it down, as I was reading it, the 5th, the 6th, the 9th, the 14th, which is very—

Mr. POOL. All right. Take the next question.

Mr. GORDON. I take the amendment to the Constitution that protects people from committees such as this.

Mr. POOL. Including the fifth amendment. So go ahead with the next question.

Let the record show he took the fifth amendment on that.

Mr. GORDON. Let the record show that I am proud to be in the Progressive Labor Party. I would not be proud to sit in this Congress.

Mr. POOL. Go ahead.

Mr. NITTLE. When did you first join the Progressive Labor Movement, or Party?

Mr. GORDON. Why don't we get down to the war in Vietnam, which is what we are here for?

Mr. POOL. Answer the question.

Mr. GORDON. I came here to denounce U.S. aggression in Vietnam and to demand that the United States get out. I don't see how this is relevant to that.

Mr. POOL. State your question again.

Mr. NITTLE. When did you first join the Progressive Labor Movement?

Mr. GORDON. Again, can you state the relevance of that question? The next question is: Who recruited you? The next question is—

Mr. POOL. The relevance is apparent, and I will overrule your objection. Now answer the question.

(Witness conferred with counsel.)

Mr. GORDON. Well, I object to that question on the following grounds: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law"—

Mr. ASHBROOK. Mr. Chairman, he has not been accused of any crime.

Mr. GORDON.—and "to be confronted with the witnesses" that are being—you have not confronted me with the witnesses.

Mr. ASHBROOK. You are not accused of a crime.

Mr. GORDON. Under the sixth amendment. But you are now putting questions about which, if I understand correctly, you state that you have received testimony in executive session. Therefore, in fact, you are turning this into a trial.

Mr. POOL. Objection is overruled. I will direct you to answer the question.

Mr. GORDON. I further decline to answer this question on the grounds that this committee as presently instituted is a racist committee. It is a committee that contains people who have been elected to Congress where the black citizens of this country have not had a chance to vote.

Mr. POOL. If you have a valid objection, state them now; otherwise, proceed.

Mr. GORDON. Racism is not a valid objection to this committee, you say. I disagree.

Mr. POOL. I direct you to answer the question for the last time. And if he doesn't, or take the fifth amendment, Counsel, go ahead and ask the next question.

Mr. GORDON. I sense that this committee is only interested in one objection. The judiciary and other bodies are interested in more.

Mr. POOL. Do you take the fifth amendment?

Mr. GORDON. I am answering this question in my own way.

Mr. POOL. Well, you have answered promptly, and get it over with, because I want to go on to the next question.

Mr. GORDON. Well, I am still answering this question. One, this question is an attempt, once again, to abridge my rights under the Constitution and will lead into further questions that will attempt to get me to tell, to fink, to give names, to do exactly what this committee wants. However, that I will never do before this committee.

Mr. POOL. Do you take the fifth amendment?

Mr. GORDON. Therefore, to protect my rights, I say the following: You have forced me to say the following, because you abridged the Constitution. And you have abridged the decency that is left in this democratic—the democratic decencies that are left, that you are trying to impede, and that is, no person shall be held to answer for capital, or other infamous crime, unless in the presentment or indictment of the Grand Jury, except in cases in the land or naval forces or in the militia, or in actual service in time of war, nor shall any person be subject to the same offense to be twice in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty—

Mr. POOL. He is taking the fifth amendment.

Go to the next question. That will be sufficient.

(Witness conferred with counsel.)

Mr. NITTLE. Mr. Gordon, do you also serve—

Mr. GORDON. I am consulting with counsel, please.

Mr. POOL. Ask the next question.

Mr. NITTLE. Do you serve on the editorial board of the *Free Student*?

Mr. GORDON. The *Free Student* newspaper is a newspaper which combines anti-imperialism, anti-imperialist activity with activity to expose the stellar role of the university administration on students. It talks about how students in this country are being drafted to fight in the war in Vietnam, how students in this country are being forced into majors that don't offer them any creative alternative, to offer creative form of life. I am stating what the *Free Student* is.

Mr. NITTLE. Mr. Chairman, the witness is—

Mr. GORDON. The *Free Student* is a national newspaper. It is a newspaper that is attempting to tell the truth about things like the war in Vietnam.

Mr. POOL. You are not responsive to the question.

Mr. GORDON. About which this committee is not interested. I am very proud to be on the editorial board of the *Free Student*.

Mr. POOL. That was not the question. I direct you to answer the question.

Mr. GORDON. I just answered it.

[Laughter.]

Mr. GORDON. You should listen to what I say.

Mr. POOL. Next question.

Mr. NITTLE. Mr. Luce, a member of the Progressive Labor Movement from July 1964 until about January 1965 and who served as a member of the national executive committee of the May 2nd Movement, testified that the activities of the May 2nd Movement were controlled by an executive committee composed of 12 members, 9 of whom were members of the Progressive Labor Movement. Is that also your information?

Mr. GORDON. The May 2nd Movement is an independent organization. The only thing that is a front here is this committee, which is fronting for Johnson in his aggression in Vietnam.

Mr. NITTLE. Mr. Luce testified that the nine Progressive Labor Movement members of the executive committee of the May 2nd Movement caucused in separate sessions and made decisions that were then adopted as the decisions of the May 2nd Movement. Is this true?

Mr. GORDON. The chief caucus in this country is the big business caucus that is attempting to force the war down the throats of the people of America.

Mr. POOL. That is not responsive to the question. Answer the question.

Mr. GORDON. I was talking about caucuses; the real caucuses are the dangers to people.

Mr. POOL. State your question again.

Mr. NITTLE. I will restate it in this fashion: Mr. Luce testified in essence that the Progressive Labor Movement members set the policy for the May 2nd Movement.

Mr. GORDON. What does that mean?

Mr. POOL. Let him finish the question.

Mr. NITTLE. Do you agree?

Mr. GORDON. What does that mean?

Mr. NITTLE. It means that the May 2nd Movement was under the control, domination, and direction of the Progressive Labor Movement. Do you agree?

Mr. GORDON. As I said, May 2nd Movement was an independent organization that made its own decisions.

Mr. POOL. It has nothing to do with the Progressive Labor Movement. Is that what you are trying to say?

Mr. GORDON. There are members—and that has always been known and always publicly stated—of the May 2nd Movement who were in the Progressive Labor Party. That has never been denied and that was something that was proudly stated by members of Progressive Labor and proudly stated by members of the May 2nd Movement.

Mr. POOL. All right. Go to the next question.

Mr. NITTLE. Now, Mr. Gordon, you do not regard the May 2nd Movement as a peace movement; do you?

Mr. GORDON. Peace movement?

Mr. NITTLE. Yes.

Mr. GORDON. It is funny to hear those words out of your mouth. What do you mean by that?

Mr. NITTLE. Well—

Mr. GORDON. It would seem that war movement—

Mr. NITTLE. I am surprised that you ask me what I mean by it.

Mr. GORDON. You are using the terms.

Mr. NITTLE. I am going to ask you what you meant by it. I have before me a publication of May 2nd Movement, dated October 15, 1965.

Mr. GORDON. May I see that?

Mr. NITTLE. And it appears—

Mr. GORDON. May I see that document?

Mr. POOL. Just a moment, please.

Mr. NITTLE. Just a moment, please, and it appears under the typed signature of Jeff Gordon, October 15, 1965, New York City, and bears the address evidently of the issuing organization or the organization on whose behalf you acted, May 2nd Movement, 640 Broadway, Room 307, New York 12, New York.

I am going to quote from this document, and—

Mr. GORDON. May I see it?

Mr. NITTLE. And I will then hand it to you and ask you to identify it, if you will.

There appears on the last page thereof the following statement:

ON NON-VIOLENCE—

To ask the people of Vietnam, of Dominican Republic, of Batista Cuba, of the Congo, of Selma, of Watts, of Harlem, of Apalachia [sic] to be nonviolent is not to relate to the realities of our world. To ask the peasants of Vietnam not to fight back against the U.S. but to rely upon the U.S.'s good offices by non-violently not cooperating with them is criminal. We are not pacifists. * * *

Now what did you mean by that?

(Document handed to witness.)

Mr. NITTLE. And I hand you that statement, that you may identify it. Is that a publication issued—

Mr. GORDON. May I study this?

Mr. NITTLE. —by the May 2nd Movement, and was it prepared in whole or in part by you?

(Witness conferred with counsel.)

Mr. NITTLE. Now, Mr. Gordon, I think—

Mr. GORDON. I am studying this, please.

Mr. NITTLE. I am quite sure you have had sufficient time, at least to identify the document, and as to whether or not that was issued under your signature or with your knowledge.

Mr. GORDON. You ask many questions. I would like, you know, if you would break up those questions and ask them one by one, and then we will be all set.

Mr. NITTLE. Did you participate in the preparation or dissemination of that document? Now you can answer that yes or no.

Mr. GORDON. I most certainly did.

Mr. NITTLE. Now will you tell us, please, whether or not the May 2nd Movement was a peace movement?

Now, Mr. Chairman, I submit that the witness can respond to that question.

Mr. GOLLOBIN. I object to the counsel's observation. He has the right of conferral.

Mr. NITTLE. Will you pass that back to me, that document, please?

Mr. GOLLOBIN. Gladly.

Mr. ASHBROOK. Mr. Chairman, is there an outstanding question?

(Witness conferred with counsel.)

Mr. GORDON. In 1776, the United States fought for freedom. The Marines' motto is, "Don't tread on me." That is what that document says. That is a progressive document, you are reactionaries. That is for peace.

Mr. POOL. That is not responsive to the question.

Mr. ICHORD. Mr. Chairman, is the counsel offering the document as a part of the record for the committee?

Mr. NITTLE. Yes, sir.

Mr. ICHORD. Then I would request, Mr. Chairman, that the document be included as a part of this hearing record. It will speak for itself. We are not interested in the philosophy of the witness. We are interested in his actions. He has chosen not to speak about those, most of those actions.

Mr. GORDON. You read a part of that.

Mr. ICHORD. Right.

Mr. GORDON. You were the one who opened up the questioning. You retract when somebody mentions traditions of the United States which you are ashamed of.

Mr. POOL. The questioner will go on and proceed to the next question, and the document is accepted in evidence without objection.

(Document marked "Gordon Exhibit No. 1." See p. 998.)

Mr. NITTLE. Did the national executive committee of the May 2nd Movement, through its circulars, publications, and directives, set the policy for May 2nd Movement chapters established in various parts of the country, and particularly at colleges and universities?

Mr. GORDON. The May 2nd Movement was set up in a democratic basis. Individual chapters made their own decisions. There were national conferences and other gatherings, at which consultations and joint statements may or may not have been made. However, we did not issue directives, as Johnson issued one for this hearing. We do not send troops to Vietnam. We do not have that power that you have. We were trying to build, and were successful in building, a movement that students against the war, students who made from their own minds. What you are attempting to do is to say the American people are not smart enough to oppose the war on their own intelligence.

Mr. POOL. You have answered the question.

Go to the next question.

Mr. GORDON. You are very arrogant to the American people by these questions. They are not smart enough to know to resist you.

Mr. NITTLE. Mr. Gordon, I hand you a copy of the publication titled, "What Is May the 2nd Movement?", a reprint from the national newspaper of the May 2nd Movement, the *Free Student*, issue Number 3, May 1965.

Is that a publication of the May 2nd Movement?

Mr. GORDON. It looks like it.

Mr. NITTLE. Would you hand it back to me, please?

Mr. POOL. Go to the next question.

Mr. GORDON. A very good publication. You should read it.

Mr. NITTLE. Was this circularized to the various M 2 M chapters?

Mr. GORDON. I believe some circulation was done of it. I don't know the exact circulation of it, the numbers, and so forth. But it was somewhat widely circulated.

Mr. NITTLE. And do you, in this document, set forth certain policies or objectives of the May 2nd Movement that can be followed by the members of the May 2nd Movement?

Mr. GORDON. Well, since you are holding the document—

(Document handed to the witness.)

Mr. POOL. I think that question can be withdrawn. I think the document can be offered in evidence.

Mr. NITTLE. Yes.

Mr. POOL. And let it speak for itself.

Mr. GORDON. All the questions so far can be withdrawn.

Mr. POOL. We will save time. We offer it in evidence now at this time, Counselor. If there is no objection, it is accepted in evidence.

(Document marked "Gordon Exhibit No. 2." See p. 1002.)

Mr. NITTLE. Now, Mr. Gordon—

Mr. GORDON. Why can't I comment on it, if it is going to be put in the record? In the record without comment?

Mr. POOL. Just be responsive to the questions.

Mr. NITTLE. Was it an objective and purpose of the May 2nd Movement to launch an anti-induction campaign on the campuses of the United States?

(Witness conferred with counsel.)

Mr. GORDON. The students on the campuses in the United States, as the working people in this country, do not want to fight in Vietnam. Someone here, one of the Congressmen said he had been to Vietnam and spoken to G.I.'s there. I have gotten many letters and seen many letters from G.I.'s that don't want to be there, and I don't see masses of people—

Mr. POOL. You are not responsive to the question.

Mr. GORDON. I don't see masses of people being recruited to go to Vietnam. You have to induct them. You have to force them into it. That is not a draft, that is a slavery.

Mr. POOL. State your question again, Counsel.

Mr. GORDON. That is indentured service, forced labor, to fight these people.

Mr. POOL. Wait until the question is asked. I am asking you to reread the question.

Mr. NITTLE. Let me restate the question in this form, Mr. Chairman: The document which you have just identified states on page 2, "The May 2nd Movement is launching an anti-induction campaign on the campuses." Would you tell us, please, whether the May 2nd Movement launched such a campaign?

(Witness conferred with counsel.)

Mr. POOL. At this time, the Chair wishes to welcome to the committee room Congressman Rumsfeld, Illinois; Dole, of Kansas; Fuqua, of Florida; and Downing, of Virginia. We appreciate you all being here. Thank you.

Mr. GORDON. Could you please repeat that question?

By the way, why are you only reading selected parts of this document? Why don't you read the whole document?

Mr. ASHBROOK. Mr. Chairman, this witness—

Mr. GORDON. You called me here.

Mr. POOL. State your question.

Mr. NITTLE. I am seeking to inquire of you as a national leader, a member of the national executive committee of the May 2nd Movement, whether it was a policy and whether, in fact, the May 2nd Movement launched an anti-induction campaign in the United States, on college campuses.

Mr. GORDON. The May 2nd Movement was produced on campuses as part of what we considered our duty to what we consider the real America—not the America you represent, but the real America—to talk to students and all people who would listen about what our views on the war in Vietnam are, and to talk to them about whether Americans, whether America should be fighting in Vietnam. We did this continuously and we continue to do this.

Mr. POOL. That's not responsive to the question.

Mr. GORDON. The people in May 2nd continued to do this, or who used to be——

Mr. POOL. That is not responsive to the question, and I direct you to answer the question.

Mr. GORDON. The May 2nd Movement, as part of its program, and it has always been stated as part of its program, on the campus, carried out certain activities against the present draft system, against, which is unequal, and mainly because the present draft system is for the war in Vietnam and the wars in Dominican Republic, wars that we don't like, we consider unjust and against the interests of the American people, we were very happy and very proud, and we thought it our duty, to carry out these campaigns.

Mr. POOL. All right. Ask the next question.

Mr. NITTLE. Mr.——

Mr. GORDON. The American people aren't going to stand idly by for this.

Mr. POOL. Wait until the question is asked. I have already asked the counsel to ask the next question.

Mr. NITTLE. I also have before me the October 30, 1965, May 2nd Movement report. The report is identified as being prepared by, or forwarded under the authority of, J. G., May 2nd Movement, 640 Broadway, Room 307, New York 12, New York.

I ask you to review that document and tell us whether that was either prepared or disseminated by you on behalf of the national executive committee of the May 2nd Movement.

(Document handed to witness.)

Mr. NITTLE. I think you have had an opportunity to examine that.

Mr. GORDON. Just one moment, please.

This is a photostatic copy, so I have a right to study it.

Here is your document back. What was the question again?

Mr. NITTLE. Do you identify this exhibit——

Mr. GORDON. It is an exhibit, yes.

Mr. NITTLE. —as a publication of the May 2nd Movement and having been prepared or disseminated under your signature?

Mr. GORDON. Yes, to both questions.

Have you read it carefully?

(Document marked "Gordon Exhibit No. 3." See p. 1007.)

Mr. ASHBROOK. Mr. Chairman, I wish you would instruct the witness that he is here pursuant to subpoena. He is to respond to ques-

tions as they are proffered to him. The impudence he has shown with the retorts, with the unnecessary statements, should be discouraged. And I would hope that he could conduct himself properly as a witness before a properly constituted authority.

Mr. GORDON. This is not a properly constituted authority.

Mr. POOL. I agree with you and the record itself will show the impudence and the——

Mr. GORDON. Even the court is beginning——

Mr. POOL. —the impudence shown, and the American people, through the press assembled here, will get your answers and the way you handle them. And you are directed to be responsive to the questions so we can get on with this hearing.

Go ahead.

Mr. NITTLE. I want to read in part from page 1 of this document, under a heading "ANTI-DRAFT UNIONS."

I quote:

The October 24th meeting, announced and discussed in Report #1, was attended by about 30 M2Mers—all from New York and New Jersey. The enclosed press release dated October 26 outlines the decisions made at the meeting and the general context within which it was decided it was best to discuss the draft. The essential decisions were that anti-draft activity should be carried out through the formation of independent Anti-Draft Unions, though some chapters may decide that the situation on their campus calls for the work to be done directly by M2M, and that a booklet should be written that discusses the nature of Imperialist wars and why people don't want to fight in them.——

Mr. GORDON. You are right that people don't want to fight in them.

Mr. NITTLE. [Continues reading:]

The booklet would also discuss militarism and the various alternatives around the draft issue and the legal situation on them. * * *

Mr. POOL. What is your question now, Counsel?

Mr. NITTLE. Do you not, in that publication, communicate decisions to M2M chapters, scattered on various college campuses?

Mr. GORDON. What was the question?

Mr. POOL. Restate the question, Counsel.

Mr. NITTLE. Would the reporter read that question back to the witness?

Mr. POOL. All right.

(The question was read by the reporter.)

Mr. GORDON. Is the counsel now ready to hear my answer?

Mr. NITTLE. Yes.

Mr. GORDON. That publication which you have not stated what it is, but in any event, the part that you read seemed very obvious left decisions to chapters to analyze the situations on their own campus, as they see fit, and it disproves your prior insinuations of undemocracy and orders from above. I am surprised you didn't bring it up earlier.

Mr. NITTLE. Now, Mr. Gordon, was it also a policy of the national leadership of the May 2nd Movement to stimulate interest on college campuses, through the various organizations of the M2M that had been set up, for the solicitation or collection of medical aid to the National Liberation Front of South Vietnam?

Mr. GORDON. The blood of American G.I.'s is on the hands of Johnson and on the hands of all those abetting and aiding him.

Mr. NITTLE. It isn't on the hands of President Johnson. The responsibility, you well know, rests in Peking and in Moscow.

Mr. GORDON. Oh, that's—where is the Peking troops in South Vietnam? It is American troops that have gone in, forced to go there. Why are you covering this up?

Mr. NITTLE. Now will you tell us, please—

Mr. GORDON. You talk about blood, you talk about aid. What about, if your aid in Vietnam is American bombs? They are killing the people there.

Mr. NITTLE. Will you tell us, please—

Mr. POOL. Let's have order.

Mr. NITTLE. Will you tell us, please, what the May 2nd Movement is doing?

Mr. GORDON. The May 2nd Movement it was stated before does not exist.

Mr. NITTLE. What it is doing or was doing, and what the Progressive Labor Party is doing and was doing?

Mr. GORDON. That's a big question now. Why don't you break it up?

Mr. POOL. Let the record show that the witness keeps interrupting the counsel who tries to state his questions, repeatedly, throughout this interrogation. Go ahead and state your question.

Mr. GORDON. Please try to break it up, though, if you want it answered; maybe you don't.

Mr. NITTLE. We will now return to the question. And perhaps you will see fit to answer it.

Was it a policy of the May 2nd Movement to urge the M2M chapters established on various campuses to engage in a campaign to donate blood and other—

Mr. GORDON. Are you reading from that document?

Mr. NITTLE. Yes, I am reading from—

Mr. GORDON. Will you please quote it, if you want—

Mr. NITTLE. I am reading from the document you have identified as a publication of the May 2nd Movement [Gordon Exhibit No. 2]. And let me, then, put it in the words of the document.

Mr. GORDON. Please do.

Mr. NITTLE. [Reading:]

Some chapters of May 2nd plan campaigns to donate blood and other medical aid to the National Liberation Front of South Vietnam, to concretely show our support for national liberation struggles. Receiving blood from U.S. college students will be a terrific morale boost to the Vietnamese people. Collecting pledges for blood on campus can also show where the administration stands as collecting for civil rights did at Berkeley.

Now will you tell us, please, whether it was a policy of the national executive committee of the May 2nd Movement to urge M2M chapters to engage in a campaign on the respective college campuses, to donate blood and other medical aid to the National Liberation Front of South Vietnam?

(Witness conferred with counsel.)

Mr. GORDON. The best humanitarian traditions of this country is to aid people who are being invaded. That is, we believe what some chapters may have done in that case. First of all, you contradict yourself. You say—

Mr. NITTLE. Now, just a minute.

Mr. POOL. You say that some of the chapters may have done that.

Mr. GORDON. I am trying to answer the contradiction in his question, which was, one, a statement that some chapters may, and then a statement that this was a directive, which is a constant misrepresentation.

Mr. POOL. Give the committee the benefit of what knowledge you have about the matter.

Mr. GORDON. I would be happy to.

Mr. POOL. All right.

Mr. GORDON. We believe that as American citizens, as citizens of the world, as people who believe that aggression is wrong—

Mr. NITTLE. Now, Mr. Chairman, I don't think we should—

Mr. POOL. Let him go ahead. I want to hear this.

Mr. GORDON. C'est la guerre. To pick up where I left off, or was interrupted, that the traditions that we believe, the traditions of the CIO, the traditions that built in this country 1898, there was an Anti-Imperialist League that included Mark Twain, that included ex-Presidents of the United States, that included Andrew Carnegie, who had to leave it when the Morgan Bank bought him out.

Mr. POOL. Can you try to shorten it a little bit?

Mr. GORDON. Yes, I am just trying to get a little American history.

Mr. POOL. I think I know a little bit about it.

Mr. GORDON. A different part of it, maybe. From a different aspect. A different angle. I was inside the Northlands (?) That we believed that part of our humanity is that when a country is being bombed, genocidally, as the United States is bombing North Vietnam, when unbelievable amounts of bombs and napalm are dropped on children—we see this in the press everyday—when that happens, that our giving blood to those people is patriotism, that our demanding that our soldiers not be forced to fight that war, not be forced to die in that war, as they are being now, that that is patriotism.

Mr. POOL. In other words, you believe that you ought to help the Viet Cong, the North Vietnamese, so they can go back into battle and kill our boys. Is that what you are trying to tell me?

Mr. GORDON. What I said—

(Witness conferred with counsel.)

Mr. GORDON. —my interest in this country is that no more Americans die in Vietnam. Your interest is to send them to Vietnam to die. You are sending them there, Johnson is sending them there, the corporation of profiteers of war are sending them to die—

Mr. POOL. Let's be responsive to the question.

Mr. GORDON. I am, in the interest of the American soldiers. That's what your question was. You are sending them there to die. And Johnson is sending them there to die, and they all, all this Government and the big business are sending them there to die and bleed, and then you try to assume that I am against them? Well, that is not true. You are against them. But the American people, and let us say this, and why don't you subpoena some of their letters? Say this. The American people do not want to bleed in Vietnam, and you are sending them to bleed in Vietnam. You are sending them to die in Vietnam. I am not, so don't try to cast aspersion on me, when it is on you and on Johnson. That's where it belongs.

Mr. POOL. But the fact is that you are in favor of sending aid, blood plasma, and things like that, money, to the Viet Cong, and to the North Vietnamese. Is that correct?

Mr. GORDON. I believe that it is a humanitarian tradition to send blood to people who are being murdered by murderers.

Mr. POOL. You say the American soldiers in Vietnam are murderers. Is that what you are saying?

Mr. GORDON. No; Johnson is a murderer, and he is forcing people to go to Vietnam and forcing them. You go down to the draft center, and you will see how many people have smiles on their faces. I have heard people tell me the difference—I am not old enough to know, but I have heard people tell me the difference of the way people joined up to fight the Second World War and the way people are not joining up to fight this war.

Mr. POOL. Do you think if the Communists took over the whole world that everything would be peaceful and there would not be any slavery?

Mr. GORDON. Who are the people who are stopping the peace in the world? Where are the aggressors? Where are the Communist aggressors? It is the United States who is the aggressor. We went into the Dominican Republic. We have 4,000 military bases overseas, and you call somebody else an aggressor? Wow!

[Applause and demonstration.]

Mr. POOL. Your testimony bears out the witness Luce's testimony previously, and we appreciate you being so helpful.

Mr. GORDON. I am very honest to you.

Mr. POOL. That is right.

Mr. GORDON. Because I am proud of my views.

Mr. POOL. I am not.

Mr. GORDON. Well, I am not proud of yours.

Mr. POOL. Go ahead.

Mr. NITTLE. Now, were you aware that several groups had been established at various colleges by members of the May 2nd Movement for the purpose of collecting medical supplies for the National Liberation Front?

(Witness conferred with counsel.)

Mr. GORDON. Would you repeat the question very slowly, because I think it is wrong.

Mr. NITTLE. Let me withdraw that question, and ask you whether you participated in any efforts to establish campus groups for the collection of blood or medical supplies or money for delivery to the National Liberation front of South Vietnam or to the North Vietnamese Government?

Mr. GORDON. I will relate to you an experience. It has to do with the trip I made to Stanford University, in Palo Alto, California—
(Witness conferred with counsel.)

Mr. GORDON. I don't remember the date of the trip—at which time I spoke to a number of people, who I will not identify for you, about the possibilities of setting up some form of organization to collect, or to try to send through the International Red Cross, blood to the victims of U.S. aggression in Vietnam. That, by the way, was a public meeting on the university campus, a university room. That meeting discussed many things, but the major thing it discussed was twofold: One,

that the United States is systematically killing people in Vietnam and attempting to move us towards a war with China, a world war; that the onus of the United State's action in Vietnam is not just for Vietnam, but is to engulf the world in a world war. We opposed this. You gentlemen——

Mr. NITTLE. Let me ask you the question.

Mr. GORDON. You gentlemen probably don't oppose it.

Mr. NITTLE. Let me ask you the question whether you oppose it because it is a purpose and program of the Progressive Labor Movement——

Mr. GORDON. To see that a third world war does not start.

Mr. NITTLE. —to aid and assist the world Communist movement, and that this program of opposition to the American effort is intended in aid of the Communist movement.

Mr. GORDON. Our opposition to the American Government's efforts in Vietnam—"efforts" is a very placid term for murder—the U.S. Government's effort in Vietnam, is to aid the American people and, also, to aid people in other countries. You gentlemen, you know, pretty much forget about that, but we consider that important. We also consider it very important to aid the people in this country.

Mr. NITTLE. Well, now, Mr. Gordon, we want to know what you did in the effort to raise medical supplies for the North Vietnamese and for the Viet Cong.

Mr. GORDON. What do you mean, what did I do? I related to you an experience. That is something of what I did. Beyond that, I did not do anything more at Stanford, because I don't go to Stanford.

Mr. NITTLE. Were you aware of the committee set up by Russell Stetler, Jr., at Haverford College?

Mr. GORDON. You have to expand upon that question.

Mr. NITTLE. I say, Were you aware of the effort made by Russell Stetler?

Mr. GORDON. I have read about it in the paper. I think it was a fine effort.

Mr. NITTLE. Well, you probably also heard it from him personally; didn't you? Was not he a member, with you, of the national executive committee of the May 2nd Movement?

Mr. GORDON. You are not going to get me to talk about somebody else.

Mr. POOL. I direct you to answer the question.

Mr. GORDON. I am not a fink. You got your finks.

Mr. POOL. Do you want to take the fifth amendment?

Mr. GORDON. I am not going to talk.

(Witness conferred with counsel.)

Mr. POOL. That's the last time I direct you to answer the question, or state a valid objection.

Mr. GORDON. As I said——

Mr. NITTLE. Were you aware of the——

Mr. POOL. No, let's let him answer that question.

Mr. GORDON. Repeat the question.

Mr. NITTLE. Let me put it this way: Were you aware of the existence of a group of the May 2nd Movement at Haverford, established by Russell Stetler, Jr., for the collection of money for medical aid to the National Liberation Front of South Vietnam?

Mr. GORDON. That's not a good question. I mean, even from your standpoint, because——

Mr. POOL. Well, ask the original question, and ask him if he knew Stetler.

Mr. GORDON. Because May 2nd never collected medical aid as far as I know at Haverford College.

Mr. POOL. Withdraw the question, and ask him if he knew Stetler. That's all you have to do.

Mr. NITTLE. Did Russell Stetler, Jr., serve with you as a member of the national executive committee of the May 2nd Movement?

Mr. GORDON. You are not going to get me to be a stool pigeon.

Mr. POOL. I direct you to answer the question.

Mr. GORDON. This is the great American tradition that you represent, stool pigeonism.

Mr. POOL. I direct you for the last time to answer the question.

Mr. GORDON. Well, I will object to answering that question, on the following grounds: First ground, the major ground is that I am not a fink. But since this committee seems to be set up in such a way as to legally prosecute people who refuse to be finks, you force them, then——

Mr. POOL. Just a moment.

The committee will stand in recess for 10 minutes.

(Whereupon, at 4:35 p.m. a brief recess was taken.)

Mr. POOL. Let's have order.

Everyone take a seat. Go ahead, Counsel.

Mr. NITTLE. Mr. Gordon, were you aware of the existence of a Medical Aid Committee for Vietnam established on the campus at Stanford University on or about October 1965?

Mr. GORDON. As I stated before, I was aware of that.

Mr. NITTLE. And——

Mr. GORDON. By the way, I would like to ask one question: Is this table bugged?

Mr. POOL. Ask the next question.

Mr. GORDON. Is this table bugged?

Mr. POOL. No, the table is not bugged.

Mr. GORDON. Well, I had conferences with my attorney and I want to make sure that they are not being overheard, as they were in 1957, which is an invasion——

Mr. POOL. And I assured you the table is not bugged.

Mr. GORDON. Is there any way that this table can be searched to tell that?

Mr. POOL. Go ahead, Counsel.

(Witness conferred with counsel.)

Mr. NITTLE. And did you, as a national officer of the May 2nd Movement, have any communication with the May 2nd Movement chapter at Stanford University?

Mr. GORDON. Communication?

Mr. NITTLE. Yes.

Mr. GORDON. What type do you mean?

Mr. NITTLE. With regard to the existence or creation of a medical aid group there, under the name "Medical Aid Committee for Vietnam"?

Mr. GORDON. Well, as I stated before, I was present at a discussion about formation at Stanford of the Medical Aid for the Victims of U.S. Aggression in Vietnam Committee. Beyond that, you would have to be more specific.

Mr. NITTLE. Did you have discussions with Mr. Anatole Ben Anton regarding the Stanford group?

Mr. GORDON. As I stated before, I am not going to talk about other people.

Mr. NITTLE. Well, you asked for that information. I thought you would respond to the inquiry, having got it.

Mr. GORDON. Well, that type of information that your response desired from me is the type of information that my conscience does not allow me to give to such a group as this.

Mr. POOL. State your question, Mr. Nittle.

Mr. NITTLE. Now did you, as national coordinator of the May 2nd Movement, have any contact with a group at the University of California at Berkeley, known as the Medical Aid Committee for Vietnam, Box 1128, Berkeley, California?

(Witness conferred with counsel.)

Mr. GORDON. You seem to have that down very specifically. I would like to see the paper you are reading from.

Mr. NITTLE. Would you answer the question, please?

(Witness conferred with counsel.)

Mr. GORDON. I didn't memorize the box number, so I mean, I don't know—you know, that question was asked in such a specific way.

Mr. POOL. Restate the question.

Mr. ASHBROOK. Forgetting the box number.

Mr. GORDON. If you would state the question in a more general way, or perhaps in another way, I could answer it.

Mr. POOL. All right.

Mr. NITTLE. It is the organization founded by Steve Cherkoss, who was the West Coast organizer for the Progressive Labor Party and May 2nd Movement.

Mr. GORDON. Names again.

Mr. NITTLE. Does that identify the organization sufficiently for you?

Mr. GORDON. No. What was the name of the organization again?

Mr. NITTLE. I identified it as the Medical Aid for Vietnam Committee.

Mr. GORDON. I am familiar with that organization.

Mr. NITTLE. And that is at Box 1128.

Mr. GORDON. I don't know the box number, but I am familiar with an organization of that name, or a very similar name, existing in—

Mr. POOL. All right, ask the question.

Go ahead.

Mr. NITTLE. Now were you aware that the solicitation and delivery of medical supplies, money, or blood to the North Vietnamese or to the Viet Cong was prohibited by the Treasury Department regulations?

(Witness conferred with counsel.)

Mr. GORDON. I am not a lawyer.

Mr. POOL. I direct you to answer the question.

Mr. GOLLOBIN. The witness has answered the question, Mr. Chairman.

Mr. POOL. I don't get your answer. Say it again.

Mr. GORDON. I am not a lawyer, but I disclaim any patriotism incompatible with justice. John Quincy Adams said that—former President of the United States.

Mr. POOL. Mr. Nittle, ask the next question.

Mr. NITTLE. Mr. Gordon—

Mr. GORDON. American history.

Mr. NITTLE. I have before me a copy of a letter dated August 10, 1966, from the Office of the General Counsel of the Treasury Department in Washington. We are advised that—and I quote—

on October 29, 1965, representatives of the Office of Foreign Assets Control called at the office of the May Second Movement, Rooms 306 and 307, 640 Broadway, New York, New York. The Treasury representatives found Mr. Lawrence Hecht on the premises, who indicated he was in charge of the office. He was advised that the Treasury's Foreign Assets Control Regulations prohibit any remittance of funds directly or indirectly to North Viet-Nam or nationals thereof, including the Viet Cong, in the absence of a license from the Treasury Department. He was further advised that these Regulations also prohibit the unlicensed sending of any commodities whatever to North Viet-Nam or nationals thereof including the Viet Cong. It was specifically stated that the prohibition extended to the unlicensed sending of blood or medical supplies. During this conversation, Mr. Jeffrey Gordon entered the office of the May Second Movement and gave that as his address. He was likewise advised as to the applicability of the Regulations to possible transactions with North Viet-Nam and the Viet Cong. Both persons were requested to convey this information to all branches and members of the May Second Movement.

Is that which is related by the General Counsel for the Treasury Department a factual statement?

(Witness conferred with counsel.)

Mr. GORDON. Could I see the document, first?

(Letter and enclosures marked "Gordon Exhibits Nos. 4-A through 4-D," respectively. See pp. 1010-1014.)

Mr. NITTLE. Would you advise us whether—

Mr. POOL. Let him see the document.

Mr. NITTLE—the facts as therein set forth are true?

(The document was handed to witness.)

(Witness conferred with counsel.)

Mr. NITTLE. Now are you prepared to answer the question?

Mr. GOLLOBIN. At this time we are not. We are conferring.

Mr. NITTLE. Mr. Chairman, I think the witness has had abundant opportunity to examine the Treasury Department letter and to state whether or not the letter correctly states what transpired in the office of the May 2nd Movement with regard to this witness.

Mr. GOLLOBIN. In terms of the question, I submit that counsel knows very well that the witness has a definite right at this time to adequate conferral, and we are therefore continuing.

(Witness conferred further with counsel.)

Mr. POOL. All right, is the witness ready to answer the question?

Mr. GORDON. The question is what is known as a clink question.

Mr. NITTLE. I can imagine—

Mr. GORDON. It is an entrapment question.

Mr. POOL. Let him go ahead.

Mr. GORDON. It is an entrapment question. The whole series of questions up to this have been aimed at not getting information for leg-

islative purposes, but to attempt to entrap the witness into statements that may possibly lead to criminal prosecution; at the same time he does not have the rights of cross-examination and other rights set up for a person under criminal contempt.

Mr. POOL. What you are saying is that you—

Mr. GORDON. And without adequate—

Mr. POOL. — made a statement a while ago in which you told this committee that you were not advised of these regulations, and now this letter comes up, proving that you were advised. Is that what you are trying to say?

(Witness conferred with counsel.)

Mr. GORDON. I have not had adequate ability to reflect and consider. I am not a lawyer. This question—

Mr. NITTLE. This is not a question of law. It is a question of fact. Were you or were you not advised?

Mr. GORDON. I am just answering the question of what I had said before, that I am not a lawyer. I do not know all the legalities of many things. That is not my profession.

Mr. NITTLE. Is that your answer to the question?

My question was, Does the Treasury letter correctly relate the—

Mr. POOL. Just a moment, Counsel. Would you like to change your previous answer to the question? Then if you think it was—

Mr. GORDON. Which question and which answer are you talking about?

Mr. POOL. Previously, you made a statement and told this committee that you had not been advised as to the regulations regarding these possible transaction with North Vietnam?

Mr. GORDON. Would you read me that, out of the record, please?

Mr. POOL. It is back in the record there.

Mr. GORDON. Could you please read it out of the record then?

Mr. POOL. I am just asking: Do you want to change any statement that you made to this committee, then? I would like to have that statement read from the record.

Mr. GORDON. I would like to have that statement read from the record.

Mr. POOL. All right, go back and read the report, Miss Reporter, question and the answer, if you can find it.

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

Mr. NITTLE. Now were you aware that the solicitation and delivery of medical supplies, money, or blood to the North Vietnamese or to the Viet Cong was prohibited by the Treasury Department regulations?

(Witness conferred with counsel.)

Mr. GORDON. I am not a lawyer.

Mr. POOL. I direct you to answer the question.

Mr. GOLLOBIN. The witness has answered the question, Mr. Chairman.

Mr. POOL. I don't get your answer. Say it again.

Mr. GORDON. I am not a lawyer, but I disclaim any patriotism incompatible with justice. John Quincy Adams said that—former President of the United States.

Mr. POOL. He didn't answer the question, then.

Mr. ASHBROOK. What was the question again, Mr. Chairman?

I thought he said, "I am not aware."

Mr. GORDON. No, "I am not a lawyer," I said.

Mr. POOL. You said what?

Mr. GORDON. I said I was not a lawyer.

Mr. ASHBROOK. I thought he said, "I am not aware."

Mr. POOL. All right, let the record show what he said, then. I couldn't hear him myself.

Mr. ASHBROOK. Would you resubmit the question, Mr. Chairman?

Mr. POOL. Were you aware of these regulations regarding possible transaction with North Vietnam and the Viet Cong?

Mr. GORDON. I decline to answer that question because that question inquires into my political beliefs and associations in violation of the guarantees of freedom of speech, assembly, as provided for by the first amendment to the Constitution of the United States of America.

Mr. ASHBROOK. Mr. Chairman, he has not responded.

Mr. POOL. That is not responsive to the question.

(Witness conferred with counsel.)

Mr. GORDON. I think this one is the sixth amendment. "In all criminal prosecutions," and this is an entrapment question.

Mr. ASHBROOK. This is not a criminal prosecution.

Mr. GORDON. An entrapment-type question—"the accused shall enjoy the right to a speedy and public trial, by an impartial"—impartial, impartial—"jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature—"

Mr. ASHBROOK. Mr. Chairman, this is dilatory tactics.

Mr. GORDON.—"of the nature and [the] cause of the accusation; to be confronted with the witness against him"—where I was not—"to be confronted—"

Mr. POOL. That's not a sufficient objection, so—

Mr. GORDON. The sixth amendment to the Constitution.

Mr. POOL. I direct you to answer the question.

Mr. GORDON. The sixth amendment is not sufficient?

Mr. ASHBROOK. You are not charged with a crime.

Mr. POOL. I direct you to answer the question. Go ahead to the next question, Counsel.

(Witness conferred with counsel.)

Mr. GORDON. I did not decline to answer the question. You interrupted my answer.

Mr. POOL. All right, answer the question, then. I direct you for the last time to answer the question.

Mr. GORDON. Well, then, allow me to answer it.

If you gentlemen are so against the Constitution, then you force me to protect myself under certain rights which are guaranteed to me.

Mr. ASHBROOK. He has not—

Mr. POOL. Just a minute.

Mr. GORDON. "No person shall be held"—this is going to take about a minute to read, so please don't interrupt me again:

No person shall be held to answer for a capital, or other infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice [put] in jeopardy of life and limb; nor shall be compelled in any criminal case to be a witness against himself * * *.

Mr. POOL. All right, next question. He has taken the fifth amendment. That is sufficient.

(Witness conferred with counsel.)

Mr. POOL. He takes the fifth amendment.

Go ahead with the next question.

Mr. GORDON. This is to protect me against false accusations, false. It is to protect me.

Mr. POOL. I will recognize the fifth amendment as a valid objection. Now go ahead with the next question.

Mr. GORDON. You distort.

Mr. POOL. Just be quiet and, Counsel, will you ask the next question.

Mr. GORDON. He is not asking.

Mr. POOL. You won't let him.

Mr. NITTLE. Mr. Gordon, I have before me a copy of the *Vietnam Courier*, published in Hanoi, dated May 19, 1966. At page 6, in an article entitled "American Youth Do Not Want To Die in Vietnam," they report—

Mr. ASHBROOK. Mr. Nittle, I can't hear you now.

Mr. NITTLE. [Continues reading:] "The U.S. weekly *Challenge*, on April 19, published the following anti-war letter handed out by an American youth, Brooklyn College student Jeff Gordon, at the White Hall Army Induction Center, New York." And then they purport to quote from a letter, purportedly written by you and published in *Challenge*.

I will just read a paragraph from the letter, to see whether it will refresh your recollection.

Mr. GORDON. Why don't you read the whole thing?

Mr. POOL. Mr. Nittle.

Mr. NITTLE. Let me hand the article to you, without—

Mr. POOL. Can you ask a question about this without having to read it all?

Mr. NITTLE. Are you correctly reported in that article?

Mr. ASHBROOK. Mr. Chairman, while he is conferring, I would like to have a moment.

Mr. POOL. Without objection, so ordered.

(Discussion off the record.)

(Witness conferred with counsel.)

Mr. POOL. All right, the witness is ready to answer?

State your answer, Witness.

Mr. GORDON. In this article which quotes President Eisenhower as saying that if Ho Chi Minh and that if elections had been held in Vietnam, Ho Chi Minh would have gotten at least 80 percent of the vote, that is President Eisenhower in his *Mandate for Change*, his memoirs, this article, which lists the violation of the Geneva agreement that the United States has committed—

Mr. NITTLE. That's not the question.

Mr. GORDON. I am identifying the article.

Mr. NITTLE. Are you accurately quoted?

Mr. GORDON. I am identifying the article. This was given out at the Whitehall Army Induction Center.

(Document marked "Gordon Exhibit No. 5." See p. 1015.)

Mr. NITTLE. All right, no further questions, Mr. Chairman.

Mr. ASHBROOK. That was not the answer. He said the article was given out.

Mr. GORDON. At——

Mr. GOLLOBIN. Just one moment, please.

(Witness conferred with counsel.)

Mr. GORDON. "At" means "nearby." They say "at" here. The thing should have been nearby.

Mr. ASHBROOK. But the question pertained to whether or not it was your letter which appears in a Hanoi newspaper or not, which you have avoided.

Mr. GORDON. I said, please be more specific. I didn't send that to the Hanoi newspaper.

Mr. ASHBROOK. The original question of Mr. Nittle was whether or not the letter, which is contained in a Hanoi newspaper and purports to be a letter given out by you, is, in fact, a letter which you prepared. And you have avoided that question.

(Witness conferred with counsel.)

Mr. GORDON. Yes; I prepared that letter, and it was given out to the general public.

Mr. ASHBROOK. Thank you.

Mr. POOL. All right.

Mr. NITTLE. May I ask one more question, Mr. Chairman?

Mr. POOL. All right.

Mr. NITTLE. You say here, "We are being drafted into the army." Were you then being drafted, in the course of your appearance at the Whitehall——

Mr. GORDON. What date?

Mr. NITTLE. —Army Induction Center?

Mr. GOLLOBIN. What date, Mr. Nittle?

Mr. NITTLE. April 19, the date here quoted.

Mr. GORDON. I am not sure if April 19 is the correct date, but—I am not positive, it might be—but around that time, I did go to the induction center for induction.

Mr. NITTLE. At Whitehall, New York?

Mr. GORDON. Yes. And by the way, the people I spoke to there did not want to go into the Army to fight in Vietnam.

Mr. POOL. At this time, the Chair wishes to recognize Congressman Nelsen and Congressman Keith, who have come here to visit with us, and we appreciate their being here.

At this time, the Chair recognizes Congressman Ichord.

Mr. ICHORD. Mr. Chairman, there has been some variance between the testimony of this witness and the preceding witness, Mr. Luce. Mr. Luce testified that the Progressive Labor Movement was a Marxist or Communist organization and that it controlled the May 2nd Movement as a front organization.

Now Mr. Gordon has testified that the May 2nd Movement was independent in essence, is independent movement of the Progressive Labor Movement, but that some of the members—and it was well known—of the May 2nd Movement were members of the Progressive Labor Movement.

I would like to ask the witness one question. He stated that he was a member of the executive committee of the May 2nd Movement.

Do you know how many members of the national executive committee of the May 2nd Movement were members of the Progressive Labor Movement?

Mr. GORDON. Mr. Nittle, I believe—the counsel brought up in some of those documents, he read statements which I think prove the independence of the May 2nd Movement, statements which ask chapters to develop their own programs, based upon their own needs on campus and the activities on campus.

Mr. ICHORD. Mr. Chairman, that is not responsive to the question. I asked the witness a very simple question. Does he know, and he was a member of the national executive committee of the May 2nd Movement, how many members of the national committee of the May 2nd Movement were members of Progressive Labor Movement, and I ask that he be directed to answer the question.

Mr. GORDON. Mr. Ichord, this once again is preparatory—

Mr. POOL. I direct you to answer the question.

Mr. GORDON. —is a preparatory question to getting me to name names, something which I have stated my ground for not going to do.

Mr. ICHORD. I state to the witness that I am not asking you, in your own language, to be a “fink,” as you say.

Mr. GORDON. I got a letter from this committee asking me to be a “fink.”

Mr. ICHORD. I am not asking you to identify the members of the executive committee. I am asking you, Is it in your knowledge as to how many of the members of the executive committee of the May 2nd Movement were members of the Progressive Labor Movement? I ask once again, Mr. Chairman, that the witness be instructed to answer.

Mr. POOL. I direct you to answer.

Mr. ICHORD. That can be answered “yes” or “no.”

Mr. GORDON. Once again, I say this a preparatory question, that is preparing me to have to answer questions which I said I would not answer before this committee, on the grounds stated.

Mr. ICHORD. On what grounds stated?

Mr. GORDON. Do you want me to repeat the grounds? There were a number of grounds.

Mr. POOL. Does that include the fifth amendment?

Mr. GORDON. I will repeat the grounds, if the Chair wishes.

Mr. POOL. Does it include the fifth amendment?

Mr. GORDON. You can check in the record of the grounds that I gave in previously answering these questions.

Mr. ICHORD. Mr. Chairman, let the record stand as made. That's the only question I have.

Mr. POOL. Any other questions on this side?

Do you have questions? Mr. Buchanan?

Mr. BUCHANAN. May I ask him just one question, Mr. Chairman?

Mr. POOL. All right.

Mr. BUCHANAN. Mr. Gordon, you referred to those responsible for the effort in Vietnam, the American effort, as murderers, I believe, and stated when asked if this included the troops, “No, because they were forced to fight there.”

Now a certain number of the men fighting there are volunteers. Are these men murderers?

Mr. GORDON. Are you from Alabama, sir?

Mr. BUCHANAN. Would you answer the question?

Yes, we are very proud to have men from Alabama fighting in this effort, some of whom are volunteers.

Mr. GORDON. In Alabama do the black people have equal rights to vote?

Mr. BUCHANAN. Well——

Mr. GORDON. Are the unions organized in Alabama, of the working people?

Mr. POOL. Let's have order.

Mr. BUCHANAN. Would you respond to the question, please?

Mr. POOL. Answer the question.

Mr. BUCHANAN. I will say, if they don't by now, it would be a miracle, but will you answer my question?

Mr. GORDON. It means you say they are, they do have the right to vote.

Mr. POOL. Answer the question.

Mr. BUCHANAN. Answer my question, please.

Mr. GORDON. Would you repeat the question?

Mr. BUCHANAN. I said, in Vietnam a certain number of the men who are fighting there are volunteers. You have stated those responsible for this action are murderers, but that those fighting there were not because they are forced to do so.

Are the volunteers, the men, for example, from Alabama, some of whom are Negro citizens, who are volunteers, are these men murderers?

(Witness conferred with counsel.)

Mr. GORDON. If these men knew the truth, they would not go there. Black people join the Army many times because that's the best chance they have in this society. That's a sad fact, but to have a roof over your head and a little food in the stomach and maybe the \$50 or \$90 a month the Army gives is more than they can get in other parts of this society.

And to use it in this way, it just repulses me——

Mr. POOL. That is not responsive to the question.

Mr. GORDON. That was not a yes-or-no question. It was a response.

Mr. ASHBROOK. That's a yes-or-no question.

Mr. BUCHANAN. I wanted an answer to my question, but that's all right, Mr. Chairman, we will pass it.

You have stated also, I believe, that you represented real Americans, that you represent the majority of the people, and that the Congress represents a minority of the people? Is this your testimony?

(Witness conferred with counsel.)

Mr. GORDON. Carl Schurz said: "Our country, right or wrong. When right, to be kept right; when wrong, to be put right."

Mr. BUCHANAN. Well, I would say your rhetoric is impressive, but may I suggest——

Mr. GORDON. That was the rhetoric of an American 50 years ago, part of the American tradition.

Mr. BUCHANAN. —that you brush up on your arithmetic, since the Congress represents all the people of this country, and may I state that from what we have seen——

Mr. GORDON. That is a misrepresentation.

Mr. BUCHANAN. You represent a tiny minority.

Mr. GORDON. Oh, wow! That's too much, coming from Alabama and saying that.

Mr. POOL. Any other questions?

The witness is excused.

Mr. GORDON. Get out of Vietnam!

[Applause.]

Mr. ASHBROOK. Mr. Chairman, I would move that all the documents offered in evidence by the committee be made a permanent part of the record.

Mr. POOL. No objection, so ordered.

(Gordon Exhibits Nos. 1, 2, 3, 4, and 5 follow:)

GORDON EXHIBIT NO. 1

MAY SECOND MOVEMENT REPORT NO. 1 (NEW STYLE)
TO WORKLIST

Oct. 15, 1965.

* * * * *

Last Spring we sent out 5 Bi-weekly reports to M2M chapters. These reports came out about every third week. These reports averaged about 2 pages and mainly discussed National Coordinating Committee. There is now general agreement that NCC meetings should be held less frequently, perhaps every two months. There is also a need for greater internal communication, coordination, and discussion. Therefore this is the first of the NEW REPORT, which will discuss a wide range of activity and thought of importance within M2M. People should send in comments and notices for publication in the report. The NEW REPORT will come out at least every two weeks, and is being sent to an expanded worklist, which includes people on the left outside of M2M, in addition to all chapters.

* * * * *

FREE STUDENT NO. 5

When FS first came out around the beginning of 1965 almost everyone outside of M2M said that they liked the paper but that it would never see a second issue. They argued that everyone has put out a paper or magazine at one time or another, and that almost all fail. Further they said a newspaper is the hardest to publish, especially with the grudging circulation schemes we had.

The press run for FS #5 is 25,000—5,000 higher than the last regular run! We hope to come out with FS #6 in five weeks. It's going to mean a great deal of work to sell 25,000 newspapers, but we know that it's worth it. FS has helped make thousands of students who are connected with the student movement in no other way aware of what's happening. FS has given new activists a feeling of national movement, a feeling of belonging to a growing force for justice and freedom. And FS has provided all with a forum for new ideas and thoughts relating to student activity. What is needed is an all-out-selling push for this issue of FS in the next weeks! ! They should be hawked every day these next two weeks, on the literature table, and in all bookstores.

Two other points on FS: 1) There is a form enclosed to help people formulate their criticism of FS—this is vital for the improvement of the paper. Please fill it out and send it in. 2) For FS No. 6 we need reports on chapter activity, on events around October 15-16, we need analysis of college campuses similar to FS No. 3's one on Columbia University, and we need letters to the editor to publish (so far they've all been too good and we see no constructive purpose being filled by publishing them).

NOVEMBER 11TH M2M ANTI-DRAFT RALLY

This mornings papers tell of the increased call (by 10,000!) by Selective Service of young men to beef up the army, navy, and marines based on their fighting in Vietnam. As more Americans are drafted, the issue of the Vietnam war becomes more immediate to them and their families and friends. On November 11th—Veteran's Day, Thursday—M2M will hold a major GET OUT OF VIETNAM—ANTI-DRAFT RALLY at or near Columbia University. On

this day of phony patriotism, speakers, all of whom are political activists organizing opposition to the war in Vietnam, will put forth concrete programs for anti-draft and anti-war activity—where we go from here, based on the fact that as our numbers grow so does the war in Vietnam and the invasion of Dominica.

The initial leaflet advertising the rally has been run off—100,000 copies. Five committees have been set up to work on the rally: Publicity, Rally Organization, Art, Political, and Funds. Those interested in working on the rally (members of M2M and any one else who feels the importance of this event) shall call Steve Newman at M2M HDQ (212-YU 2-5550) and come to the next rally meeting: Thursday, October 21 at 7:30 PM at M2M HDQ (640 Broadway, Room 307, New York—that's Broadway at Bleecker). We need everyone's help!

ANTI-DRAFT MEETING

A meeting at M2M HDQ for October 24 (Sunday) from 11 AM till probably late in the evening has been called by M2M to work out an anti-draft program.

Originally we set up a program using WE WON'T GO as the major slogan. The slogan sounded militant (which it is) and we are militantly against Imperialist wars. So we were satisfied that we had a good thing going. We also liked very much the idea of people applying for CO forms based on political and Nuremberg objection to Vietnam war and all wars of aggression. In fact we liked the whole program so much that the 40 people at the Eastern Regional Organizers' Conference we held at the beginning of September did not do enough deep, hard thinking of what it meant. This meeting on October 24th should correct that.

Briefly the arguments on both sides of the issue (though there are in-between positions) so that we can all think about them even before the 24th.

we won't go: We must have a clear and consistent position about the war in Vietnam and Imperialist wars in general. It is the height of inconsistency and the ultimate contradiction to be out protesting the war in Vietnam one day and fighting it on the U.S. side the next. Even private cop-outs (phony medical excuses, ad infinitum) are not good, because essentially they are playing their game, they are working within the whole context of the system and of the war. By taking a WE WON'T GO position we will be playing our role as the vanguard, and not taking an opportunist and tail-gating position. We will win the respect of even those who go into the army, and by our militancy and refusal to back down we will strike a blow at the whole war machine.

multi approach: What we are interested in is to defeat Imperialism. That is the first consideration and not to make a moral stand simply for its own sake. Our approach should be based on fighting Imperialism on all fronts. There are three possibilities: 1) If drafted don't go and be willing to face jail for up to five years (the lengths of the trails will probably be shorter as time goes on and appeals denied based on previous appeals being defeated). 2) If drafted cop out by taking off (being done in increasing numbers) or get out on one of the many phony gimmicks known to potential draftees, 3) If drafted GO IN and organize within the army (being cool about it) against the war (It is better, this position says, to be in the army talking to people for two years then to be in jail for that period). We recognize all three of these positions as opposition to fighting in Vietnam and as patriotic. The second one is individualistic and, besides being able to give some information, unorganizable. The first and the third we shall try to organize. Let us organize a broad based *anti-draft union* made up of all those opposed to fighting in Vietnam. Let us focus on the Universities cooperation with the draft board. Let us raise the demands that the University cease all cooperation with the draft boards and that, where it exists, ROTC be thrown off the campus. And we should think of the possibility of a strike next term based on these demands. (We can issue petitions on these demands *now*, with the ending that we will consider a strike if they are not met!!)

THREE DIFFERENT CAMPUS REPORTS

Stanford M2M: Twenty people at a Stanford M2M meeting have formed themselves into a Medical Aid for the Victims of U. S. Bombings in Vietnam Committee. They plan to collect blood (hopefully through the Stanford Univ. hospital) and what other Medical Aid a group of U. S. doctors decides is needed by the people. They have written letters to the International Red Cross and the Red Cross' of Britain, the U. S., and North Vietnam asking for assistance in the

shipment and distribution of the supplies. Stanford's response to the project should be very interesting, given its Hoover Institute and all.

CCNY M2M: They plan three anti-draft forums prior to and leading up to the November 11th Rally. One forum discussing the pacifist and the M2M position had to be delayed one day because the President of CCNY, along with Mayoralty candidates Beams and smiling John Lindsay are going to lead an all-U rally against tuition (which evil Rockefeller wants). Last such rally the school called saw phony-liberal Gallagher (you can't even hold a silent-vigil on campus) sing WE SHALL OVERCOME. The M2M chapter is going to leaflet the rally (illegal) saying that while they too are against [sic] tuition, the reason the school calls such rallies is to co-opt student protest into safe channels and away from things like Vietnam and campus tyranny.

Harvard M2M: Has leafleted a phony class saying what the teacher says and why we disagree. The school got very upset saying that telling what a teacher says in class is a violation of academic freedom. These jokers running Harvard have weird ideas of what freedom is. Harvard M2M had to risk expulsion last year by holding rallies in Harvard Yard (illegal, but after M2M did it, they didn't do anything).

FREE UNIVERSITY OF NEW YORK

The second semester has begun and enrollment is up, nearing 300 students. Like the FREE STUDENT, people said that FUNY wouldn't make it past semester one—in fact, people didn't even think FUNY would get by its first registration day. It now offers around 40 courses and is vital and living. It is run completely by students and faculty. All meetings are open to students and faculty. Its forum series is reaching large numbers of people and has been on national TV. People in other areas of the country should look to the example of FUNY and learn by its experience in the setting up of other Free U's.

MONEY

We do need money and lots of it. Our printing bill (outstanding) alone is over \$2,000 and we are putting out more literature, papers, going more places and in all ways spending more money. We have figured out all the short cuts we can. We get printing at very reasonable prices, we get films made at half price. But things still cost money. The November [sic] 11th rally will cost extra too. Here are some suggestions on ways to raise money:

- 1) Have regular parties (perhaps showing a Vietnam film at it).
- 2) Have commercial film showings on campus and charge admission.
- 3) Sell subs to FS for \$4, \$8 or special \$25 rate. Some people will give for a sub easier than just give to the movement.
- 4) Blood for M2M. Blood banks pay for healthy blood (between \$10 and \$20). Organize groups of people to give blood and give the money in for the FREE STUDENT. 20 people is between \$200 and \$400.

Contact Sue Jewel at M2M HDQ for more information about fund raising.

REGIONAL MEETINGS

A full report on the September Eastern Regional Organizers' Conference is in preparation and long overdue. It will be out soon. The conference was very successful and we plan to hold more such three day meetings in various areas. New England, Philadelphia and West Coast and mid-west areas should consider this too.

CUBA TRIALS

The trials are proceeding. The next section will meet on Tuesday, Oct. 19, at 10 AM in Brooklyn Federal Court (subway stop: Boro Hall). So far the government has been putting student finks on the stand. These are paid informers for the FBI who pose as students and report to the FBI all that is happening, even though it is open (like the discussion on a draft program in this document). These worthless creatures even take the stand to send our fellow workers to jail for 20 years. On [sic] of these idiots Dick Reimann was paid by the FBI (between [sic] 1800 and 2000 dollars in all—they sell out cheap!) while he was a student at SF State. Another called Obniosky (a graduate of plush Andover Academy) is still a student at Columbia. M2M chapters at both these schools will make these facts known to the schools, demanding Obniosky's expulsion as a paid informer [sic] on his teachers and on the students. The pamphlet [sic] "Twenty Years in Jail for Traveling to Cuba!" is excellent and informative—we should circulate it widely. Order additional copies from M2M HDQ.

WE NEED

The National Office needs the following equipment [sic] desperately: two typewriters (especially desk models), two desks, a couch, and shelves. These are needed because of the increased number of people working out of the national office. We need these badly and can't afford to buy them right now. Also, a hand mimeograph machine. If anyone knows of a cheap or free offset machine let us know—especially something on the order of a Multilith 1250 or 1250W.

STUDY GROUPS

Enclosed is a sample outline for a M2M study group. They are an invaluable activity. They educate members and help in the recruiting of new members (in the best manner by convincing them that we are right). If study groups can come out with papers on what they have learned it would be very helpful. Contact _____ at M2M IIDQ for additional information and help in starting a study program.

POLITICAL DISCUSSION—FOR INTERNAL DEBATE

(people should comment on this—comments will be printed in the next M2M REPORT)

On the need for ideology—

There are four reasons why ideology—conscious, well thought out ideology [sic]—is vital to us. 1) The dominant ideology in the U.S. right now is liberalism. We get it in school, on the TV, in the papers—everywhere almost without exception. This ideology is strong and to defeat it and the Imperialist system that it apologizes for, we have to build an ideology [sic] that is stronger. This means that we can't defeat liberalism uncsciously [sic] by just saying what we think existentially and hoping people will understand the depth and honesty of our commitment. 2) It is impossible in this society to be active and not be working based on some ideology. This is because of what was mentioned in point 1 about the strength of the ruling ideology—liberalism. If we do not ourselves consciously change our ideology, the strength of one ruling ideology will make us uncsciously [sic] work for it. This is better known as having all sorts of bourgeois [sic] hangups. We start thinking that the state isn't really that bad and that maybe if we have good lawyers we will get off. This means that we haven't consciously built up a system of beliefs that tells us that in important cases [sic] it doesn't matter how good our arguments are, we'll still be found guilty on political grounds. 3) If we have a system of worked out beliefs (not on everything, not rigid, but a context [sic] of generalizations [sic] people can more easily see where we stand and decide if they can agree. Basically this is honesty. 4) We need an ideology so that we can make strategic and tactical decisions [sic] about what to do and how to do it. The student movement must now analyze what to do about Vietnam, campus reform, community work, working with workers, electoral [sic] work. It can either [sic] do it on instinct and good will or based on an analysis of the situation in the world, in the U.S., and in the student movement and on drawing from its own experience. The latter means developing an ideology, not being "non-ideological."

Ideology means to me a systematic analysis of the situation the way it actually is and has been and drawing generalizations from it. To have an ideology means that we have certain beliefs (not dogmas) based on a studied understanding and analysis of the world situation. It means that we put these beliefs forward for debate and for testing and if they are proven, and only if they remain proven, we will base our actions upon them and we not be groping in the dark on instinct alone (as with so-called non-ideological radicalism). May 2nd has been developing an ideology since it began over a year ago. We call ourselves an anti-Imperialist student movement. The editorials and some of the articles in past issues of FS have been aimed at furthering our ideology.

ON NON-VIOLENCE—

To ask the people of Vietnam, of Dominican Republic, of Batista Cuba, of the Congo, of Selma, of Watts, of Harlem, of Apalachia [sic] to be nonviolent is not to relate to the realities of our world. To ask the peasants of Vietnam not to fight back against the U. S. but to rely upon the U. S.'s good offices by non-violently not cooperating with them is criminal. We are not pacifists. We do not advo-

cate violence, but we support the right of, in fact, the necessity for self-defense by individuals and peoples. No major social change has occurred through non-violence. India, where more people practised non-violence than anywhere else is now an aggressor nation, with a starving population.

The U. S. civil rights movement used non-violence very creatively. But even here, we hear it said that Harlem and the threat of Malcolm X had more to do with whatever bills (no matter how phony they may prove to the poor people) being passed.

Let us not make some idealistic, unreal world of non-violent revolution as many are now talking about. This outlook can only lead to defeat—i.e. non-violence is NOT going to stop Imperialism. And, even worse, the making of sit-downs (where you ask to be arrested, thereby turning off people's sympathy [sic]. At least the civil rights sit-ins had a right to be sitting where they were.) a major tactic gives our movement a purest, individual [sic] satisfying his own needs outlook. Let us talk about the real world—not a world of the few but of the many—a world where people by the thousands are starving to death or being shot to death every day. In that world humanitarianism calls for the quickest defeat of Imperialism. Non-violence will never do it.

JEFF GORDON
OCTOBER 15, 1965
NEW YORK CITY

MAY 2ND MOVEMENT
640 BROADWAY, ROOM 307
NEW YORK 12, NEW YORK
(212) YU-2-5550

GORDON EXHIBIT No. 2

What Is The May 2nd Movement?

We, as students in the richest but most brutally confused country in the world, cannot understand that world and our part in it with the a-historical education we receive in our universities. In order to make ourselves into effective social beings, and in order to discover, sharpen, and use the power of our knowledge, we should organize ourselves in the broadest possible way to combat that lack of education. For it is a lack, a vacuum, that leads to political degeneration and default. The May 2nd Movement was formed to fight against a politics of default, specifically by organizing student protest and revolt against our government's savage war on the people of Vietnam.

May 2, 1964, saw the first major student demonstrations against the war in Vietnam. In New York City, 1000 students marched through Times Square to the United Nations to protest what was then called "U.S. intervention" on behalf of the legitimate government of south Vietnam. More than 700 students and young people marched through San Francisco. In Boston; Madison, Wisconsin; Seattle; there were simultaneous smaller demonstrations. A start, but nowhere near enough. Nowhere near enough because very few students even knew about the war, or if they did, knew what it means, or what they could do about it.

—From the national newspaper of the May 2nd Movement, FREE STUDENT. Issue number three, May 1965.

GORDON EXHIBIT No. 2—Continued

Now thousands now the nature of the war in Vietnam and its corollary deceit in the press and in our universities, and its concomitant repression at home. The May 2nd Movement calls that war and the resulting lies about it at home the products of an imperialistic system.

The chief imperialistic power in the world today is the United States, which has a business empire that permeates the neo-socialist world, extracting the superprofits made possible by monopoly control. U.S. economic strangulation of other countries causes horrible living conditions, including mass starvation, to prevail. The people who live in these countries have tried every "legal", non-violent recourse to break out of their misery, only to be violently suppressed or granted phony independence, without political freedom or economic improvement. They are driven to revolution as the only means of liberation from imperialistic domination. To keep them down the U.S. business empire requires the largest military empire in world history. Besides 3600 bases abroad, the U.S. military empire includes the "native troops," the U.S. trained, equipped and paid armies of the puppet military dictators (Ky, Tshombe, Branco). Ruling their countries for the benefit of foreign business, getting personal wealth and power as their out, these traitors serve to conceal the foreign nature of their country's oppression.

The May 2nd Movement opposes this 1965 version of imperialism--the corporations that exact superprofits, the military machine that enforces the system by violence, and the cultural establishment that maintains the system, abroad and at home, by racism, ignorance, lies and the suppression of the socially creative forces within man himself.

National liberation movements are emerging in country after country around the world. Some have already been victorious: Cuba, north Vietnam, Indonesia, China. Others are carrying on pitched armed struggle against imperialism or are building toward it: Dominican Republic, Venezuela, Panama, Puerto Rico, British Guiana, Colombia, Guatemala, Brazil, Congo, South Africa, Rhodesia, Angola, Mozambique, Iran, Vietnam, Laos, Thailand, Philippines. This is the many-fronted third world war. The May 2nd Movement, recognizing that there can be no peace without freedom, supports and joins the struggles for national liberation. We defect politically from the corruption of culture, mind and body that is the price the privileged must pay in our country for a share in the booty of exploitation.

The university offers no explanation of what's wrong, of what's happening in a world principally marked by revolution. Instead, it grooms us for places as technicians, managers and clerks within the giant corporations, or to be professional apologists for the status quo within the giant multiversities, or to fit some other cog-space that needs the special "sensitivity" that only the polish of factory education can bring. University courses on China put forward the same formula as the war comic books-- a communist conspiracy resulting in a blue-ant hill. Usually there is no course at all on revolutionary Cuba, one of the major developments of our lifetime, only 90 miles away. Philosophy is not interested in how to understand (let alone change)

GORDON EXHIBIT No. 2--Continued

the world, only in how to evade it. Literature is concerned with form alone. Students jump from major to major in search of relevancy, then, finding it nowhere, either quit or settle for banality. The university is doing its job, supplying the system with loyal, well-trained, intelligent servants-- who are moral, cultural and social marcs. Lest this job prove too much of a burden for overstrained college administrations, it is shared with other institutions, from the movies to the Peace Corps.

Out of this understanding of imperialism as responsible for the poverty of our lives, and out of the void of inaction of the existing peace and left groups on the campuses, the May 2nd Movement was formed. M2H is campus based, attempting to organize students to fight the system and not docilely (or gripingly) accept it.

The major issue facing U.S. students at this time is the war against the people of Vietnam. This war is also against the interests of the students and almost the entire population of the United States. Nine billion dollars has already been cut from the ever-decreasing "peace" portion of the federal budget. The war has been used against steel workers, who were told that they were not permitted to strike because of the "national emergency." The administration will demand that black Americans stop protesting in an attempt to cover angry faces with a mask of "national unity".

Most people realize that the U.S. is not fighting for freedom and democracy in Vietnam, that the Vietnamese people want nothing more than the U.S. get out. We say to those who are being forced to kill and die for the interests of imperialism-- DON'T GO. The May 2nd Movement is launching an anti-induction campaign on the campuses. This campaign will organize existing resistance to the draft, based on the refusal to fight against the people of Vietnam. Each campus and each community should say, "No one from this college (or community) should be drafted". Declarations and literature will be circulated, forums and meetings held, demonstrations organized and acts of disobedience engaged in. The theme will be "WE DON'T GO."

We are beginning a program of approaching workers at the factory gate to talk to them about the war in Vietnam and why it is against the interests of workers. This project comes out of the understanding that while students make up an important section of the population, industrial workers make, load and transport the goods, and are therefore the key for stopping the war in Vietnam-- for stopping the whole system. While workers' militancy has become more apparent in recent years, we realize that organizing a radical workers' movement in this country is a long range goal, and one that essentially must be done by workers. All the more reason to begin projects now to involve workers in the peace movement and as allies of the student movement.

Some chapters of May 2 plan campaigns to donate blood and other medical aid to the National Liberation Front of South Vietnam, to concretely show our support for national liberation struggles. Receiving blood from U.S. college students will be a terrific morale boost to the Vietnamese people. Collecting pledges for blood on campus can also show where the administration stands, as collecting for civil rights did at Berkeley.

GORDON EXHIBIT No. 2—Continued

Vietnam is not the only slap in the face administered to students by U.S. foreign policy. During the summers of 1963 and 1964, 150 U.S. students travelled to Cuba to see the meaning of a Revolution. They went in spite of a state department "ban" on travel to Cuba. Even worse, they came back and told students throughout the country, with their experiences and with slides, that Cuba was building a just society. The organizers of the trips (including members of M2M) face between five and twenty years in jail. We are now organizing defense for them on the campuses. We must fight for our right to travel anywhere and see for ourselves what is happening -- we don't find out in our classes and newspapers. The ban on travel to Cuba (and China, North Korea, North Vietnam, liberated parts of south Vietnam, Albania) is not an isolated Civil Liberties issue. It is part of the US government's policy of suppressing people around the world. Fighting against the ban is part of our struggle for liberation.

This struggle is also being waged in the universities. Whatever the immediate cause -- libraries open 24 hours a day, free tuition, real teaching and learning -- it comes down to this: In whose interest is the university run? Theirs or Ours? May 2nd chapters put forward the idea that students must fight for control of their schools, and that by working together we can win fundamental changes in our day-to-day life.

A creative response to university mis-education is the Free University of New York. May 2nd supports the Free University and May 2nd members in and around New York City participate in it as students and teachers. We will work toward spreading the idea of F.U.N.Y. And help in the initiation of Free Universities in other areas.

These activities are the focus of our daily work of educating and organizing: Talking to each person on campus, going door to door, literature tables; street rallies, speaking up in class about pertinent issues.

Two special vehicles of education and agitation are the Free Student and M2M study groups. Four issues of FS have already been published so far and have sold over 70,000 copies. It has become an important voice of the student movement on many campuses, reaching not only activists, but thousands of students not in contact with the movement in any other way. FS has reported and analyzed the major student events: Berkeley, the March on Washington. It has included long features on Vietnam, Congo, Malaysia-Indonesia, Columbia University (including a complete rundown on who the trustees are) and the right of travel to Cuba. A regular feature has been the International Student column. The editorials have analyzed the student movement, the university, the war on Vietnam, the need for a long term outlook in building a movement, and have helped develop a consciousness within the student movement. FREE STUDENT is sold by all M2M chapters and members, in addition to many friends and other groups. It is used in organizing support and recruiting new members.

GORDON EXHIBIT No. 2--Continued

Study groups, such as on Vietnam, are meant for learning what is vital but not taught within the school. They are unlike most classes, where alleged experts provide descriptions of things for us to feed back in tests. The members of a study group come together to help each other increase their understanding of areas they feel necessary in order to be better able to fight for social change. The study group develops an analysis of events which is not right or wrong because a professor says so, but is judged by whether it aids in projecting the strategy and tactics of political struggle.

Our ideas have to correspond to reality if we are to organize large numbers of people to fight against a brutal system. We are in the process of developing an ideology based on anti-imperialism and support for the struggles of national liberation. To have an ideology means that we have beliefs based on studied understanding and analysis of the world situation. We put these beliefs forward for debate and for testing, and if they are proven, we base our actions upon them. Our ideology enables us to see through events that confuse and mislead. Many people who are against the war in Vietnam, but who are "non-ideological", are deceived by Johnson's peace offensive. They believe, because it would be nice if it were true, that the administration's calls for negotiations represent a real desire to end the war. This, in spite of the two years of pretense at negotiations the U.S. engaged in during the hardest fighting of the Korean war, and the hypocrisy of calling for a return to the Geneva agreements, which the U.S. has-- literally-- violated in every possible way.

We reject non-ideological radicalism. There is no such thing as non-ideology. Those who have "no-ideology" cannot counter the prevailing ideology-- decaying liberalism. Only if the members of an organization share a conscious understanding of their task, can they work together over a long period of time without suspicion, distraction and manipulation. Of course, organizations with differing ideologies can work together for common goals.

When the student protest movement refers to "the establishment", we are not kidding. That which we are out to change--be it a university or a government--is built on a tremendously powerful structure of materiel and organization. The money and resources available to it are immense. We will change nothing unless we organize ourselves, forge ourselves into a united and disciplined force and match the strength of the establishment in confrontations. We can do so because our strength is based on people, not cash. M2M is building an organization of students that recognizes, and works to satisfy, our needs as students and as men and women. These needs are inseparable from the worldwide struggle for liberation. One can choose to oppose this struggle, or to join it. To oppose it is to be a murderer. To join together and fight to change this murderous society is the only way for any of us to live with decency and dignity. We will succeed when large numbers of students have the insight, the dedication and the will to organize themselves, to join the struggle with other sections of the population, and to see it through.

September 1965

May End Movement

640 Broadway

New York City

GORDON EXHIBIT No. 3

MAY 2ND MOVEMENT REPORT #2 (NEW STYLE)

NOVEMBER 13TH RALLY

Oct. 30, 1965.

On October 16th 100,000 people marched (25,000 in New York; 15,000 in Berkeley-Oakland) demanding an end to the Vietnam war NOW! This was a great success for the anti-war movement. Following this the government and the press, personally led by President Johnson, attack the movement, first SDS then M2M. Because of this New York M2M decided to open the November 11th rally to broader sponsorship and to change the date to Nov. 13, a Saturday, to allow for a rally of several thousands of people. This has worked very well, as the enclosed leaflet attests to, and the rally is now being entirely run by the broad group of sponsorship.

This rally will be different from other rallies. Speakers will be part of a whole presentation aimed at "programs for the further growth and organization of the Vietnam war opposition, and to respond with unity to the attacks." A printed leaflet, with a press run of 100,000 is planned in the next few days. People from the New York area and nearby cities interested in working on this important rally should contact M2M at 212-982-5582 or SDS at 212-889-5793. Help is needed especially on the publicity committee. People are needed for the defense committee and for fund raising. LET'S KEEP GOING!!

ANTI-DRAFT UNIONS

The October 24th meeting, announced and discussed in Report #1, was attended by about 30 M2Mers—all from New York and New Jersey. The enclosed press release dated October 26 outlines the decisions made at the meeting and the general context within which it was decided it was best to discuss the draft. The essential decisions were that anti-draft activity should be carried out through the formation of independent Anti-Draft Unions, though some chapters may decide that the situation on their campus calls for the work to be done directly by M2M, and that a booklet should be written that discusses the nature of Imperialist wars and why people don't want to fight in them. The booklet would also discuss militarism and the various alternatives around the draft issue and the legal situation on them. It would not advocate illegal acts nor discuss the various ways of how "to cool the draft board."

"These Unions," the press release states, "will be independent and will decide on their own programs. Ideas for such program include: demonstrations at draft boards when a member of the Union is being forced to go into the army; similar demonstrations in support of members who refuse to go into the army; demands on campus that the University cease all cooperation with the draft board—that they hand over no grades or other information to the draft board and that professors refuse to give in grades for this purpose—and that ROTC Get Off the Campus; if these campus demands are not met the Unions might consider the organization of student strikes to support the demands; that the Unions approach High School students and tell them about the war in Vietnam and about the different alternatives open to them on the draft." These should not be conceived to mean that students should have special exemptions over any other section of the population, but that all sections have to oppose the draft both separately [sic] and united.

It was thought that the basic thing is that anti-draft activity always be explained by our opposition to the U.S. aggression in Vietnam, and that the main issue is U.S. Get Out of Vietnam Now. "These Unions," the release continues, "will not be able to get large numbers of young people out of the army. The only way this will occur is when the whole system of U.S. economic and political exploration, upon which the war in Vietnam is founded, is defeated."

WHY THE ATTACK?

The reason and timing of the attack is clear. Senator Stennis, Chairman of the Armed Services Committee, has stated that the war in Vietnam will last 10 to 15 years. On October 15-16 the anti-war movement in this country showed itself to be growing. Putting these two facts together the government, it would seem, felt that it could no longer afford the democratic luxury [sic] of a relatively unhampered anti-war movement. This movement could be expected to grow as the American people became increasingly weary of the Vietnam war in the months and years to come. So the government acted.

THE PRESS AND M2M

On Tuesday, October 26 the New York World-Telegram and Sun came out with an 8 column banner headline—"Leflist [sic] Group Here Ships Supplies to Viet Cong." The article by Jeremy Heymsfeld began: "A group of extreme left-wing youths called the May Second Movement today is quietly shipping supplies to the Communist Viet Cong. These remarkably ordinary looking young men and women have become so alienate [sic] from the main stream of American and Western life that they have turned to the hard-line communism of Peking for their ideological inspiration. For them, anti-draft demonstrations or protests against American policy in Vietnam are only means to an end. The end is violent revolution and the recasting of American society in the image of Mao Tse-tung. This is what I found during a week's service as a volunteer worker in the May Second Movement headquarters here."

The article went on to say that we are selling blood and sending the profits to the Viet Cong, that we are training guerillas in Michigan and that we like the C.P.U.S.A. because they keep the F.B.I. busy.

The truth is: as was reported in Report #1 the Stanford M2M chapter has helped in the initiation of a Medical Aid for the Victims of U.S. Bombing in Vietnam Committee, which has contacted the American, British and North Vietnamese Red Crosses and the International Red Cross (which has given them the go ahead). That no aid has been shipped of as yet and that it is not being collected by M2M. The medical aid was to show the Vietnamese people that not all Americans want to kill them, and to show our opposition to the U.S. government's war on Vietnam. Report #1 suggested that M2Mers might want to sell their blood and send in the money for M2M for our outstanding printing bill; the original story in the New York Daily News on the training camp in Michigan had it that it was run by SDS with M2M and Progressive Labor people as advisors; we support all groups, including the C.P.U.S.A. in the face of government attack—the U.S. government is the main enemy of peace in the world and the F.B.I. is a police state organization.

The guy who wrote the story came into the office for two days (about an hour and a half in all) saying that he was against the war in Vietnam and wanted to work with us. Most of the material—in fact all of the material—he used were from public documents (the Stanford group had sent out a Press Prelease [sic] when it began the project).

Since that time we have been in the press and on either radio or TV every day in the major metropolitan centers. At first they were mainly interested in Medical Aid, but now they are also interested in our total program. This is very important—in speaking to the press we have tried to relate all our projects—anti-draft, etc.—to why we are against the U.S. aggression in Vietnam. We have attempted to turn all questions into our expousing our beliefs on the war and on what Americans should do in opposing it. Support has been coming in from other groups and from many people and our chapters are more active now than they have ever been. More people are interested in M2M than ever, and we have as much work for as many people as can work. Speaking engagements have tripled (at least).

Five reporters descended on Brian Keleher of the MSU chapter wanting to know where the training camp was. The fuses in the national office were blown and battery floodlights had to be used by the TV cameras that were here on the 26th.

HOWARD U. M2M

As soon as the papers hit the stand Howard University temporarily suspended the M2M chapter for "investigation." The chapter was reinstated the same day after Prof. Bernard Fall and five other Howard profs protested to the Administration. Viva Howard M2M.

MUHLENBERG COLLEGE, ALLENTOWN, PENNA.

This past week Russ Stetler showed an NLF film and spoke for an hour and a half. Muhlenberg has a student body of 1,400. Russ spoke to 1,200!

FREE STUDENT

No one has yet sent in the evaluation of FS (except Haverford). They are badly needed to improve the paper for issue #6. It is exceedingly important that FS #5 be sold at all times. This is the main educational publication of M2M and the more people it reaches the more we are heard!

Articles are needed for issue #6, including campus chapter activity and evaluations of different Universities as was done with Columbia.

A special four-page issue of FS with statements by various student groups—and paid for by the various groups—as an answer to the government attacks and a declaration of opposition to the government war in Vietnam is being considered.

FUNDS

We are in a desperate situation! We owe over 2,000 dollars and have to come up with it or we can't continue to publish FS or any offset work! What is needed now is:

- 1) Hold a party this week and send in some of the money for FS (as well as the 5¢ from sale)
- 2) Ask people who are sympathetic to M2M to donate money either in a lump sum or a set amount every week or month so that we can continue opposing the war in Vietnam even in the face of government attack.
- 3) If possible donate some money yourself either in a lump sum or even better a set amount every week or month.

CUBA TRIPS TRIAL

The trial is over. Briefs are now being presented. Then there will be a reply to the briefs and in the beginning of December oral arguments will be made. The judge will decide and give his opinion probably by the beginning of January. A special kit is being made up on the Trips and the Trials and Cuba and will be sent out to the worklist this week under separate [sic] cover.

NCCWVN CONVENTION

The National Coordinating Committee to End the War in Vietnam, 341 West Milin, Madison, Wisconsin. The NCC will hold a convention in Washington on November 25-28 and all campus and community groups can send two delegates and as many observers as they want. An agenda will be sent out to the worklist shortly.

All chapters that have not yet joined the NCC should do so by writing to the above address. For housing in Washington—try to find your own (and if you can find more space then needed contact: Wash. Comm to End War in VN, P.O. Box 19249, Washington, D.C., 20036. If you can't find housing also contact the Washington Comm

WE NEED

Two desks and one typewriter were the answer to our call of what the National Office needs. We still need at least one, preferably, two typewriters badly. If you have a spare typewriter or know someone who does please contact Larry Hecht in New York.

New Phone Number

The Nat. Office has a new phone number—(212) YU 2-5582.

BUTTONS

The enclosed WE WON'T GO button is still available at 25¢ each or 15¢ each in quantity. A new U.S. GET OUT OF VIETNAM button is being prepared. Send orders in now.

SANE RALLY

The National Committee for a Sane Nuclear Policy has called for a rally in Washington, D.C. on November 27, during the NCC Convention. Many people have expressed doubts as how to relate to this call. On the one hand they feel that now more than ever is the time for unity on the left and in the anti-war movement. They feel that we must have all our rallies and demonstrations turn out the most people possible. That split rallies and small turnouts will only strengthen the hand of the government in its attacks on us and in its expansion of the war. On the other hand they realize that it is SANE through its statement that Communists would not be welcome at the rally that is splitting the movement. Also they feel that the essence of SANE'S call is a misrepresentation of the facts of the war—that the U.S. is not clearly labeled the only aggressor in Vietnam and that negotiations are not labeled a part of Johnson phony "peace offensive" that is a smokescreen for his expansion of the war.

A solution to this dilemma would be for us to go to the rally and the whole NCC meeting in Washington under the slogans of November 13th—U.S. GET OUT OF VIETNAM NOW, RESIST GOVERNMENT ATTACK ON PEACE MOVEMENT, RESIST RED-BAITING, ORGANIZE AGAINST THE DRAFT. In this way we do not split the movement by not attending and we make the points that it is vital to make, that we put the blame for the war right where it belongs, in the U.S.'s lap.

J.G.

MAY 2ND MOVEMENT [SIC]
640 BROADWAY, ROOM 307
NEW YORK 12, NEW YORK
(212) YU 2-5582

No defense committees! Let us continue the offensive against U.S. gov't's wars of aggression. Right now the gov't attacks only expose their hypocrisy—we will grow on account of them (both in numbers and in understanding).

GORDON EXHIBIT NO. 4-A



4-19-66

Dear Mr. Chairman:

This is in reply to your letters of August 1 and August 2, 1966.

Your letter of August 1 requested copies of correspondence with the Medical Aid Committee and with the Committee to Aid the Viet-Namense. The following letters are enclosed:

Letter dated December 23, 1965 from the Office of Foreign Assets Control to the Medical Aid Committee, Box 1128, Berkeley, California.

Letter dated November 22, 1965 from the Office of Foreign Assets Control to Mr. Stanley Nadal, Chairman, Committee to Aid the Viet-Namense, c/o University of Michigan, Ann Arbor, Michigan.

In addition, on October 29, 1965, representatives of the Office of Foreign Assets Control called at the office of the May Second Movement, Rooms 306 and 307, 640 Broadway, New York, New York. The Treasury representatives found Mr. Lawrence Racht on the premises, who indicated he was in charge of the office. He was advised that the Treasury's Foreign Assets Control Regulations prohibit any remittance of funds directly or indirectly to North Viet-Nam or nationals thereof, including the Viet Cong, in the absence of a license from the Treasury Department. He was further advised that these Regulations also prohibit the unlicensed sending of any commodities whatever to North Viet-Nam or nationals thereof including the Viet Cong. It was specifically stated that the prohibition extended to the unlicensed sending of blood or medical supplies. During this conversation, Mr. Jeffrey Gordon entered the office of the May Second Movement and gave that as his address. He was likewise advised as to the applicability of the Regulations to possible transactions with North Viet-Nam and the Viet Cong. Both persons were requested to convey this information to all branches and members of the May Second Movement.

You also ask for copies of correspondence with banks in the United States concerning the blocking of \$1,500 in the U. S. accounts of the Ceskoslovenska Obchodni Bank. There are enclosed copies of letters from the Treasury dated June 14, June 17 and June 23, 1966 to a West Coast bank and copies of their replies dated June 16, June 20, another letter dated June 20, and letters dated June 21 and July 1, 1966.

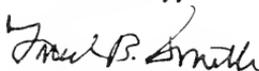
GORDON EXHIBIT No. 4-A—Continued

Finally, you ask whether the provisions of the Foreign Assets Control Regulations apply to all financial and commercial transactions between individuals or groups in the United States and the International Red Cross and/or the American Red Cross. The Foreign Assets Control Regulations do not apply to any transaction with those agencies unless there is or has been a direct or indirect interest in the transaction of Communist China, North Korea, North Viet-Nam, or nationals thereof, on or since December 17, 1950 in the case of Communist China and North Korea, and on or since May 5, 1964 in the case of North Viet-Nam. The Regulations do prohibit persons subject to the jurisdiction of the United States from the unlicensed sending of funds or supplies to either the American Red Cross or the International Committee of the Red Cross if the funds or supplies are ultimately destined to North Viet-Nam or nationals thereof, including the Viet Cong.

The Department's report on H. R. 12047 is being sent under separate cover, and will no doubt reach you before the Committee's hearings on the bill take place. Secretary Fowler has asked me to represent the Treasury in this matter, and if you will notify me of the date you wish me to appear and testify, I shall be happy to do so.

I trust this is the information you desire. If we can be of further assistance, please feel free to call on us.

Sincerely,



Fred B. Smith
General Counsel

Honorable Edwin E. Willis
Chairman, Committee on
Un-American Activities
House of Representatives
Washington, D. C. 20515

Enclosures

GORDON EXHIBIT No. 4-B

No. 53880

Registered Mail
Return Receipt Requested

DEC 23 1965

Medical Aid Committee
P.O. Box 1128
Berkeley, California

Dear Sirs:

The American National Red Cross has brought to our attention your letter to them of November 23, 1965, signed by Mr. Stephen Fox as co-chairman. Your letter relates to the direct or indirect sending of supplies and/or funds for the purchase of supplies ultimately destined for delivery to North Viet-Nam or the so-called National Liberation Front of South Viet-Nam.

Your attention is directed to the provisions of the Treasury Department's Foreign Assets Control Regulations, a copy of which is enclosed. These Regulations prohibit persons subject to the jurisdiction of the United States from engaging in any unlicensed transaction directly or indirectly with North Viet-Nam, its people, or its agents, wherever located. This would include transactions with the so-called National Liberation Front. These Regulations, which are issued under the authority of the Trading with the Enemy Act, have the effect of prohibiting Americans from the unlicensed sending of any money or supplies directly or indirectly to North Viet-Nam or to the Viet Cong.

The penalties for willful violations of these Regulations include up to ten years imprisonment and/or \$10,000 fine for each offense.

Very truly yours,

Margaret W. Schwartz

(Mrs.) Margaret W. Schwartz
Director

Enclosure ✓

GORDON EXHIBIT No. 4-C

22 NOV 1965

No. 53971

Registered Mail

Returns Receipt Requested

Mr. Stanley Madal, Chairman
 Committee to Aid the Viet Namese
 c/o University of Michigan
 Ann Arbor, Michigan

Dear Sir:

There has come to the attention of this office a recent newspaper article with an accompanying photograph of yourself indicating that you are in possession of a quantity of postage stamps described as Viet Cong stamps. It is our understanding that so-called Viet Cong stamps are, in fact, stamps issued by North Viet-Nam honoring the Viet Cong. As you may know, there have also been recent statements in the newspapers that you have made or propose to make monetary contributions to the Viet Cong.

The Treasury Department's Foreign Assets Control Regulations, a copy of which is enclosed, prohibit persons subject to the jurisdiction of the United States from engaging in any unlicensed transaction directly or indirectly with North Viet-Nam, its people, or its agents, wherever located. This would include transactions with the so-called National Liberation Front. These Regulations, which are issued under the authority of the Trading with the Enemy Act, have the effect of prohibiting Americans from the unlicensed sending of any money or supplies directly or indirectly to North Viet-Nam or to the Viet Cong.

The Foreign Assets Control Regulations also prohibit persons subject to the jurisdiction of the United States from making unlicensed purchases abroad or importations into the United States of any merchandise of North Viet-Namese origin, including postage stamps. Moreover, persons who buy or sell in the United States stamps of North Viet-Namese origin may well become involved in violations of the Regulations or the relevant Customs laws through their acquisition or sale of merchandise which has been imported into the United States contrary to law.

The penalties for willful violations of these Regulations include up to ten years imprisonment and/or \$10,000 fine for each offense.

Very truly yours,

Margaret W. Schwartz

(Mrs.) Margaret W. Schwartz
 Director

Enclosure

GORDON EXHIBIT No. 4-D

No. 53898
Registered Mail
Return Receipt Requested

DEC 23 1965

Stanford Committee for Medical
Aid to Vietnam
c/o Stanford University
Palo Alto, California

Dear Sir:

There has come to the attention of this office a recent report that the Stanford Committee for Medical Aid to Vietnam proposes to send money or blood supplies to North Viet-Nam or the Viet Cong.

The Treasury Department's Foreign Assets Control Regulations, a copy of which is enclosed, prohibit persons subject to the jurisdiction of the United States from engaging in any unlicensed transaction directly or indirectly with North Viet-Nam, its people, or its agents, wherever located. This would include transactions with the so-called National Liberation Front. These Regulations, which are issued under the authority of the Trading with the Enemy Act, have the effect of prohibiting Americans from the unlicensed sending of any money or supplies directly or indirectly to North Viet-Nam or to the Viet Cong.

The penalties for willful violations of these Regulations include up to ten years imprisonment and/or \$10,000 fine for each offense.

Very truly yours,

Margaret W. Schwartz

(Mrs.) Margaret W. Schwartz
Director

Enclosure ✓

GORDON EXHIBIT NO. 5
[Vietnam Courier, May 19, 1966, No. 59]

Foreign Press

American Youth Do Not Want To Die in Vietnam

THE U.S. weekly *Challenge* on April 19 published the following anti-war letter handed out by an American youth, Brooklyn College student Jeff Gordon, at the White Hall Army Induction Center, New York:

WE are being drafted into the army. Many of us are to fight in the jungles of Vietnam. This war is very unpopular in the United States and around the world. Many people think it's an unjust war, not like World War II, when we were fighting the nazis. Let's look at the facts!

The Geneva Agreements of 1954, which the United States agreed not to violate, calls for two main things:

1. Free elections throughout Vietnam by 1956 and,
2. No foreign troops, planes, or bases to be introduced into Vietnam after 1954.

What's happened to these two points?

On point one — no free elections were held in 1956. The South Vietnam government... refused to hold the elections. President Eisenhower said in his memoirs... that if the elections had been held he thought and all his advisors thought that the North Vietnam leader Ho Chi Minh... would have gotten at least 80 per cent of the vote.

On point two — there are over 200,000 U.S. troops* illegally stationed in Vietnam today. Even the State Department says there are no Chinese or Russian combat troops in Vietnam. Our troops are in Vietnam in violation of international law. Few of our allies are willing to support us. We are being sent 9,000 miles away to fight for a "government" (whichever one it is now) that you can see from the newspapers and TV hardly has any support from the Vietnamese people — religious leaders, peasants, or unionists. GI's that come back from Vietnam tell us that we are fighting against the people of Vietnam. To say that we are fighting to support a free and popular government in Vietnam has become a tragic joke.

And as we fight, kill, and die in Vietnam, the big owners of major defense industries in the United States make more and more money — for each helicopter shot down, they build another one. Secretary of Defense McNamara, one of the big pushers of this war, recently was president of Ford Motors, which has tens of millions of dollars in government defense contracts.

Recently, when there was talk of peace in Vietnam, the stock market went down! Peace means less profits, war means more. That is why they send us over to destroy and be destroyed.

(*) At present 250,000 troops

Mr. POOL. The subpoenaed witnesses will be here, report to the committee tomorrow morning at 10 o'clock. The meeting is adjourned until 10 o'clock tomorrow morning.

(Whereupon, at 5:30 p.m., Tuesday, August 16, 1966, the subcommittee recessed to reconvene at 10 a.m., Wednesday, August 17, 1966.)

HEARINGS ON H.R. 12047, H.R. 14925, H.R. 16175, H.R.
17140, AND H.R. 17194—BILLS TO MAKE PUNISHABLE
ASSISTANCE TO ENEMIES OF U.S. IN TIME OF UNDE-
CLARED WAR

Part 1

WEDNESDAY, AUGUST 17, 1966

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

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m., in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Joe R. Pool (chairman of the subcommittee) presiding.

(Subcommittee members: Representatives Joe R. Pool, of Texas, chairman; Richard H. Ichord, of Missouri; George F. Senner, Jr., of Arizona; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama. Alternate member: Representative Del Clawson, of California.)

Subcommittee members present: Representatives Pool, Ashbrook, and Buchanan, and also Representative Clawson, alternate member.

House Members also present: Representatives Wayne L. Hays, of Ohio; Robert C. McEwen, of New York; Seymour Halpern, of New York; Fred B. Rooney, of Pennsylvania; Paul J. Krebs, of New Jersey; Horace R. Kornegay, of North Carolina; Delbert L. Latta, of Ohio; John C. Culver, of Iowa; John W. Wydler, of New York; and Elford A. Cederberg, of Michigan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Ray McConnon, Jr., Herbert Romerstein, and Philip R. Manuel, investigators.

MR. POOL. The meeting is called to order.

The cameramen will please take their equipment outside and the tape recorder also. I want to first instruct the officers that if there is any defacing of Government property on the outside of this hearing room or inside, especially out in the halls, that I have talked to the Speaker of the House and he agrees with me that these people who deface the walls in any manner should be arrested and charged with defacing public property. I expect you to make arrests when you see that going on even though it is not inside the hearing room.

Call the first witness, Counsel.

Mr. NITTLE. Would Richard Mark Rhoads please come forward?

Mr. POOL. The Chair wishes to welcome Congressmen Wayne Hays, Robert McEwen, Sy Halpern, Fred Rooney, and Paul Krebs. We are glad to have you here with us this morning.

The witness will stand and be sworn.

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

Mr. RHOADS. I came to the committee to tell as much of the truth as I can before being interrupted by this committee.

Mr. POOL. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so—

Mr. RHOADS. I so affirm.

Mr. POOL. Do you affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. RHOADS. I affirm.

Mr. POOL. Proceed.

TESTIMONY OF RICHARD MARK RHOADS, ACCOMPANIED BY COUNSEL, IRA GOLLOBIN

Mr. NITTLE. Mr. Rhoads, would you state your full name for the purposes of the record?

Mr. RHOADS. Before answering the first question, I would like to register some objections to this entire proceeding. May I do so at this time?

Mr. NITTLE. You will address your request to the chairman, please.

Mr. POOL. Go ahead.

Mr. RHOADS. Mr. Chairman, may I make some objections to the entire proceedings?

Mr. POOL. Identify yourself.

Mr. RHOADS. Will I then be allowed to object to the proceeding?

Mr. POOL. Yes.

Mr. RHOADS. My name is Richard M. Rhoads.

Mr. NITTLE. Are you represented by counsel?

Mr. RHOADS. Yes.

Mr. NITTLE. Would counsel identify himself for the record?

Mr. GOLLOBIN. Ira Gollobin from New York City.

Mr. NITTLE. Where do you live, Mr. Rhoads?

Mr. RHOADS. I live at 307 Eastern Parkway, Brooklyn, New York.

Mr. POOL. All right, you can state your objections now.

Mr. RHOADS. Opposition in our country to the Johnson administration war of genocide in Vietnam is enormous and still growing in Vietnam.

Mr. NITTLE. Now, Mr. Chairman, I must object.

Mr. POOL. I don't mind you making objections, but I don't want you making speeches. Just state your objections, and we will consider them.

Mr. RHOADS. I am stating my objection. I will continue.

In the face of militant opposition at home and revolutionary action in Vietnam, Johnson resorts to escalation—

Mr. NITTLE. Now, Mr. Chairman, I must object again.

Mr. POOL. You are not responding. I told you to state your objection.

Mr. RHOADS. I am stating my objection.

Mr. POOL. You are making a speech.

Mr. RHOADS. I am stating my objection.

In our country—

Mr. NITTLE. These are not legal objections, Mr. Rhoads.

Mr. POOL. Ask the next question, Mr. Nittle.

Mr. RHOADS. I am stating my objection.

Mr. NITTLE. State the time and place of your birth.

Mr. RHOADS. I insist on the right to state my objection.

Mr. POOL. What is the question, Mr. Nittle?

Mr. NITTLE. State the time and place of your birth.

Mr. RHOADS. If the committee will not allow me to state the political basis for my objections, I will go on to the legal ones.

Mr. NITTLE. State the time and place of your birth, please.

Mr. RHOADS. I am continuing my objection.

Mr. POOL. I direct you to answer the question.

Mr. RHOADS. I am perfectly willing to answer this question, but I want to make my legal objections to this hearing.

Mr. POOL. Go ahead. If you will make your objections in a short form, I will listen to them; I am not going to listen to a speech.

Mr. RHOADS. I object to answering any questions of this committee on the ground that Public Law 601, 79th Congress, 60 Statutes 812, Rule XI, authorizing the Committee on Un-American Activities "to make * * * investigations of the extent, character, and objects of un-American propaganda activities in the United States" violates the Constitution in that the statute is ambiguous and vague, the term "un-American propaganda activities" being nowhere defined and being in fact incapable of precise definition and obscuring the fact that there are not one, but two kinds of un-American activities: first, those that the vast majority of the American people deem un-American, such as undemocratic—

Mr. POOL. State your objection.

Go on and state your objections and answer the question.

Mr. RHOADS. —and, secondly, those deemed un-American by a small minority of the wealthy privileged, who condone escalating the Vietnam war—

Mr. POOL. This is argumentative also. State your objection.

Mr. RHOADS. —by their political position and that of the Johnson administration and members of this committee.

I further object to answering any questions of this committee on the ground that the statute on its face, and as applied by the House Un-American Activities Committee during the past 20 years, and especially today its harassment of those opposing the Vietnam war—

Mr. NITTLE. Mr. Chairman, this is not a legal argument; it is a diatribe.

Mr. POOL. State your objections.

Mr. RHOADS. If I continue, it will be very clear that it is a legal argument.

Mr. POOL. Do you take the fifth amendment?

Mr. RHOADS. I am not answering a question; I am making an objection.

Mr. POOL. I am going to direct you for the last time.

Mr. RHOADS. There is no question on the floor.

Mr. POOL. He just asked you a question.

Mr. GOLLOBIN. Mr. Chairman, you did give him permission to make a legal objection.

Mr. ASHBROOK. He is not doing it.

Mr. GOLLOBIN. In terms of the amendments.

Mr. POOL. All right, you can make your objection.

Mr. RHOADS. Its harassment of Vietnam is repugnant to freedom of speech.

Mr. ASHBROOK. Mr. Chairman—

Mr. POOL. If you have objections, this is the last time I am going to give you a chance to make them, and the record will show this. Now make your objection right now and if you have a fifth amendment objection, state it right now, because I am going on to the next question.

Mr. RHOADS. Is repugnant to the freedom of speech, assembly, association.

Mr. ASHBROOK. Mr. Chairman—

Mr. RHOADS. I am quoting from the Bill of Rights; this is part of my legal objection. Am I not entitled to do so?

Mr. POOL. Make your objection.

Mr. RHOADS. Guaranteed to the people by the Bill of Rights and—

Mr. ASHBROOK. Mr. Chairman, this witness is here subject to—

Mr. POOL. For the last time, I direct you to answer the question.

Mr. ASHBROOK. I submit this witness is recalcitrant and we dismiss him and call him back when he wants to contain himself.

Mr. POOL. I am giving him an opportunity to answer the question for the last time.

Mr. ASHBROOK. He is not quoting from any amendment that is applicable.

Mr. RHOADS. I have further grounds for objection.

Mr. POOL. It better come forth pretty quick.

Mr. RHOADS. I decline to answer on the ground that this committee is at present illegally constituted and that at least one of its members, the Congressman from Alabama—

Mr. POOL. That has been ruled on before, time and again, and it is invalid, so go on to the next objection.

Mr. RHOADS. I have further objection to this committee's entire hearing and answering any questions before this committee. I object to the fact that the statement of purpose that this committee handed to me yesterday morning, the fact that they handed it to me only yesterday morning; that this is not a serious legislative committee, but a circus intended to harass—

Mr. POOL. All right. Now, Mr. Nittle, ask the next question. I have given him plenty of chance.

Mr. RHOADS. I have further grounds.

Mr. NITTLE. Would you relate the extent of your formal education?

Mr. RHOADS. Will you repeat the question?

Mr. NITTLE. Would you relate the extent of your formal education?

Mr. POOL. I want to direct to the witness' attention that failure to

answer questions of this committee could possibly, in my opinion, properly subject you to contempt.

[Laughter.]

Mr. RHOADS. Is that a threat?

Mr. POOL. No; I am just pointing it out to you.

Mr. RHOADS. I see.

Mr. POOL. Go ahead, Mr. Nittle, ask the question again.

Mr. NITTLE. What schools did you attend and when and what degrees have you received, if any?

Mr. RHOADS. My greatest education has been provided——

Mr. NITTLE. I asked you what schools you attended; I didn't ask you for a speech.

Mr. RHOADS. I am going to tell you.

In the last few years I have been attending what you might call a school of life known as the _____ (?) in the United States. For instance, in Times Square in New York City——

Mr. NITTLE. If the chairman pleases, I think the witness is being in contempt here.

Mr. POOL. Answer the question.

I direct you to answer the question.

Mr. RHOADS. I am answering the question in my own way and——

Mr. ASHBROOK. The question was formal education, Mr. Chairman. I believe you would know that means an institution of higher learning or a secondary school.

Mr. RHOADS. I am presently a full-time student at City College in New York. At City College last June the students of the whole school were unable to——

Mr. POOL. Answer the question. You are not entitled to make a speech. Just answer the questions.

Mr. NITTLE. What is your present occupation?

Mr. RHOADS. I am a student.

[Laughter.]

Mr. POOL. Next question.

Mr. NITTLE. Do you have any other occupation?

Mr. RHOADS. I have answered that question.

Mr. NITTLE. Mr. Rhoads, do you receive a source of income from any employment or source?

Mr. RHOADS. Why didn't you ask that question of the fink that testified yesterday, what was his source of income?

[Applause.]

Mr. POOL. Answer the question.

Officers, if there are any more demonstrations, remove the people who are demonstrating and they will not be allowed back in the room. If necessary, we will clear the whole room if we can't have orderly proceedings in this hearing.

Mr. NITTLE. Mr. Rhoads, in a passport application filed by you on April 21, 1965, for travel to Algeria, you set forth your occupation as that of editor. Do you still have that occupation either part or full time?

Mr. RHOADS. May we see the document, please?

(Document handed to witness and counsel.)

Mr. NITTLE. Are you the——

Mr. RHOADS. I am still conferring with my attorney.

Mr. NITTLE. Mr. Chairman, I suggest that the witness has had adequate time to confer with his counsel.

Mr. POOL. Is the witness ready?

Mr. RHOADS. Would you repeat the question, please?

Mr. NITTLE. I stated that in a passport application filed by you with the Department of State on April 21, 1965, by which you sought a passport for travel to Algeria, you set forth your occupation as that of editor.

Mr. RHOADS. What is the question?

Mr. NITTLE. Are you presently the editor of any publication of the Progressive Labor Party?

Mr. RHOADS. No.

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

Mr. NITTLE. Are you presently the editor of *Free Student*?

Mr. RHOADS. *Free Student* is an anti-imperialist newspaper.

Mr. NITTLE. I say are you presently—

Mr. RHOADS. Of which I am on the editorial board.

Mr. NITTLE. You are. Do you receive any remuneration for your services to the *Free Student*?

Mr. RHOADS. You are getting back onto this dangerous area of—

Mr. POOL. I direct you to answer the question.

Mr. RHOADS. Unlike some people who are paid agents of various Government agencies and would only do it for the fact they get paid, I am a volunteer worker for the *Free Student*.

Mr. POOL. Ask the next question.

Mr. NITTLE. Mr. Luce testified yesterday that during his period of membership in the Progressive Labor Movement and the May 2nd Movement, that you were then both a member of the Progressive Labor Movement and a member of the national executive committee of the May 2nd Movement. Was his testimony truthful?

Mr. RHOADS. It seems to me there are several questions in that question. Could you break it down to one question at a time?

Mr. NITTLE. Were you a member of the Progressive Labor Movement between the period July 1964 and January 1965?

Mr. RHOADS. I am very proud to state that right now as I sit here before this committee I am a member of the Progressive Labor Party.

Mr. POOL. Next question. That is sufficient.

Mr. NITTLE. Were you a member—

Mr. POOL. Mr. Nittle, what is the objective of the Progressive Labor Party?

I am addressing that to the witness.

Mr. NITTLE. Mr. Rhoads, the chairman is addressing a question to you.

Mr. RHOADS. Oh, is that to me? What is the objective of the Progressive Labor Party?

Mr. POOL. That is right.

Mr. RHOADS. Let me read to you from the preamble of the constitution of the Progressive Labor Party in an attempt to answer that question from a document of our party:

The great American dream of "life, liberty and the pursuit of happiness" has been turned by a ruthless regime into a nightmare of death, destruction and the pursuit of dollars. On behalf of the tens of millions of our fellow citizens who have seen their dream betrayed—

This is from our founding convention.

In the midst of the corruption and terror of the past—and the present—we have come together to plant the flag of the future.

Even as we meet, the rulers of our nation are sending off more planes, bombs, guns and gases in a desperate effort to paralyze the progress of history, to terrorize and destroy those around the world who hold freedom more dear even than life when life means slavery. At home, these same rulers enforce a society of fear with police dogs, cattle prods and prisons.

The most hated government in the world today is the government of our country. In the remotest corner of the earth, the initials U.S.A., which once stood for hope, have replaced the crooked cross of nazi Germany as the symbol of tyranny and death.

Yet there is another U.S.A.: the U.S.A. which once declared to the world "that whenever any form of government becomes destructive . . . it is the right of the people to alter or to abolish it, and to institute a new government laying its foundations on such principles, and organizing its powers in such forms, as to them shall seem most likely to effect their safety and happiness." (Declaration of Independence); the U.S.A. of the men and women who sweat in factories to produce goods, of the housewives who struggle to keep the homes and raise the children, of the students, artists and honest intellectuals who want desperately to create new beauty for life and not bombs and billboards for death.

It is for this U.S.A., often fooled, sometimes silenced, but still seeking a better life, that we meet today. This U.S.A., in the ghetto streets and tenements will not go along with the gas chamber plans of this country's ruling class. This U.S.A., beaten down time and again, deceived and denied, is still ready to organize and to resist. And it is to build that organization and that resistance that we launch our Party today.

* * * * *

With the birth of our new Party, we dedicate ourselves to end those fears and those troubles. We resolve to build a revolutionary movement with the participation and support of millions of working men and women as well as those students, artists, and intellectuals who will join with the working class to end the profit system which breeds those fears and those troubles. With such a movement, we will build a socialist U.S.A., with all power in the hands of the working people and their allies.

We recognize that the fight will be long and hard. The kings, queens and bishops of modern finance capital and their political pawns have made it clear they will use every form of force and violence in their desperation to hold onto their stolen billions. We will be prepared to continue the struggle on whatever level and with whatever forms are necessary. Surrender is a word we will not know.

To win, we will have to work closely together, disciplined by the urgency of the goal before us; we will have to study and learn to utilize our communist principles and the science of Marxism-Leninism to evaluate honestly our own strengths and weaknesses and those of the enemy at each new stage of the campaign.

Regardless of personal sacrifice, we resolve to demonstrate through constant organized action that the struggle can be carried—and won—to defeat the present system of war and oppression; that the working class can—and will—control its own destiny.

We know full well that with this resolve we fix our fates in a future of fire.

Yet we know, too, that from the very flames of our fight—the fight of all honest working people, students, housewives and intellectuals of our country and the world—a new society shall be built—in which our children, our children's children, and the billion, billion children to come will never be forced to hunger for food or shelter or love—a new society without exploitation of man by man, a society, a nation, a world of revolutionary socialism.

To this end, we here resolve to give our every energy, our resources, and our lives.

[Applause.]

Mr. POOL. Then it is the objective of the Progressive Labor Party to bring a Communist government to the United States; is that correct?

Mr. RHOADS. We intend to fight by every democratic means possible that the allegedly and correctly called democratic government of this country will allow us to fight to make this a socialist country, because that is what the people of the United States need. In a socialist United States there will be no need to pursue wars of aggression like the present genocide against the people of Vietnam and the American people.

Mr. ASHBROOK. He did not respond to the question, Mr. Chairman.

Mr. POOL. I know, but he did not deny the purpose of the party was to bring a Communist government to the United States.

Mr. RHOADS. The objective of the Progressive Labor Party is to fight in the best interests of the people of the United States.

Mr. ASHBROOK. Mr. Chairman, in his own words he referred to "our Communist philosophy" or something of that sort. It was "our Communist." Is that what you meant to say, or are you denying it now?

Mr. RHOADS. Are you trying to ask me whether I am a Communist or not?

Mr. ASHBROOK. You are asking the question. Answer mine.

Mr. POOL. You can answer that if you want to.

Mr. RHOADS. I certainly am.

Mr. POOL. I don't have to ask you the next question, then.

[Laughter.]

Mr. POOL. Do you advocate the overthrow of the United States Government by force and violence?

Mr. RHOADS. You gentlemen have some nerve to use "violence" when you are talking about what we advocate, because the United States Government is the prime user of violence against the people of the United States.

Mr. POOL. You are not responsive to my question.

Mr. RHOADS. I am completely responsive to your question.

Mr. POOL. Do you advocate the overthrow of the United States Government by use of force and violence?

Mr. RHOADS. We believe in the American people taking power in their own country by the use of every democratic means possible. You gentlemen and the much more powerful gentlemen that you represent are the ones that consistently stand in the way of that, and always have in the history of our country, that violate the Constitution every day of the week, that show your true beliefs about violence by using the most hideous genocidal violence against the people of Vietnam and by sacrificing the blood of the American people to carry that out and by using hideous violence against Negro people in Washington, D.C., and all over the United States.

Mr. ASHBROOK. Mr. Chairman, I wonder if the witness would respond to two questions without making a speech. If he is against overthrow by force and violence, what would be his position on the ruthless manner in which the Russians overcame the Hungarian rebellion? It appears that force and violence seems to—

Mr. RHOADS. We are employed by force and violence and we are fighting to keep a society that will never again see force and violence.

However, when the forces of injustice and racism and coming fascism use force and violence against the American people and we——

Mr. ASHBROOK. We are talking about Hungary.

Mr. RHODES. We are undivided in North even though the North found it necessary to use force and violence against slavery.

Mr. POOL. I think that the American people are sufficiently informed now as to the forces behind these movements, and your testimony is very helpful in letting the American people know how serious this movement is to our security. The witness is now excused permanently.

Mr. RHODES. Get out of Vietnam now.

[Applause.]

Mr. POOL. Call the next witness.

The committee will take a 5-minute recess.

(Whereupon, a brief recess was taken.)

Mr. POOL. The committee will come to order.

The Chair wishes to acknowledge the presence of, and welcome to the committee room, Congressmen Kornegay, Latta, Culver, Wydler, and Cederberg. We appreciate your being here and know that you are enjoying the proceedings.

Counsel, call the next witness.

Mr. NITTLE. Would Mr. Philip McCombs come forward?

Would Philip A. McCombs come forward?

Mr. POOL. Stand and be sworn.

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

Mr. McCOMBS. Yes.

Mr. POOL. Go ahead, counsel.

TESTIMONY OF PHILIP ALGIE McCOMBS

Mr. NITTLE. Would you state your full name for the record, please?

Mr. McCOMBS. Philip Algie McCombs.

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

Mr. McCOMBS. The place was Ogdensburg, New York, July 20, 1944.

Mr. NITTLE. Would you relate the extent of your formal education?

Mr. McCOMBS. I just graduated from Yale University. Next year I will be a student at the Johns Hopkins School of Advanced International Studies in Washington.

Mr. NITTLE. What is your occupation in addition to your attendance at that school?

Mr. McCOMBS. I am a journalist employed by *National Review* magazine.

Mr. NITTLE. Did you have occasion to attend what was known as the Assembly of Unrepresented People in Washington in August of 1965?

Mr. McCOMBS. Yes, sir. I covered that at the assignment of the editors of the magazine and wrote an article about it.

Mr. NITTLE. Would you briefly state what that assembly was?

Mr. McCOMBS. The Assembly of Unrepresented People was a gathering of leftists in Washington to protest United States involvement

in Vietnam. They were here on the anniversary of Hiroshima and demonstrated in front of the White House, in front of the Pentagon, and around the Washington Monument.

Mr. NITTLE. Did they come here with the further purpose to issue a so-called Declaration of Conscience?

Mr. McCOMBS. Yes, sir, they did.

Mr. NITTLE. Do you recall in substance what the Declaration of Conscience urged or provide for?

Mr. McCOMBS. I believe the Declaration of Conscience urged that young men of draft age refuse to serve in the armed services. I may be incorrect in some of the fine points, but I think that was the main thrust.

Mr. NITTLE. Did you attend any of the meetings, rallies, or seminars conducted by the assembly?

Mr. McCOMBS. Yes; I attended the seminars that took place over the weekend and participated in the rallies, and so forth. I became, for the purposes of learning the psychology and activities of these groups, a member of the groups, thinking that was the only way that I could come to a true understanding of what they were about.

Mr. NITTLE. How many days did this assembly take place?

Mr. McCOMBS. I believe from August 6 to 9; that would be 3 or 4 days.

Mr. NITTLE. Now, did you attend the assembly during that period?

Mr. McCOMBS. Yes, sir; for the entire period.

Mr. NITTLE. Now, in the course of your attendance, did you come in contact with a person named Walter Dorwin Teague III?

Mr. McCOMBS. Yes, sir, I believe I did.

Mr. KINOY. I object, Mr. Chairman. As one of the attorneys for Walter Teague, who is present in the hearing room, I object to any testimony about him in open session. I also object if I am not given the American right to cross-examine this witness in reference to any statement about Mr. Teague, and I ask for a ruling on both of my requests.

Mr. POOL. I believe you made the same objection yesterday; is that correct?

Mr. KINOY. I made the same objection with reference to Mr. Krebs yesterday and Stanley Nadel.

Mr. ASHBROOK. Mr. Chairman, I move that the objection be overruled.

Mr. KUNSTLER. My name is William M. Kunstler.

Mr. KINOY. Mr. Chairman, I would like to be heard on that motion, and I also am an attorney for Mr. Teague. Do I understand that it is the ruling of this committee that the fundamental right of cross-examination is not to be afforded to witnesses who are called before this committee when the committee is attempting to defame?

Mr. POOL. You are arguing the question.

Mr. KINOY. Of course; lawyers always argue questions, Mr. Chairman.

Mr. ASHBROOK. You didn't argue the question; you made a misinterpretation of fact when you said we are endeavoring to defame something.

He is totally out of order, Mr. Chairman. Such is not the case.

Mr. KINOY. Mr. Chairman, that question will be settled in Federal court, whether you are attempting to defame witnesses.

Mr. ASHBROOK. You made it as a statement of fact and, as a lawyer, you know you are absolutely wrong. You are out of place.

Mr. POOL. The objection is overruled.

Mr. KINOY. May the record show we take a strenuous objection to your ruling.

Mr. POOL. Now sit down. Go over there and sit down. You have made your objection. You are not going to disrupt this hearing any further.

Mr. KUNSTLER. Mr. Chairman, you don't have to deal discourteously to an attorney in front of you. That is wholly un-American.

Mr. POOL. I will deal any way I want under the rules in this hearing. I have just told him to be quiet and I ask you to sit down now.

Mr. KINOY. Mr. Chairman, let the record show—don't touch a lawyer. Mr. Chairman—

Mr. POOL. Remove the lawyer.

Mr. KINOY. Mr. Chairman, I will not be taken from this courtroom. I am an attorney at law and I have the right to be heard.

Mr. KUNSTLER. Now it is time we heard this. Throw out all the attorneys you want.

My name is Kunstler.

Mrs. AXELROD. I am Beverly Axelrod.

Mr. GUTMAN. I am an attorney, and my name is Jeremiah Gutman. I take Mr. Kinoy's place, associated with Mr. Kunstler.

Mr. POOL. State your objections.

Mr. GUTMAN. I join in the objections on which you have already ruled. Furthermore, I wish the record to show that Mr. Kinoy was removed for obviously no reason whatsoever because if there was any discourtesy it was certainly not on the part of Mr. Kinoy; he was removed with brutal force; his arm was twisted. I wish the record to show—

Mr. POOL. State your objection.

Mr. GUTMAN. I am objecting, sir, to the violence which was perpetrated upon my colleague; he was being choked and he was being removed from this room.

Mr. POOL. The lawyer was not following my instructions to sit down. And after continuing to argue with the Chair, I instructed him to sit down and then I had him removed. That is the record.

Mr. GUTMAN. I have an objection, sir.

Mr. POOL. State it.

Mr. GUTMAN. I wish to state on the record at this point that I move that this witness be dismissed, that no further testimony be taken from him. This court—this committee has gone on record before and it has proved itself again and again to have two types of witnesses, a friendly witness and an unfriendly witness.

Mr. ASHBROOK. What is new about that?

Mr. GUTMAN. It has established rules and procedures by which it treats—I beg your pardon, sir; courts don't call witnesses.

Mr. POOL. State your objection.

Mr. GUTMAN. I am stating my objection as to the presence of this witness before this committee in open session. This witness has obviously testified to you gentlemen before; you know everything he has

to say. If this were a legislative hearing in order to determine facts for legislators to make rulings and recommendations upon legislation, you don't need to expose whatever this man has to say.

Mr. POOL. You are argumentative now. Do you have any further objections?

Mr. GUTMAN. I certainly do.

Mr. POOL. All right.

Mr. GUTMAN. The testimony you have already heard, in order for you to bring it forth now in public, whether it is defamatory of any individual or not, we do not know, because we have not had an opportunity to inspect the minutes of the previous testimony of this witness, and I now move that we be granted the opportunity right now to examine that testimony and that this hearing be adjourned until we have had such opportunity. Will you rule upon that motion, sir?

Mr. ASHBROOK. Mr. Chairman, it is very obvious that the attorney, while being very zealous of his client, does not understand the rules of Congress. In legislating, we clearly have the right to delve into all aspects of the matters before us, whether they be friendly witnesses or unfriendly witnesses.

I respect the zeal that he has for his client, but he should be overruled. He should be reminded once more that the role of the attorney before a legislative committee is not to make tirades, not to make speeches, but to advise his client, and for that purpose only. For that purpose I suggest that he be overruled.

Mr. POOL. Further comment?

You are overruled.

Mr. KUNSTLER. Mr. Chairman, I have a motion at this time. I want the chairman to order my colleague, Mr. Kinoy, returned to this committee room. He is an attorney for a witness, two witnesses, before this committee. By your action, you have deprived those witnesses of an essential member of their defense team. I think it is in order for you to order the marshals to return him to this room.

Mr. Kinoy and I would suggest that it is in order for you to apologize to Mr. Kinoy, a member of the bar of the United States Supreme Court and a member of the bar of the State of New York and a professor of law at Rutgers University.

I ask that you do both things that I have requested; if not, the record will indicate that a witness is without counsel before this committee, and that violates your own rules.

Mr. POOL. I will tell you this.

Mr. ASHBROOK. What witness?

Mr. POOL. Let me answer this. I am not going to have any lawyer, witness, or anyone else disrupt the proceedings in this room, and if they see fit to do so, they are going to be removed from the room, and that is exactly what happened a few minutes ago.

Mr. KUNSTLER. He was talking with Mr. Ashbrook, and he was courteous and Mr. Kinoy was courteous.

Mr. POOL. He disobeyed my instructions to sit down, and I had him thrown out of the room.

You are overruled.

Mr. ASHBROOK. Mr. Chairman, the attorney does make one point that is not correct and that is that there is a witness before the com-

mittee at the present time that needs a lawyer, so he was not correct in saying that.

Mr. POOL. That is right.

Mr. ASHBROOK. There is a witness in this room without an attorney.

Mr. POOL. If the attorneys have no further objection, please sit down.

Mrs. AXELROD. I have an objection.

Mr. GUTMAN. Mr. Teague is without a counsel of his choice.

Mr. POOL. We have heard that. Please sit down.

Mr. GUTMAN. I have another objection.

Mr. ASHBROOK. I think the attorney should be readmitted to the room if he behaves in a courteous and noncontemptuous manner.

Mr. POOL. I have no objection to that if he is going to maintain order and decency in the hearing and act like a lawyer should.

Mr. GUTMAN. I think it is an insult to the bar to require a statement that he will be a good boy. Of course he has been and will be.

Mr. POOL. I think he has already done a pretty good job of discrediting the bar in the way he acted in here.

Mr. GUTMAN. Our opinions differ, sir.

Mr. POOL. All right.

Mr. GUTMAN. Mr. Chairman, may I be heard?

Mr. POOL. Let's take one at a time. Do you have any further objection?

Mr. KUNSTLER. I don't know what you are going to say about my client.

Mr. GUTMAN. Mr. Ashbrook indicated I was unfamiliar with the rules of this committee and the rules of a legislative hearing. I disagree entirely. Whatever rules you may pass, sir, whatever rules you may have and enforce, each of them is subject to the provisions of the Constitution of the United States. It is perfectly obvious—

Mr. POOL. Why don't you argue that in court? We are not going to argue it before the committee. We are operating under the rules of the House.

Mr. ASHBROOK. I merely say when you referred to what you feel is a general right of cross-examination, you certainly know this does not pertain to legislative hearings.

Mr. GUTMAN. I beg your pardon, sir; I was not referring to cross-examination at that point. I was referring to the obvious fact that this witness is here not to give information to this committee, but to make statements of exposure for the sake of exposure, an instance of unconstitutional procedure beyond the power of this committee.

Mr. POOL. I think the American people are going to be interested in what this witness has to say, especially in view of what the previous witness admitted. I think that the American people and the people in this room and the Congress are very interested in what he is going to say, and we are going to hear what he is going to say.

Mr. ASHBROOK. If it is clearly related to the legislative matter before the committee, it will be developed.

Mr. POOL. Are you through?

Mr. GUTMAN. For the moment.

Mr. POOL. Will you please remove yourself?

Mr. KUNSTLER. You have not ruled.

Mr. POOL. Overruled. If he will come in here and make a statement—

Mr. GUTMAN. Why don't you ask him and present it to him?

Mr. KUNSTLER. You are not going to humble my colleague, Mr. Pool. I want him in the hearing room.

Mr. POOL. We will bring him back in the hearing room but he knows what is going to happen if he creates another disturbance.

Mr. KUNSTLER. Have the marshals bring him back, and I will sit down.

Mr. ASHBROOK. I know this is not a courtroom.

Mr. KUNSTLER. Perfectly clear.

Mr. FORER. My request is relevant to what you are saying now. I do not represent the client that Mr. Kinoy represents; I represent an entirely different client, but I have been an attorney before the committee for many years. I want to point out to the committee that the treatment of Mr. Kinoy raises more than the question of depriving a witness of his attorney; it also has, in my opinion, an intimidatory effect upon lawyers for other witnesses, and I don't think that that would be removed by calling him in and saying if you promise to do such and such—

Mr. ASHBROOK. Nobody is saying any such thing as that.

Mr. POOL. As an attorney he should know how to act, and I will take a chance on that. I want to warn all of you that I am going to maintain decorum in this room.

Mr. FORER. Mr. Chairman, I need no warnings, I assure you.

Mr. POOL. Bring the gentleman back in.

Mrs. AXELROD. I am one of the counsel in the Krebs case scheduled for the court this afternoon. I would demand that there be a recess for the purpose of preparing an immediate transcript of the testimony of this committee from the time this witness took the stand until the present time. I believe it is essential for the proper conduct of the case this afternoon and I hereby demand that the court order a recess in order that the stenographer prepare the transcript for that purpose.

Mr. ASHBROOK. Again I remind Mrs. Axelrod that this is not a court.

Mr. GUTMAN. This is before the court, as we will all be this afternoon.

Mr. ASHBROOK. When you say "we," I will not be there. I don't know about you.

Mrs. AXELROD. Contrary to statements made here, Mr. Kinoy was choked and violently choked, his face was red and bloated, there was a marshal's arm around his neck, he could hardly talk. I want the record to show the violence with which he was removed was unnecessary to remove a man under any circumstances.

Mr. GUTMAN. I think the record should show Mr. Kinoy is 5 feet 2 inches tall.

Mr. POOL. You had your say here.

Mrs. AXELROD. I have not had a ruling, sir, on my motion for a recess for the purpose of preparing a transcript.

Mr. POOL. You are overruled.

Mr. DONNER. I have practiced before this committee almost for a generation and I have never seen the brutal treatment afforded the

counsel or any physical interference of counsel that has occurred here: and, frankly, Mr. Pool, I am frightened. I regard this hearing as a sort of an armed camp. I never saw anything like this before.

Mr. POOL. I think the American people don't really know what is going on and they are finding out in this hearing. I think it is a wonderful thing that these things are coming out. I am glad some of these witnesses are talking like they are and admitting some of these things. I think it is wonderful that these things are coming out. I am frightened from another reason than you are. I am trying to be as fair as I can. I am going to conduct this hearing, and you are not going to interrupt and no other lawyer is.

Mr. DONNER. Let me conclude.

Number two, I saw Mr. Kinoy choked, strangled. Now, that was not necessary.

Mr. POOL. Well, Mr. Kinoy was resisting an officer and he should not have done that.

Mr. NITTLE. I state for the record, Mr. Chairman, it did not appear to me that the counsel was being strangled by any police officer at all.

Mr. GUTMAN. Perhaps you didn't see it; I saw it.

Mr. POOL. The officer was leading him out.

Mr. ASHBROOK. Inasmuch as there is no pending motion before the committee, we will proceed.

Mr. GUTMAN. I move the chairman apologize to the entire bar of the United States of America.

Mr. POOL. You sit down or you will be removed from the room.

Mr. GUTMAN. I request permission to stay here, sir.

Mr. POOL. We are going ahead with the questions now.

Mrs. AXELROD. Has Mr. Kinoy been brought back?

Mr. GUTMAN. I want to stay here until my colleague is here and in good health.

Mrs. AXELROD. Mr. Kinoy cannot properly represent his client unless he hears this testimony.

Mr. PEMBERTON. I have not been heard. I ask permission to observe that I do not yet see Mr. Kinoy return as per the committee's order and I do solemnly ask the committee to recess until Mr. Kinoy is here and until whatever the outcome of the argument is.

Mr. POOL. The committee cannot be responsible for the whereabouts of Mr. Kinoy.

Mr. GUTMAN. You certainly can. That man was obviously in physical distress and he was an ill man and if he requires medical attention, this committee had better get it to him fast.

Mr. PEMBERTON. I have not completed my motion.

Mr. POOL. You will ask your colleague not to interrupt you.

Mr. PEMBERTON. I think the chairman interrupted me, sir.

The motion is that the recess continue until Mr. Kinoy is here, until we are able to observe that he is able to represent his client during the time testimony concerning his client is taken, and that there be no further proceedings until we are sure that that is the case.

Mr. ASHBROOK. The chairman can determine if Mr. Kinoy is outside the door.

Mr. GUTMAN. Would they do it, please?

Mrs. AXELROD. I request that the marshal report to the Chair as to where he took him.

Mr. POOL. Officer at the door, is Mr. Kinoy outside the door?
The committee will recess for 5 minutes.

Mr. KUNSTLER. We have heard the man is under arrest.

Mr. GUTMAN. Where is he? This committee cannot recess in these circumstances.

Mr. POOL. The committee is in recess.

Mr. GUTMAN. The committee cannot be in recess, sir.

Mr. POOL. We are in recess.

(Whereupon, a brief recess was taken.)

Mr. POOL. Everyone take his seat. I have a statement to make.

Mr. KUNSTLER. We will take our seats——

Mr. POOL. Take your seats. I want you to take your seats.

Mr. KUNSTLER. We will return after your statement.

Mr. POOL. I have a statement to make to correct allegations which now stand on the record.

First, that counsel who was removed for disrupting the hearings, he was not merely stating objections but was disorderly. I had warned him to desist, and he refused repeatedly. I have every reason to believe that he is familiar with the rules of the committee as they apply to counsel. I will now read that rule at this time:

Rule VIII—Conduct of Counsel: Counsel for a witness shall conduct himself in a professional, ethical, and proper manner. His failure to do so shall, upon a finding to that effect by a majority of the Committee or Subcommittee before which the witness is appearing, subject such counsel to disciplinary action which may include warning, censure, removal of counsel from the hearing room, or a recommendation of contempt proceedings.

In case of such removal of counsel, the witness shall have a reasonable time to obtain other counsel, said time to be determined by the Committee or Subcommittee. Should the witness deliberately or capriciously fail or refuse to obtain the services of other counsel within such reasonable time, the hearing shall continue and the testimony of such witness shall be heard without benefit of counsel.

I want to point out the witness before the committee today is not represented by the lawyer who was thrown out of the hearing room. I also wish to state that lawyers are not privileged people; they, as lawyers, have a greater responsibility to conduct themselves in an orderly and decorous manner than others do, and I would ask that the lawyers do so who are here today.

I want to further state that when you have objections to make that you come one at a time up to the chairman and I will listen to your objections, but don't come up here and parade around because I can handle only one lawyer's objections at a time.

All right. Do any of the lawyers have any objections?

One at a time.

Mr. KUNSTLER. Mr. Chairman, my name is William M. Kunstler. I am representing, with Mr. Kinoy and others, Mr. Teague and Mr. Krebs. Mr. Kinoy is both my partner in life and my partner in this case. I feel that Mr. Krebs and Mr. Teague cannot be adequately represented here before you without the physical presence and guidance of Mr. Kinoy. Mr. Kinoy is not in the room, as I look around and see. It is my understanding he was taken to the first precinct, that he is under arrest, that he is charged with disorderly conduct.

I am asking that there be no further proceedings of this committee when a witness is before the committee who is without counsel. I

submit to you, Mr. Chairman, that the fact that his client is not on the stand is completely immaterial. This witness has mentioned one of our clients and, in mentioning one of our clients, he brings our client in front of this committee and in front of the American public.

I feel, and I say for myself, that I cannot adequately represent Mr. Teague or Mr. Krebs without my cocounsel, that we have prepared this matter together, and that the clients are entitled to the benefit of our mutual guidance as they have had throughout.

I also would like to just address myself to your remarks, Mr. Pool. Mr. Kinoy was not obstreperous. He was pressing vigorously a point with Mr. Ashbrook which did not even involve you at the moment. I thought, as I said before, that Mr. Ashbrook treated him courteously and that Mr. Kinoy was arguing vigorously just as he did in Federal court, just as he does here.

I don't think lawyers are to be condemned, vilified, or physically attacked because they are vigorous. This committee surely does not expect all lawyers to be mollicoddlers in front of it.

Therefore, I request, and I think I am speaking for all the attorneys representing witnesses before this committee, and state that we cannot proceed until Mr. Kinoy is in this room. Unless he is here, I am personally going to recommend to my clients that they walk out of the hearing room, they are not represented by counsel.

Mr. ASHBROOK. Mr. Kunstler—

Mr. KUNSTLER. Pardon me, Mr. Ashbrook. Could I just finish and then I will be through.

I think that in all decency, Mr. Chairman, you should order immediately Mr. Kinoy returned to the room and that you personally should see to it that all criminal charges are dropped against him. They are only brought against him because of your actions in ordering the marshals to remove him from the room for making a legal objection. If there was a difference of opinion between you and him as to whether it was argumentative or an objection, that is for gentlemen to settle between themselves.

I don't know if you are a lawyer, but I know there are lawyers on this platform.

I personally might say for the record that I have never anywhere in my some 18 years' experience at the bar before committee hearings ever seen a lawyer treated this way. The fact that he is my close friend and partner and has been with me for many years in many similar struggles in civil rights makes me feel doubly apprehensive as to what this committee is all about.

I think, in all decency, you should order him returned to this room and that you personally should apologize to him and every lawyer in the room for the treatment afforded to a member of the bar.

Now, I would make that statement for my clients and I am going to recommend that they leave this committee room unless they are represented by counsel. Your rules provide that they could be represented by counsel, and you cannot deprive them of that counsel by reaching some conclusion in your own mind, without even consulting the committee or the subcommittee, that a lawyer is what you said, I think, "obstreperous." You cannot do that. That puts all the power in you to deprive witnesses of counsel, which you have now done.

Therefore, I make the recommendations to my client.

Now, Mr. Ashbrook, I am through. I would like a ruling and I think in all fairness there ought to be a hearing before this committee right now as to what Mr. Kinoy's actions were and what the situation was concerning him. There are newspaper reporters outside this room prepared to testify as to how Mr. Kinoy was treated, and I think you ought to have a hearing, at the very least, of the reason for the charges against Mr. Kinoy, what happened, what he said.

We have this stenographer here. She can read her notes back, and we can see exactly what happened so that Mr. Kinoy's name can be vindicated and his clients can have what they are entitled to in every American forum, the right to have counsel of their choice present, un-intimidated, and unassaulted.

Mr. ASHBROOK. Mr. Chairman, I suggest we confer on the motion.

Mr. POOL. All right.

(The committee conferred.)

Mr. POOL. The subcommittee will be in recess for 5 minutes.

(Whereupon, a brief recess was taken.)

Mr. POOL. Everyone take your seat. Let us have order.

The committee has met and overruled your objection.

Mr. KUNSTLER. Then, Mr. Chairman, I just want to announce to the committee and—

Mr. POOL. If you have any objection, state your objection.

Mr. KUNSTLER. I have an objection. My clients, Mr. Teague and Mr. Krebs, stand here at this moment unrepresented by counsel of their choice.

Mr. POOL. This is not your witness in the chair.

Mr. KUNSTLER. Let me finish my statement. You asked me for an objection. I am going to give you one. I have consulted my own conscience in this matter and I feel that I can no longer participate in this proceeding as their attorney without the advice and guidance of my partner and cocounsel, Mr. Kinoy.

I am not going to put the onus on my clients to walk out of this hearing. That is not going to be my recommendation to them. I am making no recommendation to them. I have spoken to the other attorneys representing the other witnesses before this committee, and they all will ask to address the court in a moment.

I am now withdrawing from this proceeding as an attorney until my partner, Mr. Kinoy, is before this committee under the terms which I have specified prior to the recess.

Mr. ASHBROOK. Mr. Chairman—

Mr. KUNSTLER. Just let me finish, and I will be very courteous.

I am not instructing my clients, I told you. I am going to walk out of this hearing room. They are not represented by counsel under the committee's ruling. The other attorneys, I understand, are prepared to make similar statements and will do so individually. I speak only now for myself, vis-a-vis Mr. Krebs and Mr. Teague.

Mr. Ashbrook.

Mr. ASHBROOK. Mr. Kunstler, not to be argumentative, but as a point of information and not questioning your assessment of the necessity of representing your client or what is needed, it is my recollection that you made the motions without the benefit of Mr. Kinoy yesterday, and I am wondering if he was in the room yesterday.

Mr. KUNSTLER. Mr. Kinoy was in and out of the room yesterday because of the exigencies of the Federal court proceeding. But Mr. Ashbrook, as you well know, Mr. Kinoy does not have to be here every minute of the time for the benefit of his counsel, and I feel that my clients are unrepresented at this moment.

Mr. Kinoy, I understand, is in the precinct house in a cell. I don't know. He is not in this building, I understand. He was ordered arrested, and that is what has happened to one attorney in this case.

I am now going to stand over there and wait for other counsel who may wish to address the court, or, pardon me, Mr. Ashbrook, address the hearing, and then we will, as I understand, all leave this committee hearing.

We feel that if we do so, you are without jurisdiction to proceed with any clients who, according to your own rules, are entitled to representation by counsel, which they no longer have.

I will now step down and wait for my other colleagues to make their presentations.

Mr. POOL. State your objection.

Mrs. AXELROD. Beverly Axelrod, State bar of California.

I am at this proceeding representing Jerry Rubin of Berkeley, California.

I have an objection on two grounds: First of all, I feel that my client's representation is intimately connected with the representation of every other witness called before this committee and I feel that I cannot properly represent him as long as the other witnesses who are represented by Mr. Kinoy have no proper representation.

My second objection is based on the fact I feel I cannot properly represent my client as long as I am under fear of personal violence upon myself. I listened, and because I feel that my client's proper representation depends to a great extent on the representation of some of the other witnesses here, I was paying particular attention and listening very carefully to the entire dialogue that took place when Mr. Kinoy was before you.

There was not anything that he said that was anything other than a proper representation of his client and a zealous attempt to do what he thought was legally correct. There was no kind of contemptuous attitude, nothing at all that warranted anything near the kind of treatment that he received. He should not even have been ordered out of this room.

Because of that, I feel that I have no way of knowing what I can or cannot do to protect my client and that should I for some reason incur the unreasonable wrath of any member of this committee, that I might be assaulted violently.

I do not wish to risk that kind of assault. I am not prepared to take physical violence. Therefore, I cannot represent my client properly until there can be assurance that no attorney will be treated that way by any member of this committee. Therefore, I am also leaving.

Mr. POOL. Your objections are overruled.

Mr. PEMBERTON. Mr. Chairman, I am John Pemberton of the American Civil Liberties Union and a member of the bars of Minnesota and North Carolina. I will be very brief.

I rise simply to associate myself with the statements that have been made to the committee, to protest as vigorously as I can the treatment that the committee has afforded Mr. Kinoy, and to remind the committee that Mr. Kinoy has not merely been one of the counsel representing witnesses, his participation has been as chief counsel in arguing motions in court on behalf of these witnesses and it is not possible for them to have the same representation in his absence as with his presence.

I can see no justification for the treatment that the committee has afforded him, still less for proceeding to hear a witness whose testimony will be damaging to the clients we represent in the absence of Mr. Kinoy.

I withdraw from the representation of those witnesses.

Mr. POOL. Your objections are overruled.

Mr. FORER. Mr. Chairman, my name is Joseph Forer, F-o-r-e-r, and I represent Mr. John Windrim Smith, who has been subpoenaed as a witness before the committee.

I wish to inform the committee that I feel obliged at this time to withdraw as counsel for Mr. Smith, at this time, because I do not feel that I can adequately represent him because I feel intimidated by the treatment that has been given to Mr. Kinoy. I most regret having to do this. I have never withdrawn my appearance on behalf of a client in the middle of a proceeding when he needs me, as a client.

I may say that I have practiced before this committee longer than any of your people have been on the committee. I think Mr. Nittle can attest to that, since 1947.

Frankly, this has been an experience which has shaken me a great deal and which I simply cannot condone. So I wish to inform the committee now that I am withdrawing as counsel for Mr. Smith and I wish also to inform the committee that Mr. Smith has no other counsel since I was the only attorney representing him.

Thank you, very much.

Mr. DONNER. May I be heard?

My name is Frank J. Donner. I am a member of the bar of the United States Supreme Court, of the State of New York, and half a dozen Federal circuit court bars over the country.

I represent Mr. Anatole Anton and Stuart McRae, two witnesses that have been subpoenaed from California. I have no desire to frustrate or obstruct these hearings but, speaking as a lawyer, I cannot continue to participate in the hearings because the committee, in my view, has destroyed the right of counsel by the treatment of Mr. Kinoy.

I have notified my clients that I am withdrawing and I, too, want to tell you that they are now without counsel.

Mr. GUTMAN. May I be heard, Mr. Chairman?

My name is Jeremiah S. Gutman. I appear on behalf of subpoenaed witness, Stanley Nadel, as you know. I join in all the statements just made by previous counsel. It seems perfectly clear to me that it is absolutely essential for the proper representation of a witness subpoenaed before this committee that he be represented by counsel not only at the time that he is on the stand, but during the entire course of the proceedings here, so that he can be advised and may receive the benefit of consultation upon all questions which may arise at the time when he is being questioned by this committee.

I am a member of the bar of the United States Supreme Court, several circuit courts of appeals, numerous other courts, including the highest court in the State of New York. I have been in practice for 15, 16, 17 years and I must say that I have appeared before numerous courts, administrative bodies, deliberative bodies of many kinds.

Never have I ever seen such an exhibition of impropriety in the administration of a proceeding as this committee demonstrated today. I feel that what you have done, in effect, is an effective deprivation of the right of counsel. No attorney, no matter how courageous he may feel himself to be, can ever evaluate himself so objectively as to be able to say to his client, "No matter what, I will stand up there and speak for your rights" when that attorney is aware that if one of the statements he makes in defending those rights, because it is based upon the Bill of Rights of the Constitution of the United States, offends some member of this committee, the lawyer may find himself physically assaulted and ejected from the courtroom.

Now, before I make my formal statement of withdrawal, I wish to make one other motion and that is this: The United States assistant chief deputy marshal, immediately after you purportedly adjourned this hearing, came to me and asked me to accompany him down the hall to get Mr. Kinoy. I did so.

He asked me to wait at the designated place. I did so. He told me that Mr. Kinoy would be back in a moment. Mr. Kinoy has not come back. I have eyewitness reports that Mr. Kinoy was taken brutally, put into a vehicle, and driven to the first precinct station house, 300 Indiana. He was last seen going into that building.

He was obviously in physical distress at the time. He has not been seen since.

The Metropolitan Police have advised me that he is in their custody. The United States chief deputy marshal has advised me that he is returning him forthwith. I heard you, Mr. Chairman, direct the officers, all of whom, regardless of their organizations, are subject to your command in everything they do, and you, sir, are responsible for what they do.

I heard you direct them to return Mr. Kinoy to this room.

I make several motions now. Number one, and most important—

Mr. POOL. If you remember, I asked if he was outside the door and, if he was, to return him to the room. But evidently they took him on down and booked him for disturbing the peace. I cannot be responsible for what he did to the officer. That would be up to them to make whatever charge they want.

Mr. GUTMAN. You, sir, may not be responsible for anyone else who is not subject to your orders, but you, sir, are responsible your own acts.

Mr. POOL. That is right, and I am responsible for maintaining order in this hearing room and I am ready to do so and I am taking all the abuse possible. Your clients are not before this hearing at this moment. This man is not represented by any of you lawyers. I will stand here and conduct a fair and square hearing, if you will allow me to. I am not going to stand here and let a bunch of lawyers take over this hearing, which you are trying to do.

Mr. GUTMAN. No, sir; we are trying to withdraw in an orderly fashion.

Mr. POOL. I cannot be responsible for what that lawyer did. If he committed a disturbance of the peace and didn't follow my instructions to sit down and the marshals had to take him out of here, I can't help that. That is all I have to say to you.

Mr. GUTMAN. May I make several motions?

Mr. POOL. You made your objection. I overruled it. Do you have any other objection before you withdraw?

Mr. GUTMAN. I do, sir. I move that the Chair consult the record as to what orders he gave the marshals and if any other marshals or peace officers are in contempt of your orders that appropriate action be taken. I also move that the Chair report to the people assembled in this room now where Mr. Kinoy is, how he is.

(At this point, Representative Ichord entered the hearing room.)

Mr. POOL. I am not concerned with Mr. Kinoy. I am concerned with trying to protect the American people. And that is what we are trying to do in this hearing, enter into this legislative phase and trying to find out the facts involved.

I overruled your objections. Do you have any further objections?

Mr. GUTMAN. I have one more thing to say.

Mr. POOL. All right.

Mr. GUTMAN. In view of your express lack of concern for the physical safety of the lawyers appearing before the committee, I have no choice but to advise my client, Mr. Nadel, that he is now without an attorney before this hearing, and I withdraw.

Mr. POOL. All right.

Mr. GOLLOBIN. May I be heard, Mr. Chairman?

Mr. POOL. All right.

Mr. GOLLOBIN. I represent several other clients; Steve Hamilton, George Ewart, and Steven Cherkoss.

I am sorry. My name is Ira Gollobin and I am a member of the bar of the State of New York.

I think, Mr. Chairman, that I must in all respect to the Congress and people of this country, as well as my client, and in respect to the canons of the American Bar Association, as well as legal traditions, which go back as far as James Otis, Abraham Lincoln, and many other notable members of the bar who, when they were confronted with what they considered an assertion of absolute power by an agency of the Government, had to take an action appropriate to such circumstances and they took it not simply as individuals, but as persons concerned with their country and its institutions.

In that spirit, Mr. Chairman, I at this time am withdrawing from representing my clients, because if I were now to continue to represent them under these circumstances, I think I would do them an injustice as well, in the last analysis, the American people.

Mr. POOL. All right.

Now, go ahead with your questions.

Mr. KREBS. Mr. Chairman, I am a witness, sir, and I request permission to speak because I want to leave these hearings.

Mr. POOL. You will be heard at the proper time. Your name has not been called yet.

Mr. KREBS. I ask nonetheless that you take a statement from me, sir.

Mr. ASHBROOK. He has not been called, Mr. Chairman.

Mr. KREBS. I am representing myself.

Mr. NITTLE. Would you state your name for the record, please?

Mr. KREBS. My name is Allen, A-l-l-e-n, Krebs, K-r-e-b-s.

Mr. NITTLE. And you have been subpoenaed to appear here today.

Mr. KREBS. I have been subpoenaed to appear before this committee. May I make that statement now, sir?

Mr. POOL. Come forward.

Mr. KREBS. I had observed in the course of testimony yesterday the general nature of this proceeding—

Mr. POOL. Do you have an objection to state?

Mr. KREBS. I just want to state why I must leave at this time.

Mr. ASHBROOK. Mr. Chairman, if he wants to leave, our duty is to rule upon his absence from the room when he is called subject to subpoena. He may leave the room, if he desires. It is his choice to make. If he does not have an attorney, if he appears subject to the subpoena, gives his name, gives his address, and does not have an attorney, we always allow them to obtain an attorney in sufficient time.

He is making a statement which I think has no bearing whatsoever on his subpoena before this committee.

Mr. POOL. Are you trying to tell the committee why you won't be here at a certain time?

Mr. KREBS. No, I want to tell the committee why I won't be here at all.

Mr. POOL. Your name will be called at the proper time, and you have been subpoenaed.

VOICE. Mr. Pool, as a witness that is now—

Mr. NITTLE. Just a moment. Will you state your name?

Mr. POOL. You are interrupting the proceedings.

Go ahead with the questions.

Mr. KREBS. I am leaving the hearing.

VOICE. I am a witness. May I make a motion?

Mr. ASHBROOK. You have not been called.

Mr. POOL. Your name has not been called.

VOICE. Sir, I am now acting as my own counsel.

Mr. POOL. Will you be in order?

VOICE. I am being in order, sir, as my own counsel.

Mr. ASHBROOK. He is out of order.

VOICE. I want to make a legal motion.

Mr. POOL. Your name will be called at the proper time. Sit down.

VOICE. I am leaving at this time.

Mr. NITTLE. Would you, Mr. McCombs, resume your testimony, please? We were discussing your attendance at the Assembly of Unrepresented People in Washington in the month of August 1965. You had last been asked to state whether you had, at that assembly, met Walter Dorwin Teague III.

Now, would you please relate the time and place and circumstances of meeting him, if you did?

Mr. McCOMBS. I believe I did meet Mr. Teague, sir. I went up to one of the tables that was distributing—

Mr. NITTLE. Let me put it this way. When you say you believe you did, what do you mean by that?

Mr. McCOMBS. I meant that I addressed him as Walter and he acted as if that was his name. He was standing——

Mr. NITTLE. Did you later determine whether that was——
[Demonstration on the floor.]

Mr. POOL. Let us have order.

VOICE. Stop this farce.

VOICE. Stop the war in Vietnam.

VOICE. End the war in Vietnam.

Mr. POOL. Let's have order.

Do not allow any of those that left the room to reenter the room during these hearings.

Let the record show that there was a disturbance and the people were removed from the room by the officers.

Mr. NITTLE. Now, Mr. McCombs, would you proceed to relate the circumstances under which you met Walter Dorwin Teague III?

Mr. McCOMBS. Yes, sir.

I went up to one of the tables by the Washington Monument where the literature was being distributed. There was a Viet Cong flag in front of the table. It was designated as the table of the U.S. Committee to Aid the National Liberation Front of South Vietnam.

Walter Teague was standing behind the table and I talked to him. I am sure it was Teague because I met him again this year and it is the same guy.

We talked for a few minutes. He handed me some literature. I bought some literature from him. At that table it was possible to make a monetary contribution to aid the Viet Cong. I don't know what the money was used for, but that is the way it was put. I think there was a tin can there or something.

Secondly, in my role as a journalist, I asked Mr. Teague if I wanted to fight personally in the ranks of the Viet Cong against the United States soldiers in Vietnam, could he help me out. Mr. Teague said that he would put me in contact with underground agents who would arrange for me to do that. I also met several other people and did several other things at the Assembly of Unrepresented People, but that was my contact with Walter Teague at that time. It lasted about 5 or 10 minutes.

Mr. NITTLE. May I ask whether there was a PLM or Progressive Labor Movement or Party representation at the assembly?

Mr. McCOMBS. Yes, sir. The Progressive Labor Party was represented at the assembly. Their newspaper, *Challenge*, called the revolutionary newspaper, was distributed. And there were members there, I read in subsequent newspapers although I don't remember meeting any of them myself.

Mr. NITTLE. Was the Progressive Labor Party table identified in any way as that of the Progressive Labor Party?

Mr. McCOMBS. I don't remember exactly. There were many different groups and I suppose they could have had a table.

Mr. NITTLE. Was there a group of the May 2nd Movement there?

Mr. McCOMBS. Yes. May 2nd Movement is the youth group of the Progressive Labor Party. There were many members there. They were distributing their newspaper, the *Free Student*. Also represented at the assembly were International Workers of the World, Youth Against War and Fascism, members of the Spartacist Movement, members of the Communist Party, the W. E. B. Du Bois Club, and other organizations.

Mr. NITTLE. Now, Mr. McCombs, did you have occasion later to meet Walter Dorwin Teague and, if so, where and under what circumstances?

Mr. McCOMBS. I met Mr. Teague again this summer. Again I was assigned by the editors of *National Review* to write a story on the psychology and actions of the leftist movement in New York City.

I went over to Walter Teague's on the afternoon of July 29, 1966, at 46 West 22d Street, in New York City. The place was called the Artist Research Group. I had been told that that was the place to go to obtain North Vietnamese literature for a class that I was attending at the Free University of New York.

I met Mr. Teague there.

Mr. NITTLE. Mr. McCombs, before you proceed, was there any indication on the premises as to who was the owner, operator, or interested party of this Artist Research Group?

Mr. McCOMBS. No, sir. But as I said, I had indications that it was Teague's operation.

I met him there. I perused the literature on their shelves. There were probably 100 different publications, pamphlets, books, and so forth, printed in Hanoi and Peking for sale. I bought several of them.

There was also some literature there. The literature was for many different things. One of the things that the literature asked was for "Betsy Rosses" to sew Viet Cong flags for the August 6 demonstration in New York City. I believe those flags were indeed sewed and I believe some of them appeared in the demonstration.

Mr. NITTLE. What were the colors of that flag, if you recall, and can you describe it?

Mr. McCOMBS. Red, yellow, and blue. I may be mistaken. White, maybe; I don't remember exactly.

Mr. ASHBROOK. But it was not an American flag, is that right?

Mr. McCOMBS. No, it was not an American flag.

One of the pieces of literature here, I will see if I can find it. Oh, yes. Here it is.

Mr. ASHBROOK. Does the witness happen to know whether it was the national flag of another country?

Mr. McCOMBS. Here we go. It was the National Liberation Front of South Vietnam's flag.

Mr. ASHBROOK. South Vietnam or North Vietnam?

Mr. McCOMBS. South Vietnam.

Mr. ASHBROOK. Would that be what is popularly known as the Viet Cong flag?

Mr. McCOMBS. Yes, sir.

Well, I cannot find it at this moment, but there was a piece of literature distributed that I picked up there that described in detail the flag of the National Liberation Front, the tradition behind it, the colors, and so on and so forth.

I think it had a yellow star in the middle, a red splotch along the top, and a light blue splotch along the bottom.

Mr. NITTLE. I hand you a paper facsimile of the Viet Cong flag. Can you identify this as similar to what you saw on the premises?

(Flag marked "McCombs Exhibit No. 1" and retained in the committee files.)

Mr. McCOMBS. Yes, sir; except that these flags were much more elaborate. I will tell you what I saw there, I didn't see the flag. I saw the material from which these flags were to be made, cloth of those various colors that you have there, yellow and orange.

Now, at the meeting at the place there, there was a woman who was talking with Mr. Teague and to whom he was handing these materials, presumably to sew some of these flags. We had a talk about various activities that she was engaged in, and I took it that she was just one of many people who have helped Mr. Teague to prepare these flags.

Mr. NITTLE. Did you observe any other equipment on the premises, or clothing or material?

Mr. McCOMBS. Yes, sir; hanging along a long bookshelf there were probably 100 T-shirts. They were painted with black paint and done up to look something like American military uniforms. These subsequently appeared, according to press reports, in the August 6 demonstration in New York City.

Mr. NITTLE. That was the Hiroshima Day demonstration this year.

Mr. McCOMBS. Yes, sir.

Mr. POOL. Mr. Nittle, at this time, the Chair recognizes the gentleman from Missouri, and he has a statement to make here.

Mr. ICHORD. Mr. Chairman, I was necessarily absent earlier during the hearing this morning due to the fact that as a member of another committee I was required to chair a hearing of that committee and I arrived in the room when the attorneys for some of the witnesses involved were withdrawing as attorneys for their clients.

I observed that immediately after Dr. Krebs left the room a few minutes ago—I will point out that Dr. Krebs was identified by Mr. Luce yesterday as one of those who sat in on the meetings of the May 2nd Movement—immediately after he left the room, a statement was handed to me which purports to be a statement by Dr. Allen M. Krebs and in the last paragraph he states:

As I leave this room, to my brothers who stand here after me today, this week, next month—and there are signs that the Inquisition of the Sixties has now begun—you have my respect and my compassion.

Mr. Krebs' attorney had just withdrawn from the case, but obviously Mr. Krebs decided to withdraw from the case earlier or he does have some very, very rapid mimeographic service available to him.

That is all I have to say, Mr. Chairman.

Mr. POOL. Thank you.

The committee will stand adjourned until 2:30 this afternoon.

(Subcommittee members present at time of recess: Representatives Pool, Ichord, Ashbrook, and Buchanan and also Representative Clawson, alternate member.)

(Whereupon, at 12:20 p.m., Wednesday, August 17, 1966, the subcommittee recessed, to reconvene at 2:30 p.m., the same day.)

AFTERNOON SESSION—WEDNESDAY, AUGUST 17, 1966

(The subcommittee reconvened at 3 p.m., Hon. Joe R. Pool, chairman of the subcommittee, presiding.)

(Subcommittee members present: Representatives Pool, Ashbrook, and Ichord.)

Mr. POOL. The chair wishes to make this statement before we start. The committee is called to order.

It has been brought to my attention that questions have been raised as to whether the marshals and police are using more force than is necessary to eject demonstrators.

It is my considered view that they are not doing so. If these deliberate troublemakers would walk out of the room as soon as I have indicated that they should leave or be evicted, it would not be necessary for marshals or the police to do more than guide them by the arm. When they resist, as they do, however, using physical force, it is my belief that the men who feel that force are in a better position than some onlooker to judge just how much counterforce they must use to evict the demonstrators from the hearing room.

There are members of the Capitol Police Force who still bear scars, and they are permanent scars and large ones, from the violence inflicted on them 2 or 3 years ago by demonstrators who represented the same groups today's demonstrators are representing.

The cry of "police brutality" is an old Communist cry. When there is no evidence to substantiate it, as is so often the case, I am not at all impressed by it. I have far more faith in the judgment and the word of United States marshals and the police than I have in those of professional agitators.

Go ahead with the questioning.

TESTIMONY OF PHILIP ALGIE McCOMBS—Resumed

Mr. NITTLE. Mr. McCombs, at the time of recess, you were telling us of your visit to Artist Research Group, where you met with Walter Dorwin Teague III on July 29, 1966. Would you proceed?

Mr. McCOMBS. Yes, sir. I don't know that I have too much more to say about it. As I say, I met there a woman who was sewing, receiving materials to sew Viet Cong flags and talked with her and with Mr. Teague. Teague described to me the preparations for the August 6th demonstration in New York City, among other things, the flags. He was gathering flag poles that would be made out of paper or cardboard, so that if there was violence, people would not get hurt. But he noted that these things could easily stun someone if they were attacked.

He said that in the march in New York City the flag carriers would be accompanied by "guards"—in quotes. He said the guards would not hurt anyone, but would fend off attacks.

He and I got along fairly well, laughed a bit, and talked things over, and that was about it. Besides what I said before.

Mr. NITTLE. Did you visit with Teague at any other place or time? (At this point, Mr. Buchanan entered the hearing room.)

Mr. McCOMBS. No, these two times that I met him here in Washington and in New York were the only two times that I met him.

Mr. NITTLE. Now, you have testified that you were referred to the Artist Research Group by someone at the Free University. Did you attend the Free University and, if so, when?

Mr. McCOMBS. Yes, sir; I attended the Free University this summer, again on assignment by the editors of *National Review*, to write a story on the psychology and techniques and activities of these people. I took two courses there, one taught by Calvin Hicks. The name of that course was "Community Organization, Who, What, and Why."

The second course I took was taught by Charlotte Polin, and it was called "Vietnam National Liberation Fronts."

Mr. NITTLE. Would you briefly relate what was the substance of the course which you took with Calvin Hicks on Community Organization?

Mr. McCOMBS. We discussed in this course, which consisted of about 12 to 15 participants, the methods that could be used to organize in the Negro ghetto areas or the Negro communities. Hicks himself—there were many discussions that went on, some of them centered around violence and the extent to which violence was justified. This was one of our main topics of discussion.

Also, Hicks himself stated that he would be interested in instilling in us his ideology, which I took to be Marxist ideology, and in organizing in the ghetto people not only to improve the quality of their lives, with which I think most of us are in agreement, but also to bring about socialist and Communist revolution, economic, political, and social, in the United States, so that this went beyond the bounds of ordinary concern.

That was the substance of those two courses.

Mr. NITTLE. Would you describe the course offered by Charlotte Polin?

Mr. McCOMBS. Charlotte Polin's course dealt with the National Liberation Front in South Vietnam and with the Democratic Republic of Vietnam, as she called it, or North Vietnam. The course was taught in such a way as to contradict everything that one reads in our newspapers and everything that—and to contradict American policy. Miss Polin was thoroughly and wholeheartedly behind the cause of the North Vietnamese and the Viet Cong. She showed to me and to the class, there were not too many in that class, three or four or five, showed to me documents that had been sent to her from Ho Chi Minh, congratulating her for her efforts in his behalf. She was—at one point, came out in favor of military methods that would kill more American troops in Vietnam and, just in general, was entirely in favor of the North Vietnamese. She had read all the North Vietnamese literature that I have ever seen and was quite knowledgeable from their standpoint.

Mr. NITTLE. Would you describe the location of the Free University and the premises?

Mr. McCOMBS. The Free University of New York is located in the second floor loft at 20 East 14th Street in New York. It consists of about five rooms, I think, something like that. Not too clean. Walls are covered with posters and newspaper clippings. There are pictures in the classrooms where I attended classes of Che Guevara and Castro, Marx, maps of the Soviet Union, and this sort of thing.

Mr. NITTLE. You saw no pictures of Lincoln or Washington, I take it?

Mr. McCOMBS. No, sir.

Now, that describes the premises. I might describe to you a little bit more about the Free University, if you are interested.

Mr. NITTLE. Yes.

Mr. McCOMBS. The Free University is—I think the general idea is—it is not much more than a group of professors who are loosely organized and who teach weekly seminars. These seminars are all left-oriented, extremely left-oriented, to my knowledge. The one re-

quirement, for example, of attending the Free University is you could not be a Fascist. That is why I sort of suppressed my beliefs [laughter] since I am sure they would be considered Fascist by the people there, and I would be thrown out, you see.

The Free University also serves——

Mr. NITTLE. Of course, you are saying that with a sense of humor.

Mr. McCOMBS. I am saying it facetiously.

The Free University was also used as an organizational center for leftwing activities. For example, a lot of the organization of the August 6 demonstration was done there. Meetings were held there, and so forth and so on. For example, I received a letter from the Free University, a mimeographed sheet, urging me to attend these HUAC meetings; and so, you see, it serves as a general organizational center.

Now, at the Free University, as I observed, as I did last——

Mr. ASHBROOK. Mr. McCombs, could I interject at this point?

Mr. McCOMBS. Yes.

Mr. ASHBROOK. We keep referring to this as a Free University. It is my understanding under the New York law, this cannot be deemed a university and cannot legally use the word "university" in its title.

Mr. McCOMBS. Yes, sir, that is true.

Mr. ASHBROOK. But just so the record shows that the Free University is not the Free University and that it illegally uses the word "university" under New York law.

Mr. McCOMBS. I think they now use the words "Free School," sir.

Mr. ASHBROOK. Yes.

Mr. NITTLE. Yes; they have changed the name because of their legal problems.

Mr. McCOMBS. But in their private communications, it is known as the Free U, among themselves.

I observed there, as I did last summer, at the Assembly of Unrepresented People, two elements, two distinct elements, the operation of the old left, and the operation of what is known as the New Left. Members of the New Left are idealistic, romantic, and existentialist in their orientation and are activists and tend toward violence, rather than nonviolence, although I suppose they vacillate between the two. They don't think ideologically in terms of a revolution several years in the future.

The old left, on the other hand, are the hard-core Communists, who are focused in on that idea of revolution with pretty much a 20-20 vision.

Now, what I see down at the Free University are a lot of New Leftists and a lot of innocent and well-meaning and idealistic people, mostly young people, students, workers in various Government agencies, and so forth, who in my opinion are being subverted by the hard-core members of the old left, and very successfully so. I found that while there is talk of Communist infiltration of the civil rights and peace movements, which implies deceit, there is no deceit in this, because I observed Communists openly welcomed by the non-Communists of the movement, simply because they professed to be idealistic, and so forth, and are willing to associate with these people knowingly.

Mr. NITTLE. Who was the director of the Free University?

Mr. McCOMBS. Mr. Allen Krebs, I believe.

Mr. NITTLE. Did you have occasion to meet with him there?

Mr. McCOMBS. Yes, sir. Mr. Krebs taught a class called Marxism and American Decadence, and while I did not take that course, I met

with him a couple of times and discussed it, and so on. He described to me the contents.

Mr. ICHORD. Mr. Counsel, could I interrupt at that point?

Go ahead with the finishing of your answer there.

Mr. McCOMBS. Well, I will just say he described to me very briefly the contents of his course, and that was all the association I had with him.

Mr. ICHORD. Did you meet Dr. Allen Krebs at the so-called Free University?

Mr. McCOMBS. Yes, sir.

Mr. ICHORD. Did you have an opportunity to observe the gentleman, Dr. Allen Krebs, who left the room this morning? Was that the same Dr. Allen Krebs?

Mr. McCOMBS. Yes; these two people are the same.

Mr. ICHORD. Thank you, Counsel.

Mr. ASHBROOK. Counsel, could I interrupt at that point?

Mr. NITTLE. Certainly.

Mr. ASHBROOK. I have had occasion to study the prospectus of the Free School of New York and I noticed under the course that you mention, it contains a general examination, to use their words, "A general examination of American society and its decadence from a Marxist perspective." And then it goes on, evidently, to say there is a Marxist perspective on the following subjects, "American imperialism, militarism, alienation, isolation, homosexuality, drug cults, and intellectual emasculation."

Did you have occasion to sit in on any of the course in this particular subject?

(At this point, Mr. Clawson entered the hearing room.)

Mr. McCOMBS. No, I did not, sir. I was attending other courses.

Mr. ASHBROOK. That is too bad. It would certainly be interesting to know what the Marxist perspective is on some of those subjects.

Mr. McCOMBS. Yes, I think it would.

Mr. POOL. Go ahead, Counsel.

Mr. NITTLE. Were you aware of the type of employment held by some of the persons who attended the Free University?

Mr. McCOMBS. Yes, sir. Many of them were students who were doing various jobs during the summer. Some of them were housewives; some of them were, it seemed to me, didn't have anything to do. You know, they were professional agitators, spent their days planning these affairs. But most of them, and then some of them worked in welfare, city welfare departments, and things like that. They were spread around, though, in odd locations.

Mr. NITTLE. Was there a great deal of literature, imported literature, available on the premises at the Free University?

Mr. McCOMBS. Yes, sir; there was also a table there that contained a great deal of very interesting literature, most of it pro-Communist.

Mr. NITTLE. Do you happen to have with you some of the items that were disseminated on the premises?

Mr. McCOMBS. Sure.

Mr. NITTLE. Would you describe them to the committee, and then we will offer them in evidence.

Mr. McCOMBS. Well, I have here a price list for Vietnamese literature, for example, put out by the U.S. Committee to Aid the National

Liberation Front [of South Vietnam]. Several pages of literature printed in North Vietnam.

Mr. NITTLE. That organization you first mentioned there, is that—

Mr. McCOMBS. Walter Teague's organization. Let me just go through.

Here is a YAWF [Youth Against War & Fascism] newsletter that I picked up at Free University. That is the newsletter of the Youth Against War & Fascism—fairly interesting.

Here is a letter that Charlotte Polin gave me, a copy of Uncle Ho's letter to her. She always referred to him affectionately as Uncle Ho.

Mr. NITTLE. And how did Uncle Ho address her? [Laughter.]

Mr. McCOMBS. He addressed her as "My dear niece."

Here is a pamphlet called Why North Viet-Nam Is Being Bombed, rabidly against United States policy in Vietnam, by Charlotte Polin.

Here is some other literature of the Committee to Aid the National Liberation Front. These are a few of the examples. There were many other things.

(Documents marked "McCombs Exhibits Nos. 2-A thru 2-E" respectively. Exhibit No. 2-B retained in committee files. See pp. 1049-1063 for 2-A, C, D, and E.)

Mr. NITTLE. Mr. McCombs, I have here two exhibits I would ask you to identify. The first bears the caption "Coming Events at FUNY."

(Document handed to witness.)

Mr. McCOMBS. Yes; this was also distributed at the Free University. Every week they have a different list of these things. Some of the items on this list of coming events are, for example, a film on Vietnam, made by the National Liberation Front, followed by a discussion. It notes here that it was free to university members, but \$1 to outsiders.

It notes also here a chapter meeting of the Free University chapter of the American Liberation League. Another very interesting organization. These things were distributed every week.

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

Mr. NITTLE. Now, let me ask you about the Free University chapter of the American Liberation League. Do you know what that is?

Mr. McCOMBS. Yes, I think. The American Liberation League exactly replaces the old May 2nd Movement, which was dissolved by Progressive Labor.

Mr. NITTLE. Who heads the American Liberation League chapter at the Free University?

Mr. McCOMBS. I heard his name several times, and could not guarantee that it is exactly correct, but I can give it to you, if you would like.

Mr. NITTLE. When you say there was a Free University chapter of the American Liberation League, what do you mean by that?

Mr. McCOMBS. Well, there were several people attending Free University that got together a chapter of this organization. In addition to this, there was a New York City chapter, which was supposedly a little larger. Now, this organization participated heavily in the planning, for example, of the August 6th demonstrations. They gathered together—I attended only one meeting at the Free University

of this group, and the meeting dissolved with everybody angry at everyone else and nothing getting accomplished.

The second meeting I attended was of the New York chapter. Some of the people, several of the people who were at the Free University chapter meeting were at the larger meeting, and at that meeting, several things were discussed. Let me consult my notes here.

It was decided at this meeting that the group would conduct ideological discussions, and this was debated somewhat. The idea was to eliminate "bourgeois failings." The group was identified by one of the members as Marxist, and it was decided that we would read the works of Marx and Lenin and try to wipe out some of these bourgeois failings. I was very interested in that.

Another decision was made to conduct what are called self-criticism sessions. This struck me particularly, because you see, self-criticism sessions are something that have been used by the Chinese Communists, both in their thought-reform programs in China and in the treatment of their prisoners of war, as described in Robert J. Lifton's book, for example, *Thought Reform and the Psychology of Totalism*. But the point about this is that these are particularly Maoist kind of sessions, not related with the Soviet brand of communism, so that these people are more to be identified with the Chinese brand.

Now we also discussed in this meeting the banners that would be made for the demonstration and the slogans that would be used. Some of the ones that were decided upon were as follows: "Victory For The National Liberation Front," "Support People's Wars," which happens to be Lin Piao's phrase, I think, and other such slogans.

Mr. NITTLE. Now, Mr. McCombs, I hand you another exhibit and ask whether you would identify it and describe it for the record, please.

Mr. McCOMBS. This is "Where to write to NLF and DRV representatives." It was given to me by Charlotte Polin in my class at Free University and contains a description of several places to write the North Vietnamese. Czechoslovakia—it gives a name here, Pham Van Chuong; Algeria, it gives a couple of other addresses here.

It says that "any money you can send to those addresses will also be much appreciated, as the NLF and DRV request money for medical supplies, of which they are in very short supply. Their need for medical supplies, food and clothing is DESPERATE." And it advises that we send letters registered airmail, with airmail return receipt, "if you can afford it, as you'll be sure your letter gets through."

Mr. NITTLE. Mr. Chairman, I ask that the document to which the witness has referred and which he has identified be received in evidence.

Mr. POOL. If there is no objection, it is so ordered.

(Document marked "McCombs Exhibit No. 4" and retained in committee files.)

Mr. NITTLE. I have no further questions of this witness, Mr. Chairman.

Mr. POOL. The Chair recognizes Mr. Ichord at this time.

Mr. ICHORD. Mr. Chairman, I have no questions of the witness at this time.

However, I do want to thank the witness for appearing before the committee this morning and giving the committee his very valuable testimony. Thank you very much, sir.

(McCombs Exhibits Nos. 2-A, 2-C, 2-D, and 2-E follow:)

McCOMBS EXHIBIT No. 2-A



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McCOMBS EXHIBIT No. 2-C

Hanoi, November 25, 1965

My dear niece,

I have received your letter. I sincerely thank you for your thoughtful words with regard to the Vietnamese people who are fighting for national freedom and independence. You and the American progressive people, especially the youth feel indignant at the barbarous crimes perpetrated in Viet Nam by the U.S. imperialists who have thus besmeared the honour of the American people and the noble traditions of the United States. These are sincere feelings of all honest Americans when they see the U.S. aggressors daily sowing ruins and death in a country some ten thousand miles away from the United States, and which has no other desire than to live in independence, freedom, peace, and friendship with the American people.

I am glad to learn that you and many other young Americans are actively endeavouring under varied forms to help push forward the movement against the war of aggression in Viet Nam and in support of the Vietnamese people. I highly appreciate these efforts of yours and of the American youth, students and other friends who are valiantly fighting for freedom, justice and for friendship between our two peoples.

The U.S. imperialist aggressors will certainly be defeated.

The Vietnamese people will be victorious.

I wish you good health and good success.

With affectionate greetings

Uncle Ho

Cut at
Fanny from John
July 18, 1966

McCOMBS EXHIBIT No. 2-D

*Got from Polin
at Army, July 18, 1966*

WHY NORTH VIET-NAM IS BEING BOMBED

by

Charlotte Polin

IT IS ELEVEN YEARS SINCE THE GENEVA AGREEMENTS WERE SIGNED GUARANTEEING RE-UNIFICATION ELECTIONS AND THE INDEPENDENCE, UNITY, SOVEREIGNTY AND TERRITORIAL INTEGRITY OF THE WHOLE OF VIET-NAM. IT IS ELEVEN YEARS SINCE THE BLOODY VIOLATION OF THESE AGREEMENTS BY THE U.S. GOVERNMENT BEGAN. FOR THE PEOPLE OF VIET-NAM AND FOR US, THIS IS THE ELEVENTH HOUR.

On February 7, 1965 the U.S. began its systematic air massacre of the Democratic Republic of Viet-Nam (North Viet-Nam). Now the U.S. government is planning shortly to order the bombing of HAIPHONG, an industrial city of half a million people, which is Hanoi's seaport, and of HANOI itself--a beautiful capital with a population of over a million, with its precious industries, and cultural treasures dating back centuries. The U.S. also plans to bomb the system of dikes in the Democratic Republic of Viet-Nam (DRV) which keeps the North Viet-Nameese from drowning and starving.

IN THE NAME OF HUMANITY, LET US ACT BEFORE IT IS TOO LATE!
SAVE HAIPHONG!
SAVE HANOI!
PREVENT THE BOMBING OF THE DIKES AND DAMS WHICH WOULD KILL
THREE MILLION NORTH VIET-NAMESE THROUGH DROWNING AND STARVATION!

WHY IS THE U.S. BOMBING NORTH VIET-NAM?

Because, for a small and poor Asian country (population 18 million), the Democratic Republic of Viet-Nam has achieved economic miracles! During over eighty years of French colonialism, the Viet-Nameese lived like serfs, working 12 to 17 hour a day, seven days a week, rummaging in garbage heaps for food, never knowing what it was like to have either national independence or industry. In 1945 as a result of the anti-fascist victory and of the Viet-Nameese people's August Revolution, led by the Viet-Minh the Viet-Nameese forced out the French and Japanese oppressors and established the Democratic Republic of Viet-Nam. On January 6, 1946, nation-wide elections were held, in both the North and the South, which democratically elected the Ho Chi Minh government. That the elections were entirely free and fair was attested to by American observers, and many foreign experts on Viet-Nam such as the French historians Philippe Devillers and Jean Chesneaux.

The government of the Democratic Republic of Viet-Nam was recognized internationally even by the French, but in March 1946 the latter decided to re-conquer their former prize colony, and the

McCOMBS EXHIBIT No. 2-D—Continued

Viet-Nameese were forced to fight the First Resistance War which ended only with the signing of the Geneva Accords in July of 1954. They are now fighting the Second Resistance War--against the U.S. aggressors who come from eight thousand miles away to bomb, blast and burn them.

North Viet-Nam is being bombed because it is the only industrialized economy in all of Southeast Asia. The economic miracles achieved by the Democratic Republic of Viet-Nam, the first former colonial country to take the Socialist path, were a most inspiring example to the peoples of South-East Asia (including South Viet-Nam, where the U.S. had never built any industry and where at least 80 per cent of U.S. aid money at all times went for openly-avowed military purposes) to all of Asia (particularly India) and to Africa and Latin America as well.

Under Socialism, North Viet-Nam solved every problem that its giant neighbor, India, had been unable to solve under Capitalism. In North Viet-Nam, famine and draught were omnipresent, and in 1945 two million North Viet-Nameese starved to death. Though the Red River Delta of North Viet-Nam is the most densely-populated region in the world, and though the DRV has a per capita land-holding of only a fifth of an acre (one third that of an Indian peasant) the DRV not only solved the famine problem but even began exporting rice!

Two other problems that plague India, housing and illiteracy, long ago were solved by the DRV. Under the French, tens of thousands of Viet-Nameese slept in the streets, as in Calcutta and Bombay now. Over 95 per cent of the people of the DRV are literate. Whereas when Viet-Nam was ruled by the French there were only 500 university students for the whole of Indo-China (i.e. North & South Viet-Nam, Laos & Cambodia) today Hanoi graduates over 27,000 a year!

Just as the U.S. is attempting to drown in blood the Liberation struggle of the South Viet-Nameese people because it is the model for liberation struggles everywhere, so North Viet-Nam is being bombed to bits because it shows all colonial and former colonial countries, it shows the so-called Third World of Asia, Africa and Latin America by living example that Socialism can solve their problems. According to the October 14, 1965 "Viet-Nam News Agency Bulletin" (issued daily in Rangoon, Burma) between February and October 1965 the U.S. bombed no less than 124 educational establishments in the DRV, killing a large number of teachers and students. This is done not only to terrorize the North Viet-Nameese people, but also because the U.S. did and does not want Socialist North Viet-Nam's impressive educational system to remain an example to the poor folk of the world.

In the medical field, the Democratic Republic of Viet-Nam is the only nation in Southeast Asia to have completely wiped out cholera, plague, and small-pox. Between February 1965 and July 11, 1965 alone, the U.S. bombed no less than fifteen hospitals and medical establishments, some of them, like the Quynh Lap Leper Sanatorium (where U.S. pilots killed 180 patients in 14 bombing raids) and the Tuberculosis Hospital No. 71 (over 40 patients and five doctors killed) the finest treatment centers of their kind in all of Asia.

The Democratic Republic of Viet-Nam is being bombed because it built "an independent national economy" with economic and technical aid

McCOMBS EXHIBIT No. 2-D--Continued

from the Socialist Camp, but largely by its own labor--and hand labor at that! On the ruins of a debilitating war, and with bare and bleeding hands, the North Viet-Namense built an impressive infant industry that became the Showplace for Socialism in Southeast Asia. North Viet-Nam has been called "the Ruhr of Southeast Asia." Experts on South-East Asia have highly praised the DRV's accomplishments, such as Alex Josey, South-east Asian correspondent for "Reynolds News" and a member of the British Labor Party for over twenty-five years. Josey says that North Viet-Nam is the most advanced country in south-East Asia and has already solved many of the problems that remain unsolved in the rest of this area. "North Viet-Nam is making material progress unequalled by any country in South-East Asia," he also wrote. "While living standards in Malaya, Thailand, Ceylon and elsewhere in the region remain static or get worse, North Viet-Nam is marching forward."

By bombing the DRV, the U.S. seeks to dissuade all countries from taking the Socialist path by showing that through its preponderant military power it can negate every benefit a Socialist State can bring to its people. One of the main appeals that Socialism has for the masses of the world is its promise of Security, and the U.S. power structure seeks to make a mockery of Socialism by subjecting the North Viet-Namense to Insecurity--fear of the bombings, which would cause insecurity on the job; insecurity over food, due to the bombings hampering transportation and supply; fear of illness, injury and death, and of their dwelling places being destroyed. Thus, by bombing the DRV, the U.S. seeks to prove that even though a country may adopt Socialism, it will not be able to give its people the benefits of Socialism: economic, political, social and psychological security. For always, over it will hang the sword of Damocles--destruction by the U.S.

This is the "message" the U.S. is transmitting to all of Asia, Africa, and Latin America: Even though Socialism brings about much more rapid industrialization than capitalism, better stick with Capitalism. Because if you adopt Socialism, your economic development will still be set back decades--by bombings! This is the real reason for the clamor in Washington, led by General Curtis LeMay, to "bomb North Viet-Nam back into the Stone Age"!

FOR THE SAKE OF THE MARTYRED AND SUFFERING PEOPLE OF THE DRV, WHO TILL THE WINNING OF INDEPENDENCE FROM THE FRENCH NEVER HAD A GOOD DAY IN THEIR LIVES, AND FOR THE SAKE OF ALL OPPRESSED PEOPLES EVERYWHERE WHO HAVE STRUGGLED AGAINST POVERTY, OR WHO WOULD LIKE TO, LET US VOCIFEROUSLY CONDEMN GENERAL CURTIS LEMAY'S SUBHUMAN SLOGAN "BOMB NORTH VIET-NAM BACK INTO THE STONE AGE"! DEMAND THAT THE U.S. GOVERNMENT CEASE TO IMPLEMENT THIS BARBARIC POLICY. DEMAND AN END TO ALL BOMBINGS OF NORTH VIET-NAM!

According to the "New York Times" of December 3, 1965, the bombing of North Viet-Nam is "so widespread that Hanoi and its port, Haiphong--the major population and industrial centers--are left as mere 'islands.'" The industrial center of Nam Dinh, third largest city in the DRV, has already been bombed, and its textile factories destroyed or badly damaged. According to "Newsweek" magazine of October 11, 1965 (p.44) and Bernard Fall writing in the December issue of "Ramparts," the U.S. has almost completely

MCCOMBS EXHIBIT No. 2-D—Continued

leveled the new and important industrial city of Vinh, capital of the Province of Nghe An, surrounded by glorious tradition, where President Ho Chi Minh was born.

Senator Stennis, Chairman of the Armed Service Preparedness Sub-Committee, Richard Nixon, Mendel Rivers, Sen. Richard Russell and others making speeches calling for the bombing of Haiphong and Hanoi are ordered by the White House to put out these "trial balloons" to test American public opinion regarding the bombing of Haiphong and Hanoi. WE MUST PUNCTURE THESE TRIAL BALLOONS BY LETTING LYNDON JOHNSON AND THE STATE DEPARTMENT KNOW THAT WE ARE VEHEMENTLY OPPOSED TO THE BOMBING OF HAIPHONG! Before it is too late, we must do all we can to prevent further escalation in the air war of destruction against North Viet-Nam.

Haiphong is not only Hanoi's seaport, but the life-line of the whole DRV. The DRV cannot live without foreign trade! It buys its industrial base (i.e. purchase of heavy industrial equipment) through the exporting of its agricultural surplus! If Haiphong Harbor is dynamited and its port facilities destroyed, it will cause severe food and material shortages, and wreck the economy of the DRV. Now, the Republican Party has passed a Resolution calling for the blocading of North Viet-Nam. By imposing a complete "Cordon Sanitaire" and "Cordon Militaire," the U.S. hopes to completely strangle the DRV.

The precious industries and factories in the Hanoi-Haiphong area mean the world to the North Viet-Nameese, who since the winning of national independence lovingly and laboriously built them up. The hypocritical Lyndon Johnson defended the bombing of North Viet-Nam at one of his press conferences by saying, "There is no blood in a steel bridge." We must let him know that we know very well that there is blood in every bridge, road, highway, dam, power plant, etc. that the U.S. is destroying--the blood, sweat and tears of the North Viet-Nameese who sacrificed everything to work day in, day out, to build them. Haiphong is a city of strong working-class tradition, proud of the industries it has built. That city has led the whole country in emulation drives! And attacks on Haiphong and Hanoi would massacre the civilians of these densely-populated metropolitan cities!

Not only are the U.S. aggressors planning to bomb Haiphong and Hanoi, and the whole economic-industrial complex of the DRV. Splashed all over the U.S. and world press are their monstrous plans to bomb North Viet-Nam's system of dikes and dams! This genocidal act would drown and starve three million North-Viet-Nameese--at least one million of them would die outright, and the other several millions from starvation and disease--including horrible plagues--over a period of a year. "U.S. News & World Report" in its December 6, 1965 issue contains a horrifying admission: "U.S. bombers have already crippled part of the irrigation system in North Viet-Nam. In the months ahead, the U.S. may strike at the high dikes protecting the Red River Delta--North Viet-Nam's "rice bowl"--from flooding. Breaching the dikes would knock out agricultural production for at least a year."

The French press has demanded that the U.S. government openly renounce any intention to bomb the dikes. Of course, the U.S. refused.

McCOMBS EXHIBIT No. 2-D—Continued

BUT IT IS OUR DUTY AS CITIZENS OF THE NATION WHICH IS CARRYING OUT AND PLANNING THESE DIABOLICAL ACTS, TO DO ALL IN OUR POWER TO MAKE LYNDON JOHNSON REVERSE HIS POLICY, AND PUBLICLY DECLARE THAT HE WILL NOT BOMB THE DIKES. We must make it clear that, negotiations or no negotiations, we demand that the U.S. stop all bombings against North Viet-Nam because it is a Hitlerian crime against humanity to bomb and destroy the precious accomplishments and economic livelihood of a poor, helpless little country which has nothing to fight back with and is defenceless under U.S. air attack.

Right now, the bombing of Haiphong has first priority on the Pentagon's list. In addition, the Washington strategists have other "projects" high on the priority list which would strike at the life and welfare of millions of civilians in North Viet-Nam. As "U.S. News & World Report" puts it in its December 6, 1965 issue:

"There are other important targets in North Viet-Nam that have not been touched by American bombs. Public utilities are one. Also on the list are cement and fertilizer factories, and two Chinese-built blast furnaces."

On December 15 and again on December 21, the U.S. did indeed attack the DRV's public utilities--by destroying the Uong Bi Thermal Power Plant! That power station was one of the Viet-Nameese people's brightest and most beloved achievements. It supplied most of the electricity to the Hanoi-Haiphong area, and by knocking it out, the U.S. caused a massive power blackout, and brought industry to a virtual standstill. 550 workers were employed at Uong Bi. The U.S. dropped 3,000-pound bombs--the biggest used in any war--to destroy them and their economic achievements. Nearby coal mines, textile factories and other economic establishments were also heavily bombed, as well as heavily-populated civilian areas in the suburbs of Haiphong!

LET US EXERT OUR ENERGIES TO PREVENT A REPETITION OF SUCH HEARTLESS AND HORRENDOUS ACTS OF AGGRESSION! LET US MOVE HEAVEN AND EARTH TO PREVENT THE BOMBING OF HAIPHONG! LET US MAKE A HERCULEAN EFFORT, WHILE THERE IS STILL TIME, TO PREVENT THE BOMBING OF HANOI, AND THE DIKES, AND THE WHOLE ECONOMIC-INDUSTRIAL COMPLEX OF THE DRV!

LET US DEMAND AN END TO THE MASSACRE AND MUTILATION OF A POOR DEFENCELESS LITTLE NATION! A NATION WHOSE ONLY "CRIME" IS THAT IT CHERISHES ITS NATIONAL INDEPENDENCE AND ITS OWN FORM OF GOVERNMENT. LET US DEMAND AND ACT NOW FOR AN END TO THE BOMBING OF THE DEMOCRATIC REPUBLIC OF VIET-NAM!

This pamphlet has been endorsed by, among others:

Jacqui Brouchard
Joe Ben-David
Joanna S. Eisenberg
Roland Hirsch
Robert Hirschfield

Robert A. Hollis, Post #15
American Legion Commander
Jane Jaffe
Sandy Kaymen
Kazu Okada
John Phelps

Paul Prensky
Alan Shapiro
Austin Straus
Armand Storaice
Trudith Storaice

McCOMBS EXHIBIT No. 2-E



U.S. COMMITTEE TO AID THE
NATIONAL LIBERATION FRONT
OF SOUTH VIETNAM

103 Macdougall St Room 5 NY 10012 Tel YU 2-7162

You, the American Citizen, have the obligation to try to repair the damage being done to the Vietnamese people by your government.

WE THEREFORE urge you to send medical equipment or money for medical aid, not to the military puppet regime in Saigon, but directly to the National Liberation Front of South Vietnam. This is the only government which truly represents the people and can see that your aid gets to those who really need it.

SEND medical supplies (list of suggested items supplied on request) to:

THE LIBERATION RED CROSS, C/O MR. TROM XUAN PHO, COMMERCIAL ATTACHE,
ROOM 608, 2A DES VOEUX ROAD, CENTRAL, HONG KONG.

MAIL contributions by International Bank Draft via Registered Mail to:

THE NATIONAL LIBERATION FRONT OF SOUTH VIETNAM MISSION, 100-60972,
CESKOSLOVENSKA OBCHODNI BANKA, A.S., PRAGUE, CZECHOSLOVAKIA.

or to the National Liberation Front Mission in Paris, Algiers, or Moscow.

CABLE money to: "VINACOR", HONG KONG.

(Receipts for medical purchases will be forwarded on request.)

DO NOT send money for medical aid to our committee - we will gladly accept separate contributions to help us to further publicize the need for medical aid in Vietnam. In addition to our button (pictured above, in red and blue @ 25¢ each), we have for sale a large selection of Vietnamese literature. Send \$1.00 to cover costs for a bibliography and price list. Speakers on the National Liberation Front available.

----- tear here -----

SUPPORT THE COMMITTEE TO AID THE NATIONAL LIBERATION FRONT

1. I would like to: WORK WITH US-CANLF ___ Be on mailing list ___

Come to a meeting for more information ___

2. Skills (typing, lettering, speaking, etc.): _____

3. Resources: Car ___ Office equipment ___ Space ___ Other _____

4. Languages: Viet ___ Mandarin ___ Cantonese ___ Other _____

Name _____ Age _____ Phone _____

Address(es) _____ School _____

McCOMBS EXHIBIT No. 2-E—Continued

STATEMENT OF POLICY

20 November 1965

THE U.S. COMMITTEE TO AID THE NATIONAL LIBERATION FRONT OF SOUTH VIETNAM (CANLF) supports the aims of the National Liberation Front of South Vietnam (NLF) for "Independence, Democracy, Peace, and Neutrality." We support the right of the people of Vietnam for self-determination - without the presence of U.S. troops - and we agree with the important NLF statement of March 22, 1965:

1. The U.S. is the aggressor and has violated the Geneva Agreements.
2. The NLF is determined to achieve an Independent, Democratic, Peaceful and Neutral South Vietnam, with a view to national reunification.
3. The NLF will liberate South Vietnam and defend North Vietnam,
4. The NLF is ready to receive all assistance, including weapons.
5. The whole United People will defeat the U.S. aggressors and the Vietnamese traitors."

The CANLF supports the NLF position on negotiations as contained in Article 2 of their March 22 statement, and as further explained in their September 25, 1965 statement - that in order for negotiations to begin, the U.S. must agree to the following principles: 1) Withdrawal of all U.S. troops, 2) A return to the 1954 Geneva Agreements, 3) Respect for the rights of the NLF as "the only genuine representative of the 14 million South Vietnamese people," which must have its decisive voice in the formation of any new government in South Vietnam.

The CANLF calls for an immediate ceasefire and an end to the bombings of both North and South Vietnam, and the immediate withdrawal of all U.S. troops from Vietnam.

It is the purpose of the CANLF to bring to the U.S. public an awareness of the just and moral aims of the Vietnamese people in their resistance to efforts by the U.S. government to "pacify" their country. In doing this, we hope to arouse public indignation at the unjust nature of the U.S. position and actions, and thus bring about a call for peace - a peace which will allow the Vietnamese to determine their own affairs.

X-1000

MCCOMBS EXHIBIT NO. 2-E—Continued

The resistance of the people of South Vietnam is an indigenous movement of political-ly and religiously diverse groups (and individuals) which was organized in response to years of oppression and illegal action by the U.S. government and its various "puppet" regimes in Saigon. In order to counteract the U.S. government's propoganda - which falsely teaches the public that the "enemy" is an outside, "communist" ag-gressor - we will continue to make use of various educational means. These are: To make available to the U.S. public literature from North and South Vietnam; to dis-seminate analyses and reprints of the structure and political nature of the NLF and the DRV (Democratio Republic of Vietnam - North Vietnam); to provide expert speakers on the history of the NLF and DRV for formal discussions, street meetings, teach-ings, etc.; and to work with all groups for recognition of the legitimacy of the NLF in its struggle for victory and liberation. In addition, we urge all people to send medicines or money for medical supplies to the NLF through their foreign missions.

The U.S. government is trying to stifle, at tremendous cost and risk, a liberation struggle which is setting the example for all oppressed people. Those in this coun-try who are for "Peace", but refuse to concern themselves with who the people "on the other side" are, what is motivating them to fight, and why the U.S. is really involved in Vietnam, are by default supporting the policies and efforts of the U.S. government to stop the liberation struggles of people everywhere.

THEREFORE it is not enough to be for peace - a "peace" that would keep the Vietna-mese from completing their struggle for liberation. Rather, if this war is to be stopped, if escalation is to be prevented, if the "brutalization" of our own country is to be reversed, if the rights of the Vietnamese, the Americans, and all peoples are to be protected, it is the position of CANLF that THE PEOPLE OF THE UNITED STATES MUST SUPPORT THE NATIONAL LIBERATION FRONT OF SOUTH VIETNAM AND ITS VICTORY.

The U.S. Committee to aid the National Liberation Front of South Vietnam is an ad hoc organization with its headquarters at 103 Macdougall Street, New York, N.Y. 10012, Room 5. Telephone (212) YU 2-7162.

McCOMBS EXHIBIT No. 2-E--Continued



U. S. COMMITTEE TO AID THE
NATIONAL LIBERATION FRONT
OF SOUTH VIETNAM

103 Macdougall St. NY 10012
Room 5 Tel. 212 YU 2-7162

6 January 1966

Dear Friend,

Because we have received so many requests for information on the structure of the National Liberation Front of South Vietnam, its history and literature, we are informing our friends of a course to be given at the Free University this coming semester. This course titled; Literature of the Vietnam Liberation Fronts -- 1936-66, will be conducted by Miss. Charlotte Polin and will cover much more than the course title indicates. It will include, for example, the formation of the NLF and also "the mutual influence and relation of North Vietnam and the NLF and the development of the United Front in North and South Vietnam as a model for underdeveloped and developed worlds..." It will provide an analysis of the basic political assumptions of the NLF -- as well as a review of Vietnamese literature.

Miss. Polin has recently completed a book on the DRV and is currently writing one on the NLF. She has for the past four years, made an exhaustive study of Vietnamese literature and has contributed both her time and knowledge as a research staffer for this committee. We believe her to be one of the few genuinely qualified speakers on the NLF and consider her course to be an invaluable aid for effective work with this committee and certainly an aid to any thorough understanding of the present circumstances in Vietnam.

In addition to Miss. Polin's course, we recommend a second one dealing specifically with the "Ideological Question in Vietnam" which will be presented by Leonard Liggio and Rusel Stetler, Jr. and is scheduled so as not to conflict with the first course.

(POLIN ----- MON. 8:30 PM)

(LIGGIO + STETLER ----- WED. 8:00 PM)

The necessary books and pamphlets for Miss. Polin's classes will be provided at a discount by our committee. Course schedules and other information is available from the Free University, 20 east 14th Street, New York, NY 10003, TEL: OR 5 - 7424.

We hope to see you soon and you may feel free to call us anytime we may be of service.

Yours for liberation,

Walter Teague
Walter Teague
Chairman

McCOMBS EXHIBIT No. 2-E—Continued

COMMITTEE TO AID THE NATIONAL LIBERATION FRONT OF SOUTH VIETNAM

A PUBLIC DEMONSTRATION DEMANDING THAT THE SOVIET UNION PROTEST THE SLAUGHTER OF THE LEADERS OF THE NATIONAL LIBERATION FRONT OF SOUTH VIETNAM

**** THE SOVIET UNION HAS A MORAL OBLIGATION AS CO-CHAIRMAN OF THE GENEVA AGREEMENTS AND AS A SOCIALIST BROTHER OF THE NATIONAL LIBERATION FRONT OF SOUTH VIETNAM TO DEMAND THAT THE UNITED STATES REFRAIN FROM ITS CONTINUED ILLLEGAL AND IMMORAL ATTEMPTS TO KILL THE LEADERS OF THE DE FACTO GOVERNMENT OF SOUTH VIETNAM.

**** WE, AS AMERICAN CITIZENS ASHAMED OF THE CRIMINAL ACTIONS OF THEIR GOVERNMENT, DEMAND THAT THE SOVIET UNION FINALLY DRAW THE LINE. WITH THEIR BEST MEN DESTROYED, THE SOUTH VIETNAMESE PEOPLE WOULD HAVE NO HOPE OF GENUINE PEACE. WE DEMAND THAT THE SOVIET UNION BREAK ITS SILENCE, SEND AN ULTIMATUM, DRAW THE LINE NOW!!!

**** TELL OUR GOVERNMENT TO STOP THE WAR OF AGGRESSION, TO STOP THE SLAUGHTER OF CIVILIANS, TO STOP THE BOMBING OF HOSPITALS AND SCHOOLS, TO ABOVE ALL TO STOP TRYING TO WIPE OUT THE POPULAR AND IRREPLACEABLE LEADERSHIP OF THE NATIONAL LIBERATION FRONT, THE GOVERNMENT SUPPORTED BY 80% OF THE PEOPLE.

**** LET US HEAR THE USSR SPEAK ! ****

JOIN US AT THE SOVIET MISSION ON SAT. 2 OCT. 136 E. 67th St.

TO PICKET FOR ACTION FROM THE USSR AT 12:00 NOON

CANLF-SV NY: APT. 5, 103 MACDOUGAL ST., NY NY TEL: YU 2-7162

Mr. ICHORD. And, Mr. Chairman, I have at this time a privileged motion to make. I do have communications which I deem to be confidential that I think should be taken up in executive session. Therefore, I respectfully make the privileged motion that the committee go into executive session. And because of the number of people in the hearing room today, I would suggest that the committee retire to another room for the holding of this executive session.

Mr. ASHBROOK. Mr. Chairman, before that motion is made—would you withhold that a moment?

I would like to state for the record that after the attorneys left the hearing room this morning, two of them, Mr. Joseph Forer and Mr. Ira Gollobin, reentered the hearing room a few minutes later. I am not saying this with the idea in mind of any imputation of motives or questioning their right to do so, but merely the fact that the record should reflect this, so if any eventual case or contest should come out of it, it would be known that they reentered.

I would also like to note for the record that another of the attorneys who reentered the room shortly after 3 o'clock was Mr. Pemberton, who is now here, and also Mr. Kinoy, the attorney who was ejected this morning. Again with no reflection—just merely to show for the record that they have reentered the room.

Mr. PEMBERTON. Mr. Chairman—

Mr. POOL. The witness is excused temporarily. He is still under subpoena and, also, he has the protection of the statute I mentioned before.

Mr. PEMBERTON. Mr. Chairman—

Mr. POOL. And with that in mind, the committee will stand in recess.

Mr. PEMBERTON. Mr. Chairman, before you rule, I request the committee to hear me for a brief special statement concerning the present status.

Mr. POOL. We have a motion before the Chair right now—

Mr. PEMBERTON. I know, sir.

Mr. POOL. And that is for recess. I understood that you had withdrawn from the case.

Mr. PEMBERTON. That is correct.

Mr. POOL. You can come back and talk to us. We are going in recess right now, because a member of the committee has made a privileged motion.

The Chair is going at this time to take a vote on it.

All in favor, say "aye." Opposed, "no."

We are in recess now for 1 hour.

(Whereupon, at 3:30 p.m., the subcommittee recessed.)

(The subcommittee reconvened at 4:30 p.m., Hon. Joe R. Pool, chairman of the subcommittee, presiding.)

(Subcommittee members present: Representatives Pool, Ichord, Ashbrook, and Buchanan, and also Representative Clawson, alternate member.)

Mr. POOL. The committee will come to order.

Mr. Pemberton.

Mr. PEMBERTON. Mr. Chairman.

Mr. POOL. Yes.

Mr. PEMBERTON. I request of the committee an opportunity to be heard for a special statement concerning the present status of the subpoenaed witnesses. It is a very brief statement.

Mr. ASHBROOK. Just a second. These witnesses that you represent? I thought you had removed yourself as an attorney.

Mr. PEMBERTON. This is for the status of the unrepresented witnesses.

Mr. ASHBROOK. That wasn't my question, Mr. Pemberton. Are you representing any witnesses? Your last statement was you had removed yourself as an attorney for all witnesses before this hearing. Is that not correct?

Mr. PEMBERTON. Your statement is correct, and that is why I refer to them as unrepresented witnesses.

Mr. ASHBROOK. But now your status: Are you representing them?

Mr. PEMBERTON. I am not representing them, or they would be represented.

Mr. ICHORD. Mr. Chairman—

Mr. ASHBROOK. Then I would make the point that—all right. Go ahead.

Mr. ICHORD. Mr. Chairman, of course Mr. Pemberton can have no standing to make any statement before this committee at this time, but I am rather curious as to what Mr. Pemberton has to say and I would suggest that we relax the rules of the committee and let us hear Mr. Pemberton, even though he is not entitled to any standing before the committee.

Mr. ASHBROOK. Mr. Pemberton's statements have always been orderly and to the point, and I think we can relax the rules.

Mr. POOL. Go ahead.

Mr. PEMBERTON. Mr. Chairman, I thank you for the opportunity to make the statement. Because counsel for all of these witnesses have been forced to withdraw for the reasons stated by each of them this morning and because of the utter disregard by this committee of these witnesses' right to counsel, they are presently unrepresented before it.

I want to state the opinion of all of these attorneys who have signed this statement with me as to the present rights of these witnesses.

First, although we have been able to bail Mr. Kinoy out of jail, and he stood beside me an hour ago, the brutal treatment offered him has all but destroyed any chance we may ever have to represent our clients adequately. Attorneys cannot function in an atmosphere of terror and intimidation. The fundamental constitutional right to be represented by counsel means counsel free from brutalization and terrorization.

Second, the rights of these witnesses have been utterly disregarded by the committee in these proceedings, as the rights of other witnesses have been similarly disregarded in the past. Now, as before, the rules of this committee prohibiting the disclosure of the identity of subpoenaed witnesses before a scheduled hearing have been violated by the public release of the names. Moreover—

Mr. POOL. Are you accusing this committee of publicly releasing the names?

Mr. PEMBERTON. I am stating that the names have been publicly released.

Mr. POOL. Are you saying the committee did it? Or the committee staff did it?

Mr. PEMBERTON. I am saying that the rules have been violated.

Mr. ICHORD. Do you have any evidence of that, Mr. Pemberton?

Mr. PEMBERTON. I think the evidence was offered in Mrs. Axelrod's motion.

Mr. ASHBROOK. Mrs. Axelrod did not answer the question.

Mr. ICHORD. That was merely a motion.

Mr. PEMBERTON. Mrs. Axelrod offered the statement of the reporter, Ed Montgomery.

Mr. POOL. All right, you are making a statement. Do you have proof of that?

Mr. PEMBERTON. Mrs. Axelrod was here with the proof of it at the time.

Mr. POOL. You do not have proof of that.

Mr. PEMBERTON. I do not have it here with me.

Mr. POOL. I just wanted to point out, you are not offering any proof.

Mr. PEMBERTON. The proof was offered yesterday, and I don't have any with me.

Mr. ASHBROOK. Purported proof.

Mr. ICHORD. I think the record will show that there was no proof.

Mr. POOL. I can assure you that that has not happened from the committee or the staff.

Mr. NITTLE. And, Mr. Chairman, may I suggest that it does not seem proper for this counselor to make unfounded accusations against this committee.

Mr. POOL. The record will show that. Go ahead.

Mr. PEMBERTON. Moreover, the denial to witnesses of an opportunity to confront and cross-examine witnesses who presented defamatory evidence against them reflects a disregard of the most elementary principles of fair procedure.

Under these circumstances, we believe that whatever command the subpoenas may have had for these witnesses to respond when called to testify is necessarily destroyed.

Finally, our clients themselves have been adversely affected by the unrelenting efforts of the committee to intimidate their attorneys, as well as by the unnecessary force continually applied to other persons summarily ejected from the hearing room. They are now, in fact and in law, unrepresented and unable to be represented by lawyers of their choice.

The statement is signed by John J. Pemberton, Arthur Kinoy, William M. Kunstler, Jeremiah S. Gutman, Frank Donner, Joseph Forer, Ira Gollobin, and Beverly Axelrod.

Mr. POOL. And all of these lawyers have disassociated themselves with representing witnesses before this committee. Is that correct?

Mr. PEMBERTON. I speak for myself and I think the statement speaks for itself. I have disassociated myself and I think the committee heard the other lawyers.

Mr. POOL. Are you saying the other lawyers have disassociated themselves from the witnesses that are appearing before this committee?

Mr. PEMBERTON. I am saying that I have done so and that I believe this statement speaks for itself.

Mr. POOL. But you are not speaking for the other lawyers in that regard?

Mr. PEMBERTON. I am speaking for the other lawyers only in the words that I read.

Mr. POOL. All right, I just wanted to get it right.

Mr. ICHORD. Mr. Chairman, I have no desire to argue the point with Mr. Pemberton. The Chair has given him an opportunity to make his statement. I think the Chair has been lenient in that regard. I would point out to Mr. Pemberton, and he is an attorney—president of ACLU is my understanding—I am sure that Mr. Pemberton, as an attorney, is familiar with the rules of this committee. I am sure that he consulted those rules before he undertook to represent his client. I am certain that he is familiar with rule VII of the committee, which reads:

A—At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

“B”—and this is the important part:

B—The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the Committee, but shall confine his activity to the area of legal advice to his client.

Now that is the rule of the House Committee on Un-American Activities, and there is a similar rule which exists, having application to all of the committees of Congress.

Mr. Chairman, I personally was not present when the incident occurred this morning, but it is my understanding, and I am sure that the record will show, that the attorney who was ejected from the hearing was not representing any client at that time. His client was not called, but he was engaging in oral argument with the committee. And I would further point out, as I pointed out when I did return to the committee, as the counsel were objecting, that this whole matter of counsel withdrawing is put in serious question by the statement handed out by Dr. Allen M. Krebs.

The committee will recall that the attorneys withdrew, one by one, and then the order of procedure was that the attorney of Mr. Krebs, Dr. Allen M. Krebs, withdrew. And immediately, thereafter, Dr. Allen M. Krebs stood up in the audience and announced that he wished to make a statement, and the Chair advised him that he would be permitted to, that he would be called at a later time. He then announced that he was leaving the room, and as he left the room, he handed out a mimeographed statement, which reads, and I again read the last paragraph:

As I leave this room, to my brothers who stand here after me today, this week, next month—and there are signs that the Inquisition of the Sixties has now begun—you have my respect and my compassion.

Now at least, Mr. Chairman, this is conclusive evidence, conclusive evidence that Dr. Krebs did not intend to testify here today. And in view of the action that was taken, the order or procedure, and in view of the fact that he is a part of it, I think it is pertinent evidence that this whole matter was preconceived by the attorneys and that they withdrew, one by one, in order to harass and embarrass this committee.

That, Mr. Chairman, of course, was handed out by Dr. Krebs, and I do not believe that his statement has been made a part of the record, and I would ask that this be made a part of the record now.

Mr. ASHBROOK. Mr. Chairman.

Mr. POOL. Without objection, so ordered.

(Dr. KREBS' statement follows:)

DR. ALLEN M. KREBS STATEMENT TO HUAC, WEDNESDAY, AUGUST 17, 1966

Gentlemen: I have spent my life as a student, a scholar, a teacher and an observer of world social and political history.

If there is a word to describe the events in this Congressional Hearing Room that word is grotesque. It is grotesque that the twelve individuals subpoenaed here should be accused of plots, conspiracies and of possessing Peking gold. It is grotesque that they should be barked at, gavelled at and carried bodily from the room. It is grotesque that their inquisitors should be a group of politicians whose mentalities seem to be locked in another time—an America of the small town a hundred years ago. And this is happening in midsummer 1966 in the most powerful industrial nation in history: a troubled nation, true—a white-dominated island, a country threatened by the revolutionary storms in Asia, Africa and Latin America, and increasing racial ferment at home. But still, after all, a nation based upon the thoughts and traditions of the West.

I submit that it is necessary, imperatively necessary for us to understand what this sort of grotesque circus means in the history of peoples. In our culture of business deals and Batman, Metrecal and TV and with the highest standard of living in the world, this is admittedly a steep expectation. Better to explain reverses in Vietnam as treason in America—not Vietnamese courage. Better to explain social concern and a sense of history as "alien Marxism-Leninism"—not a desire to understand our collective life in this society, our collective humanity.

That we exist, those who are witnesses in this room, and that there are thousands of others outside—this is really the only source of hope. The alternative lies available for inspection still in most college libraries—check Auschwitz or Goebbels or Goering or Roehm or Streicher or SS or Zyklon B.

It is impossible for me, knowing what I know, having been exposed to the books I have read, to the things that I have seen, to participate in or contribute to forces which would hasten our descent into a racist, super-chauvinist America.

The only position I can now take is one of resolute opposition to the work of this committee. Its built-in assumption of guilt termed un-American activities, its rules, its procedures, its use of witnesses—can be characterized in 2 words—a cruel farce. Insofar as there are courts that can be appealed to I shall appeal to them. I have asked the federal courts to strike down this committee as unconstitutional. The reasons I have for believing this are contained in the documents of that case. Insofar as a Constitution still exists, I shall request what protection it affords. There is the risk of fine, of imprisonment, but it is a risk I must in good conscience accept.

As I leave this room, to my brothers who stand here after me today, this week, next month—and there are signs that the Inquisition of the Sixties has now begun—you have my respect and my compassion.

Mr. ASHBROOK. Mr. Chairman, I was present when the unfortunate incident happened. I was sitting beside the chairman. I did hear the colloquy, and Mr. Pemberton has used the words "utterly disregarded" in connection with the committee conduct, "utterly disregarded" certain rights, and so forth.

Nothing could be any further from the case.

Orderly procedure is the heart of the judicial system. It certainly is the heart of sound legislative procedure. It is the chairman's duty, it is his obligation, it certainly is his right, to maintain order. I know of no court in the land where six attorneys could besiege the chairman, three or four of them endeavoring to speak at the same time, not responding to the order of the chairman when he told them to sit down or when he told them to be silent, when he endeavored to operate in orderly procedure. As much as I, as a member of the bar, a member of this committee, would regret the action that was taken, I would certainly say to my chairman that I completely ratify the action that

was taken, that we are going to maintain orderly procedure, and that I congratulate you for endeavoring to do it.

Although the conduct, or although the action you took might seem, to some, to be arbitrary, we can't possibly allow mob rule. This committee gets it both ways. If we allowed you to besiege this Chair, to speak out of order, to have disorderly procedure, we would be accused then of running a circus.

When we have orderly procedure, when we make you cease and desist these actions, then we are accused of being dictatorial. Well, this happens on everything. We get the same arguments, on executive hearings, on open hearings. And I, for one, am glad the chairman did require the attorneys, who, after all, are officers of the court, and while this isn't a court, they certainly should constrain themselves to a type of conduct which would be conducive to proper proceeding on legislative business which is pertinent and which we have a right to investigate.

So I, as one who was present, would certainly ratify the action of the chairman, although I would be the first to admit that I have some regrets that it was necessary to have it. But it was foisted upon the chairman, with four, five, and six, Mr. Donner, Mr. Kinoy, Mr. Pemberton, Mr. Kunstler, Mr. Gutman and Mrs. Axelrod, all at the same time, besieging the Chair. We can't possibly tolerate this, and I think the chairman's action is correct.

Mr. PEMBERTON. Mr. Chairman, I accept Congressman Ichord's suggestion that this is not the place for an argument as to what occurred. I shall not engage in any such argument.

As to the inference that the attorneys planned something in advance, I can only speak from my personal experience. I have never, in many years of the practice of law, in which I was engaged before I became executive director of the American Civil Liberties Union, felt the personal shock that I felt at the experience that occurred this morning. My statement came from the heart. The action that I took occurred because of what I saw in this committee's presence. I am grateful to the committee for hearing my statement.

Mr. GOLLOBIN. Mr. Chairman, may I be heard on just one point? I know I withdrew, but there is something that occurred.

Mr. ASHBROOK. Can Mr. Gollobin please approach, Mr. Chairman?

Mr. POOL. Proceed.

Mr. GOLLOBIN. I wish to explain the absence of one of my clients as it occurred while the proceedings were in recess. He has been coming here several days, but in accordance with the discussion with the Chair, as the Chair will recall, they were not present earlier today.

Since I withdrew, I instructed my clients to be here for the afternoon session. In endeavoring to enter the room, he was wearing a button which he had worn all throughout these proceedings, in approaching the Chair before and in entering the room repeatedly.

Now it happens he has a crippled arm; and when he was told to remove this, which he can't do with that arm, where it was in his lapel, the police thereafter arrested him, construing his action as resistance; and for this reason, he is not present here today. His name is George Ewart.

Mr. POOL. Thank you.

Mr. ICHORD. Mr. Chairman, I don't intend to belabor this point, but I would like to have the indulgence of the committee to make one more suggestion to the committee as to how to proceed from here on.

I personally have heard enough from this investigative hearing to come to the conclusion that the bills which are now pending before the committee are very desirable pieces of legislation, and I speak of H.R. 12047, H.R. 14925, and the bill also introduced by Congressman Ashbrook.

I submit that the testimony of Mr. Luce, the testimony of Mr. McCombs, and the testimony of Mr. Gordon does indicate that there is enough going on in this country that the Congress needs to pass H.R. 12047, and I would suggest to the Chair—and the Chair will remember that when he asked me if I would support such legislation, I did state that I would support it if he could frame such a bill to satisfy constitutional objections, that I personally had—I will state that I believe that the Chair has done a very commendable job in drafting this bill.

It is very narrow of purpose, but it does establish criminal punishment, criminal penalties for assistance to hostile forces and, also, punishment for obstructing military personnel or transportation. And I would suggest, Mr. Chairman, that you proceed as quickly as you can to conclude this part of the investigative hearing, and I would suggest this to the counsel, too—let's get as quickly as we can to the legislative hearings, hear the pros and cons on these bills and report them to the House in proper form, and I predict that the House will take immediate and very decisive action on such legislation.

Enough has been shown to me already that there is a need, a very serious need, for such legislation.

Mr. POOL. Well, thank you, Mr. Ichord. I think that your point is well taken.

Any other comment?

Mr. Buchanan?

Mr. BUCHANAN. I would certainly associate myself with Mr. Ichord's remarks, Mr. Chairman.

Mr. POOL. Counsel, call the next witness.

Mr. NITTLE. Would Allen Krebs come forward, please?

Mr. POOL. Call his name again.

Mr. NITTLE. Would Allen Krebs come forward, please?

Mr. POOL. Call his name a third time, and let the record show that his name was called three times.

Mr. NITTLE. Would Allen Krebs come forward, please?

Mr. POOL. Call the next witness.

Mr. NITTLE. I note for the record there is no response, Mr. Chairman.

Mr. POOL. Let the record show that Allen Krebs failed to respond when his name was called three times—a subpoenaed witness.

Now call the next witness.

Mr. NITTLE. Would Walter Dorwin Teague III come forward, please?

Would Walter Dorwin Teague III come forward, please?

Mr. POOL. Call his name again.

Mr. NITTLE. Would Walter Dorwin Teague III come forward, please?

Mr. POOL. Call it one more time.

Mr. NITTLE. Would Walter Dorwin Teague III come forward, please?

Mr. POOL. Let the record show that Walter Teague III failed to respond when his name was called.

Call the next witness.

Mr. NITTLE. Would Stanley Nadel come forward, please?

Would Stanley Nadel come forward, please?

Mr. POOL. Wait just a minute.

Do you have an attorney present to represent you?

Identify yourself.

Mr. NADEL. My name is Stanley Nadel.

Mr. POOL. Do you have an attorney present to represent you?

Mr. NADEL. My attorney has been forced by this committee to withdraw.

Mr. POOL. Do you desire other counsel?

Mr. NADEL. I would desire counsel of my attorney. It is impossible, under the rules of this committee, apparently. No attorney can be expected to submit to threats of violence when he objects to the procedures of this committee.

Mr. ICHORD. Mr. Chairman, would the witness be in order for just a minute?

This is one of the witnesses whose attorney has withdrawn from the case, and I would suggest, Mr. Chairman, that the witness be given the opportunity, until tomorrow at noon, to obtain an attorney, and if it is not possible for him, if he thinks it is not possible for him to obtain an attorney, I would suggest that the staff confer with him, in order that he might obtain an attorney, one that can be furnished to him, because he does have the right to be represented by counsel for the purpose of giving him advice. Of course, many of the attorneys who practice before this committee do not confine themselves to that, so I would suggest, Mr. Chairman, that he be excused, with that understanding.

Mr. POOL. You have heard the statement of a member of the committee, and I agree with it. If there is no objection, I so instruct you, that you will have until noon tomorrow to either employ an attorney of your choice or if you can't do that, then you can confer with the staff, and they will discuss it with the lawyers downtown and see if legal counsel can be furnished to you, if you wish that.

Mr. ASHBROOK. Incidentally, we might point out the attorneys come from the bar association or the American Civil Liberties Union, they are not our attorneys, so don't feel that bad about it.

Mr. POOL. So you are passed until tomorrow at noon and you will have that time to do that.

Mr. NADEL. I would like to—

Mr. POOL. Oh, you are still speaking.

Mr. NADEL. I would like to state at this time that I would not be inclined to trust any attorney who would be willing to appear under the conditions that we witnessed with Mr. Kinoy.

Mr. POOL. Well, you will have your chance tomorrow.

We will call your name again tomorrow at noon.

Mr. NADEL. As you wish.

Mr. POOL. And see what you wish to do.

All right, now, Mr. Nittle, do you have a next witness? Call your next witness.

Mr. NITTLE. Would Anatole Ben Anton come forward, please?

Would Anatole Ben Anton come forward?

You are Anatole Ben Anton?

Mr. ANTON. Yes.

Mr. POOL. Are you represented by counsel?

Mr. ANTON. No; I was deprived of counsel.

Mr. POOL. Do you desire a counsel?

Mr. ANTON. I certainly do.

Mr. POOL. I will give you the same instructions that I gave the witness a moment ago, and that is, you will have until tomorrow at noon to either employ counsel of your choice or, if you can't find counsel, discuss it with the staff, and they will attempt to get counsel for you downtown.

Mr. ANTON. I would just like to repeat, Joe, that, as Mr. Nadel said, I would never trust an attorney that would——

Mr. POOL. You will have until tomorrow, and you can make your statement then.

Mr. ANTON. Thank you.

Mr. POOL. Next witness.

Mr. NITTLE. Would Stuart McRae come forward, please?

You are Stuart McRae?

Mr. McRAE. Yes, I am.

Mr. POOL. Are you represented by counsel?

Mr. McRAE. Not at present.

Mr. POOL. Do you desire counsel?

Mr. McRAE. Yes, I do.

Mr. POOL. You will have until noon tomorrow to employ counsel of your choice. If you do not avail yourself of that, you can discuss it with the staff. If they can help you in any way, we will be glad to help you out.

Next witness.

Mr. NITTLE. Would Steven C. Hamilton come forward, please?

You are Steven C. Hamilton?

Mr. HAMILTON. That is right.

Mr. POOL. Do you have counsel?

Mr. HAMILTON. I would like to make a word of explanation about that, and that's that the question of force and violence has been brought up before this committee, and you know who initiates force and violence, and I think the Fascist manner in which this lawyer was carried forcefully from the courtroom today, the way this lawyer was carried out of this courtroom——

Mr. ASHBROOK. Mr. Chairman, the witness can't have it both ways. If he wants to testify without the benefit of attorney, he should respond to questions. We are not going to let him have it both ways.

Mr. POOL. Do you have a counsel?

Mr. HAMILTON. I wouldn't ask a counsel to represent me here and be subject to the same kind of procedures.

Mr. POOL. Well, I will give you that instruction, then, and let the record show that I have instructed the witness to be here tomorrow with counsel of his choice. If he can't obtain counsel, that the staff will

try to attempt to get him counsel downtown. They will confer with you.

Next witness.

Mr. NITTLE. Would Steven Cherkoss come forward, please?

You are Steven Cherkoss?

Mr. CHERKOSS. That is right.

Mr. POOL. Are you represented by counsel?

Mr. CHERKOSS. No, this racist, reactionary committee prevented me from obtaining counsel, by expelling the counsel from this room.

[Demonstration.]

Mr. POOL. I will give you the same instruction. You have until noon tomorrow to get counsel of your choice. If you want to confer with the staff, you can.

[Demonstration.]

Mr. CHERKOSS. The blood of the American soldiers is on your hands!

[Disturbance and demonstration.]

Mr. POOL. Let's have order.

Counsel, call the next witness.

Mr. NITTLE. Would John Windrim Smith, Jr., come forward, please?

You are John Windrim Smith, Jr.?

Mr. SMITH. That is correct.

Mr. POOL. Do you have counsel?

Mr. SMITH. No, I do not.

Mr. POOL. Do you desire counsel?

Mr. SMITH. Yes, I do. My counsel was forced to withdraw because of the actions of this committee.

Mr. POOL. You will have until noon tomorrow to get counsel of your choice, or you can confer with the staff, as I have instructed the others. You are passed until tomorrow at noon.

Call your next witness.

Mr. NITTLE. Would Jerry Clyde Rubin come forward, please?

You are Jerry Clyde Rubin?

Mr. RUBIN. My name is Jerry Clyde Rubin, and I am wearing this uniform of the American Revolution of 1776—

Mr. POOL. Let me ask you a question: Are you represented by counsel?

Mr. RUBIN. —because I want to make the point—

Mr. POOL. Are you represented by counsel?

Mr. RUBIN. I want to be represented by counsel of my choice, but I was deprived of that right this morning, by the way you treated my attorney here.

Mr. POOL. You will have until noon tomorrow.

Mr. ASHBROOK. Mr. Chairman, he is out of order.

Mr. RUBIN. I would rather be my own attorney than to accept a lawyer you would offer.

Mr. POOL. Please be silent. The reporter can't get all this down. You are out of order. You will have until noon tomorrow. You may get counsel, or confer with the staff.

Next witness.

Mr. NITTLE. Mr. Chairman, I believe the witness, George Ewart, is unavailable at this time, but perhaps there should be a statement of record by his counsel, who I believe is present.

Mr. ASHBROOK. Is that Mr. Gollobin?

Mr. POOL. Call his name.

Mr. NITTLE. George Ewart, Jr.

You are George Ewart, Jr.?

Mr. EWART. No. I am George Hamilton Ewart, Jr.

Mr. NITTLE. You have been subpoenaed to appear to testify before this committee?

Mr. EWART. That is right.

Mr. POOL. Are you represented by counsel?

Mr. EWART. The committee has shown no guarantee of respect and security for counsel.

Mr. POOL. I asked you a question and I expect a civil answer.

Mr. EWART. I was answering the question.

Mr. ASHBROOK. It can be answered "yes" or "no," Mr. Chairman.

Mr. EWART. It is not the kind of question that I would like to answer "yes" or "no." This committee has shown no guarantee for respect and for the security of any counsel.

Mr. ASHBROOK. Mr. Chairman, the witness is out of order.

Mr. EWART. That's on the record.

Mr. POOL. Do you desire counsel?

Mr. EWART. Yes, I do.

Mr. POOL. You will have until noon tomorrow to obtain counsel and, if you can't obtain counsel that way, come to the staff, and they will try to help you get somebody to act for you as counsel.

Next witness.

Mr. NITTLE. Would Edwin Meese come forward, please?

Mr. POOL. The committee will stand in recess for 5 minutes.

(Whereupon a short recess was taken.)

(The subcommittee reconvened at 5:10 p.m. with the following members present: Representatives Pool, Ichord, Ashbrook, Buchanan, and Clawson.)

Mr. POOL. The hearing will come to order.

Call your next witness.

Mr. NITTLE. Would Edwin Meese come forward, please?

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

Mr. MEESE. I do.

TESTIMONY OF EDWIN MEESE III

Mr. NITTLE. Will you please state your name and business address?

Mr. MEESE. Edwin Meese III, business address is 900 Courthouse, Oakland, California.

Mr. NITTLE. What is your occupation?

Mr. MEESE. I am a deputy district attorney in the office of J. Frank Coakley, the district attorney of Alameda County.

Mr. NITTLE. Are you testifying here in response to a subpoena served upon you by this committee?

Mr. MEESE. Yes, I am. I was assigned by Mr. Coakley upon receipt of the subpoena, and I might add, if I may, that Mr. Coakley wishes me to mention to the committee that he was sorry he could not personally attend, but he is in Denver with the National Association of District Attorneys this week.

Mr. NITTLE. Has the district attorney examined into the activities of an organization known as the Vietnam Day Committee?

Mr. MEESE. Yes, it has.

Mr. NITTLE. Have you personally participated in such investigations?

Mr. MEESE. Yes, the office of the district attorney became involved with the Vietnam Day Committee for three basic reasons: first, the committee's activities in Alameda County involved a number of illegal actions, which resulted in the arrest, prosecution, and ultimate conviction of various members and, therefore, the district attorney's office was involved in this.

Secondly, at the request of the Alameda County grand jury, the district attorney's office conducted an investigation of some of the Vietnam Day Committee's operations in regard to the cost to the taxpayers for increased law enforcement effort that was made necessary by their actions. And also, the district attorney's office gives policy and legal guidance to the law enforcement agencies of Alameda County, and there have been a number of situations in which large groups of police officers were made necessary to control the Vietnam Day Committee's activities.

So in all of these areas, the district attorney's office was involved.

My particular involvement, as a legal adviser to the grand jury and also as a participant in the coordination and handling of special investigations, was to become involved both in personal observation of these activities and also in the analysis of the various documents and records accumulated by law enforcement agencies in the county.

Mr. NITTLE. Now, Mr. Meese, would you tell us, please, when and why your office became interested in the activities of the Vietnam Day Committee?

Mr. MEESE. One of the distinctive features of Alameda County is that Berkeley, California, is in our county, and located at that particular site is the University of California and also the headquarters of the Vietnam Day Committee. We, therefore, became acquainted with them because they are in our county and much of their operations take place there, and this first began in the summer of 1965, particularly when the troop train incidents, about which I am prepared to testify, took place in our county.

Mr. NITTLE. What has been the basic policy of the Alameda County law enforcement in relation to the Vietnam Day Committee?

Mr. MEESE. All of the police departments of the county and the sheriff's office, upon advice from our office as legal adviser to these people, have been very careful not to interfere with any lawful protest activity of the Vietnam Day Committee. However, there have been a number of situations in which they have had to take police action, either because of outright criminal offenses committed, or because the actions of the Vietnam Day Committee were dangerous to the public safety and to the lives and property of themselves and of other people.

Mr. NITTLE. When did the Vietnam Day Committee begin, and how was it initially established?

Mr. MEESE. The Vietnam Day Committee as an entity really began shortly after the 20th and 21st of May 1965. Prior to that time, there were a number of anti-Vietnam war efforts in the Bay area, principally organized by the Committee for Nonviolent Action—West and other groups, many of which do not have a formal organization.

On the 20th and 21st of May 1965, a group of people organized a massive teach-in at the University of California. The cochairman of this and the leaders of this then subsequently organized what they called the Vietnam Day Committee, taking the name for their committee from this teach-in on the 21st of May.

I might state that the organization of the Vietnam Day Committee then progressed from that point on.

Among the documents that I have is a notice that they put out. "The Vietnam Day Committee is holding an important organizational kick-off Meeting! Tuesday night, July 6." This would be the 6th of July 1965. And this was among the first organizational announcements of this organization when it formally became this type of activity.

I would like to offer this, if you wish, for the record, and it also has on the back a description of what they call "Where Is The Peace Movement In The Bay Area Headed?" which gives some of their plans and some of their objectives.

Mr. NITTLE. Would the reporter mark that as Exhibit 1, please?

Mr. ASHBROOK. Mr. Chairman, I make the motion that all exhibits offered be accepted into the permanent record, henceforth offered by the witness.

Mr. ICHORD. I would object to that, Mr. Chairman. I would like to know what the witness is going to submit for the record. I would hesitate to have the committee accept them before they are ever offered.

Mr. ASHBROOK. I will withdraw that. I will make the motion this document be accepted into evidence.

Mr. POOL. All right. No objection, it is so ordered.

(Document marked "Meese Exhibit No. 1." See p. 1110.)

Mr. MEESE. I might state, Mr. Chairman and members of the committee, that the initial people who were involved in the Vietnam Day Committee, or the VDC, as we often refer to it, and as they refer to it themselves, were not exactly strangers to the district attorney's office, many of them having previously participated in the Sproul Hall sit-in at the University of California and having been prosecuted by the district attorney's office following that event.

Mr. NITTLE. Following this organization, was the committee active in the San Francisco-Oakland area?

Mr. MEESE. Yes, they were active and they engaged, as I mentioned, in the troop train demonstrations. They engaged in some marches headed towards, but not reaching, the Oakland Army Terminal and a number of other activities, which I can testify to in detail.

Mr. NITTLE. Would you describe the general characteristics of overt acts engaged in by the Vietnam Day Committee?

Mr. MEESE. Yes. During the period from their troop train demonstrations in August of 1965 up through the present, as late as the recent

weeks, there were certain characteristics which were common to almost all of the Vietnam Day Committee activities.

First of all, they were characterized by detailed and careful organization and extremely detailed planning. The Vietnam Day Committee was not a sporadic or hit-and-miss organization; it was a continuous operation. They had at various times paid personnel; many of their leaders received pay for their living expenses. They had a permanent headquarters for a long period of time at 2407 Fulton Street, in Berkeley, and they had, as their leadership, steering committees which, while the membership changed from time to time, there was generally a permanent cadre which carried on their activities on a day-to-day basis.

Another characteristic was the logistical support and the detailed preparations of logistical support for their activities. For example, when they would have a demonstration, they would have an elaborate communications system, often with walkie-talkie radios to direct various portions of the demonstration. They had citizen band radios which were tuned in to monitor police frequencies, so they could tell what the police were doing. They had vehicles available for their demonstrations, trucks, sound trucks that were used, both during the demonstration and prior to demonstrations, to drum up the crowds.

They had elaborate signs, and perhaps the most common feature is the elaborate and large number of publications that they put out, leaflets which were distributed on college campuses, sometimes on high school campuses, and even, on occasion, on a door-to-door basis in the community.

Another characteristic of the activities was the fact that they utilized criminal violations, criminal law violations, which they characterized by the euphemistic term "civil disobedience," as a tactic in their activities. They had many discussions, for example, of whether civil disobedience, as they called it, would be a good tactic or a bad tactic. And if they concluded that in a particular event or incident, it would be a good tactic, then they engaged in this knowingly.

They did this for a couple of reasons: because they felt that whatever happened after some criminal law violation, they would stand to gain by it. If they were not arrested, then they would gloat over this fact, and if there had been a confrontation with police present, then they would make it a point, in their subsequent rallies and publications to say, "We were there and the police did not do anything to us." If there was no—if there were arrests, then they would carry on their protests when they were arrested in the jail—

Mr. POOL. Would you go just a little more slowly?

Mr. MEESE. All right.

In the jails, they would make a big point of making bail, getting people to raise bail, getting a defense fund. They would try and arouse sympathy from jail.

In the courts, if they were arrested, they would attempt to use this as a means of propaganda. This, by the way, these tactics, had previously been used to considerable extent in the so-called Free Speech Movement. If they were sentenced, then they would make the point of this and, on the day of sentencing, often would try and rally support by having many members of the Vietnam Day Committee in the courtroom.

In other words, whether they got arrested or whether they did not get arrested, if they had these confrontations with the police following law violations, they would then use this as a part of their overall scheme to attain their objectives.

Now, there was a subtle change, however, in their tactics from the troop train incidents on. Originally, they would announce in advance, and as we talk about some of their marches, you will see this technique used. They would announce in advance that there would be civil disobedience. When this brought considerable protest from some of the faculty members and others on the campus, then they changed, and at their rallies they would not announce civil disobedience, but they would more or less leave the implication that there might be civil disobedience, because the suspense of the possibility of arrest, clash with police, was utilized by them as a tactic to draw a crowd.

I think one other and final characteristic is the amount of legal assistance and legal advice that they had for all their operations. They had some attorneys who were with them and advising them in almost every aspect of their activities. And in their marches, they had a large group of attorneys, which included such people as Robert Treuhhaft, who had previously been arrested in the Sproul Hall deal with the FSM, and other attorneys who took part in their marches and were sort of, they called themselves "attorney observers," so there was a great deal of legal support among certain elements of the bar in the county for their activities.

Mr. NITTLE. Mr. Meese, would you describe the incident or incidents concerning the troop trains?

Mr. MEESE. The troop train demonstrations, which is probably the best known of the activities, took place on the 5th of August 1965, the 6th of August 1965, and the 12th of August. On the 5th of August, the demonstrations were led by Stephen Smale, who is one of the witnesses that I believe the committee is familiar with. I believe he was to be subpoenaed as a witness, but was not able to be served, if I understand correctly.

And a man by the name of Paul Ivory. Stephen Smale is a member of the faculty in mathematics at the University of California, and Paul Ivory, who is an assistant professor, Jerry Rubin—

Mr. RUBIN. I object. I would like to make a statement. I am without counsel because of the way my lawyer was treated. I want to represent myself.

Mr. NITTLE. I ask that this witness be seated until the end of the presentation of this witness.

Mr. RUBIN. I want to make a statement. I want to represent myself.

Mr. NITTLE. I ask that this man be removed.

Mr. ASHBROOK. Mr. Chairman, he cannot be removed.

Mr. RUBIN. My name is Jerry Rubin. It has just been introduced in the record without any notice, and I want to make a statement about it. I am now representing myself, apparently.

Mr. ICHORD. Mr. Chairman, I would suggest that the gentleman be seated. He will be called tomorrow and have the opportunity to deny—

Mr. RUBIN. I am representing myself.

Mr. ICHORD. —to refute in any way any allegations made against him.

Mr. RUBIN. I am sorry. My name was just introduced into the record. I have the right of cross-examination.

Mr. POOL. Now, come here.

Mr. RUBIN. Thank you. I mean, my name was just introduced by this gentleman into the record without my knowing about it, and I would like to make a statement.

Mr. POOL. What do you want to say?

Mr. RUBIN. First, I want to introduce myself. My name is Jerry Rubin. I would like to make an explanation as to why I am wearing the uniform of the American Revolution of 1776.

Mr. POOL. I don't care to hear that.

Mr. RUBIN. I am wearing it because America is degrading its 1776 ideals.

Mr. POOL. I am giving you the opportunity to make an objection and I am trying to be fair with you, so state your objection.

Mr. RUBIN. I am making this objection.

Mr. POOL. What is your objection?

Mr. RUBIN. I am making it right now.

Mr. POOL. What is your objection?

Mr. RUBIN. Would you wait one second and let me say it?

Mr. POOL. Real fast.

Mr. RUBIN. I want to do it——

Mr. POOL. Your way.

Mr. RUBIN. This gentleman has just mentioned my name and introduced it into evidence.

Mr. POOL. What is your objection?

Mr. RUBIN. And I have not been informed previously that he was going to make statements about myself that may defame my character; previously, so far, what he said about the Vietnam Day Committee has been, I think, complimentary, but he may be going to make statements, and has not yet, and I have not been informed that my name was to be introduced. That's my first objection.

My second objection is that I do not—that I want the right to cross-examine Mr. District Attorney Meese.

Mr. POOL. You have been named in the newspapers on many occasions, and I don't think you are being surprised by this statement.

Mr. RUBIN. This is a little different than a newspaper.

Mr. POOL. And your second objection——

Mr. RUBIN. I want the right to cross-examine.

Mr. POOL. —that you want the right to cross-examination; that is overruled also.

Mr. RUBIN. This gentleman is making statements about me.

Mr. POOL. I will overrule both objections. You have no others, so just be seated.

Mr. RUBIN. This is quite a courtroom.

Mr. POOL. Go ahead, Mr. Counsel.

Mr. MEESE. For the record, Mr. Chairman——

Mr. POOL. Let me ask you this: While we have got a moment there, did the Vietnam Day Committee use police brutality slogans out there?

Mr. MEESE. Yes, sir, they did; on a number of occasions. As a matter of fact, they did immediately following the troop train episode

on the 12th of August of 1965 in the *Berkeley Gazette* of the city of Berkeley and the *San Francisco Examiner*. Mr. Rubin and Mr. Smale were quoted as having charged the police with brutality and threatened further demonstrations after the police officers, many of them, had risked their lives to remove people from the tracks in front of the oncoming train.

Mr. POOL. All right, go ahead.

Mr. MEESE. As far as what happened in the troop train demonstrations, on the 5th of August, approximately 100 pickets and about a hundred more observers watched and picketed at the train station, the Santa Fe station on University Avenue in Berkeley. There were some pickets who jumped in front of the train as it was coming and then jumped away when it became obvious that the train would not halt.

While no one was hurt, there were some narrow escapes. And at that time, Stephen Smale announced that future demonstrations would be planned in an effort to get the trains to stop, and no arrests were made on this particular date.

The following day, I might add, that a setup, a network of observers had been set up by the VDC, along the tracks of the Santa Fe system in southern California and in Northern California; and they had telephone communications so that they could advise each other when the trains were coming, because as you know, troop train movements are unscheduled. And so they had this spotter system set up, so that they would be able to advise their colleagues in Berkeley. They knew the approximate date, and then they would advise them as to the exact time and gather the people there, in the vicinity of the Santa Fe station.

The 6th of August, they picketed twice and demonstrated twice, once at the Emeryville station of the Santa Fe and once at the Berkeley station, and were stopped from massing themselves in front of the track only by flying wedges of police officers and sheriff's deputies, who removed the demonstrators from the tracks.

In each case, they had signs; many of them threw leaflets at the train and utilized their sign as the troop trains were passing.

Perhaps the most massive demonstration against the troop trains was planned for and took place on the 12th of August. On that day and prior to that day, they distributed leaflets which said, "STOP the Troop Train!" and then gave some more information about the committee and about the Vietnam Day Committee's efforts to stop the troop trains. And on the back of this leaflet, it says, "Troop Train Picket No. 4— this Thursday, 8:45 a.m. WHAT WILL HAPPEN THIS TIME?" and then a picture which had been taken on the previous troop train demonstrations of some demonstrators running in front of the oncoming train.

I would offer this, if you wish, as an exhibit.

Mr. POOL. Without objection, the document is accepted.

(Document marked "Meese Exhibit No. 2." See p. 1112.)

Mr. MEESE. Along with this particular leaflet was passed out a leaflet at about the same time. It was prepared to be passed out on the troop train, if they could get it to stop, and that was a leaflet that was titled "Mississippi Negroes Say: 'Don't Fight in Vietnam'" and was a reprint by the Vietnam Day Committee of a leaflet that had

been posted in McComb, Mississippi, in July of 1965 and has information addressed to soldiers as to why there should not be participation in the fighting.

Mr. POOL. With no objection, the document is accepted into evidence. (Document marked "Meese Exhibit No. 3." See p. 1114.)

Mr. MEESE. Prior to this particular day, the Vietnam Day Committee sent a telegram to the Santa Fe Railroad superintendent, which stated as follows:

The Viet Nam Day Committee is a group of students, faculty members, and other members of the Bay area community outraged by the use of Berkeley railways for the pursuit of the immoral war in Viet Nam. We will not remain silent. We will not close our eyes while the war machine rolls on. The brutality of the war in Viet Nam was extended to home last week when railroad trains moving without regard to human life nearly crushed to death a number of young protestors. Let this not happen again.

And it goes on with more of the same advice to the Santa Fe Railroad, and was signed by Stephen Smale, Paul Ivory, Jerry Rubin, and Larry Laughlin.

In return, the railroad sent a telegram to the Vietnam Day Committee which said in part:

These trains carrying Armed Forces of the United States Government are moving under military orders and no stop at Berkeley or Emeryville is scheduled or will be made. Your illegal demand that these troop trains stop in Berkeley so that you may hand out literature to the soldiers and also talk with them in an effort to dissuade them from obeying the lawful orders of their commanding officers and of the United States Government is flatly rejected. You and your followers are warned not to obstruct these trains in any manner. Stay off the tracks, right-of-way, and other Santa Fe property * * *.

And then the railroad quotes certain legal matters which they felt the committee ought to know.

I would offer this, if the committee wishes it, the copy of the two telegrams.

Mr. POOL. With no objection, the document is accepted into evidence.

(Document marked "Meese Exhibit No. 4." See p. 1115.)

Mr. MEESE. On this particular occasion, approximately 300 demonstrators gathered at the Santa Fe station on University Avenue in Berkeley, and then again this was coordinated by the use of walkie-talkies. They all had their picket signs, and so on.

And they, on signal from their leaders, suddenly, because there were a number of police officers there who were prepared to prevent them from stopping the train at that location, on a given signal from their leaders, they suddenly broke, and walked and ran up the tracks, approximately a mile or a mile and a half, towards where the train was coming in, so that they would be spread out, and would be harder to stop by the police.

And so you had over 300 people spread out along the tracks for a mile, many of them lying down on the tracks, sitting on the tracks, And again, it was only by the good sense of some of them and the efforts of police officers in other cases that there were not some lives lost as the train went through.

However, the train did get through without stopping, or with stopping only briefly. While the train did stop, a number of the demon-

strators leaped on to the train, on top of the train, into the cars, and attempted—one person attempted to move or use the braking mechanism of the train to stop the train itself.

Mr. ASHBROOK. If the gentleman would yield, it is very interesting at this point to note their tactics and, also, the fact that they still, with all of this, want to blame the railroads for the plight in which they put themselves. The telegram reads in part:

The brutality of the war in Viet Nam was extended to home last week when railroad trains moving without regard to human life nearly crushed to death a number of young protesters.

They placed themselves in front of a moving train, which takes an awfully lot of brains, and then they are saying that the railroad train was moving without regard to human life. It is a typical example of the way this group operates, and I think it is a very fine piece of evidence you bring before this committee.

Mr. MEESE. This was then played up a great deal in their press conferences and in their subsequent activities, and at this time, then, they attempted to go to the Federal court and get a Federal court injunction to stop the troop trains from moving through the city of Berkeley.

The Santa Fe Railroad was never served with this petition for an injunction, and the Federal judge ultimately dismissed the case without an order.

I would say that this basically summarizes the activities of the Vietnam Day Committee in relation to the troop trains. However, it might be of note—or of interest to the committee to note that it was about this time that the elaborate arrangements and organization of the committee were actually developed, and they obtained a headquarters building. They had typing committees, they had publicity committees, and they really got into full operation. They described this in one of their letters, in which they say:

In order to carry on the opposition to the war, the Committee has a paid staff of eight persons and many volunteers who work day and night. They are working to organize community meetings, neighborhood groups, students, and peace demonstrations. * * *

And then they go on to describe some of their other activities that they plan. I would offer this to the committee.

Mr. POOL. Without objection, it is accepted as evidence.

(Document marked "Meese Exhibit No. 5." See p. 1119.)

Mr. ICHORD. Mr. Chairman, I have no objection to the introduction of the exhibit into the record. I am wondering if the gentleman is familiar with the reaction of the troops who were on the train of which he spoke.

Mr. MEESE. The reaction of the troops as observed by the people there—I happened to be present at the demonstration on the 12th of August—many of the troops were laughing at the demonstrators. Many of them were disturbed, to some extent, by these people, in the sense that they were on their way to Vietnam and were fighting and possibly were going to be killed in Vietnam, and here these people at home, many of them looking like they would never make the Army if they had the opportunity, were putting up signs, attempting to dissuade them from doing their duty. This was the apparent reaction, learned both from observing the troops at the time and also from

conversations with personnel, military personnel at the Oakland Army Terminal subsequently.

I don't have as much direct information on this, because this didn't specifically fall within the purview of the work of the district attorney's office.

Mr. CLAWSON. Would the gentleman yield?

Mr. RUBIN. Mr. Chairman, I would like to correct the statement.

Mr. POOL. You are out of order.

Mr. CLAWSON. Do you find any sympathetic feeling from the boys on the train to these people?

Mr. MEESE. Not having talked to them, I could not gauge that, sir.

Mr. CLAWSON. You didn't see any evidence?

Mr. MEESE. No. As I say, there was laughing, there appeared to be some consternation among the troops, particularly among their leaders, the officers and the noncommissioned officers. I think, on occasion, there were a number that might be described as obscene gestures from the troops to the demonstrators.

Mr. NITTLE. What was the next major activity which brought the Vietnam Day Committee to the attention of law enforcement?

Mr. MEESE. This was the announcement that there would be a march on the 15th of October, the 15th and 16th of October, the so-called International Days of Protest, which were proclaimed by the Vietnam Day Committee. And it was on the 10th of September that a press conference was called by the Vietnam Day Committee to announce that there would be a protest march to Oakland. Rather, there were statements made on the 10th. Actually, it was even earlier than that. They had called this press conference and they announced at that time, as quoted in the *San Francisco Chronicle* of the 10th of September, that:

A protest march of 10,000 persons to culminate in civil disobedience at the Oakland Army Terminal on October 16 was promised by the Vietnam Day Committee yesterday.

So the press conference was actually on the 9th. This announcement was made by Stephen Smale, a University of California mathematics professor, along with other representatives of the Vietnam Day Committee.

He said the protest march would begin towards the terminal, one of the major shipping points of military supplies, and would be the biggest peace march the Bay area has seen. He stated that some of the marchers would take part in acts of civil disobedience, but the exact types of law breaking had not been decided upon. These, he continued, could include dropping peace leaflets on the base from the air and an amphibious landing by small boats, a march into the terminal, or simply blocking the entrances to the terminal.

I have a copy of that article in the newspaper, which I offer as an exhibit.

Mr. ASHBROOK. Mr. Meese, this was distinguished from the other project, which was the labor teach-in directed at longshoremen; is that not correct?

Mr. MEESE. Yes; this was a specific project, although there was some talk about attempting to get longshoremen not to load ships.

Mr. POOL. No objection. The document is accepted into evidence.

(Document marked "Meese Exhibit No. 6." See p. 1121.)

Mr. ICHORD. Mr. Chairman, it might be of interest to Mr. Meese to round out his investigation that it is the information of the committee that Professor Smale is on his way to Moscow to accept a mathematics award there now.

Mr. MEESE. This is what was announced when your subpoena was received in the Bay area. This was announced in the press there at that time.

Mr. CLAWSON. Mr. Chairman, may I ask just one quick question?

Mr. POOL. Yes.

Mr. CLAWSON. Did the movement have any success among the members of the Longshoremen?

Mr. MEESE. I don't know myself, because this was an activity—I don't know even to what extent this activity was actually carried on. There was talk of it. It didn't involve any illegal conduct per se, and so I have no knowledge of that.

Mr. CLAWSON. Thank you.

Mr. MEESE. The planning for the march of the 15th and 16th of October involved such things as one of the meetings of the Vietnam Day Committee membership as a proposal to block all the entrances and exits to the Oakland Army Terminal with human bodies of the demonstrators, and thus close down all the terminal operations. This was one of the plans that was submitted.

The committee issued the *Vietnam Day Committee News*, volume 1, number 2, July and August edition, and in that, in discussing what was going to happen on the 15th and 16th of October, they state this:

Highly-coordinated, highly-publicized action will make people feel that they are not alone in speaking out. An active minority of 1,000,000 people marching on Washington or 100,000 in coordinated civil disobedience would likely be sufficient to stop that war.

I offer this as an exhibit.

Mr. POOL. No objection. It is so ordered.

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

Mr. MEESE. And if I may, I have a series of three documents which I would offer as a group exhibit, which were put out during the period of time prior to the 1st of October. One says: "FUTURE COMMUNITY PROTEST MEETING AND MASSIVE CIVIL DISOBEDIENCE PLANNED BY THE VIETNAM DAY COMMITTEE," relating to this march, and "THE VIETNAM DAY COMMITTEE announces the formation of the VDC DEFENDANTS COMMITTEE," and the first paragraph of this reads:

In preparation for our civil disobedience of October 15 and 16, we, who expect to be arrested, are now organizing into a group whose basic purpose is the commitment to a political defense.

And a statement concerning the VDC Defendants Committee carrying the same general information, but with a note on the bottom, "meetings every Sunday, 3 pm, 2407 Fulton Street," which is the headquarters building—"to plan civil disobedience," was appended. I would offer these three documents as a group exhibit.

Mr. POOL. No objection, and it is so ordered.

(Documents marked "Meese Exhibits Nos. 8-A, B, and C," respectively, Exhibit 8-B retained in Committee files. See pp. 1122-1123 for Exhibits 8-A and C.)

Mr. MEESE. At the meeting of the committee—this was the defendants' committee, the VDC Defendants Committee, referred to in those exhibits—on the 19th of September, a committee spokesman outlined the types of things in which they might engage at the Army terminal on the 15th and 16th.

One plan was the demonstrators would climb over the fence at the Oakland Army Terminal, trespass, and sit and hang on the tanks and trucks at the base until they were dragged off.

Another plan, less drastic, was that there would be numerous loudspeakers and sound trucks, which would be taken to the Oakland Army Terminal entrance, and if refused entrance—which, as one spokesman said, which surely they would be—they would set up the equipment outside the gate and fences and hold the teach-in there.

Mr. POOL. Wait just a minute, please.

We have an important vote on the floor of the House. The committee will stand adjourned until 10 o'clock tomorrow morning.

(Whereupon, at 5:50 p.m., Wednesday, August 17, 1966, the subcommittee recessed, to reconvene at 10 a.m., Thursday, August 18, 1966.)

HEARINGS ON H.R. 12047, H.R. 14925, H.R. 16175, H.R. 17140, AND H.R. 17194—BILLS TO MAKE PUNISHABLE ASSISTANCE TO ENEMIES OF U.S. IN TIME OF UNDECLARED WAR

Part 1

THURSDAY, AUGUST 18, 1966

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

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:20 a.m., in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Richard H. Ichord, presiding.

(Subcommittee members: Representatives Joe R. Pool, of Texas, chairman; Richard H. Ichord, of Missouri; George F. Senner, Jr., of Arizona; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama. Alternate member: Representative Del Clawson, of California.)

Subcommittee members present: Representatives Ichord, Ashbrook, and Buchanan.

Committee member also present: Representative Edwin E. Willis, of Louisiana, chairman of the full committee.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Ray McConnon, Jr., Herbert Romerstein, and Philip R. Manuel, investigators.

Mr. ICHORD. The committee will come to order, a quorum being present.

The chairman of this subcommittee, Congressman Pool, has been necessarily delayed this morning; and as ranking majority member of this subcommittee, it is my responsibility to perform the duties of the Chair until Mr. Pool returns.

(At this point Representative Clawson entered the hearing room.)

Mr. ICHORD. The chairman, at this time, is very happy to welcome back to Washington the chairman of the full committee, the Honorable Ed Willis of the State of Louisiana. It is nice to have you back with us, Ed.

The CHAIRMAN. Glad to be back.

Mr. ICHORD. At the conclusion of the hearings yesterday when the committee adjourned, the witness in the chair was Mr. Meese. Counsel will continue questioning of Mr. Meese at the point he left off.

Mr. Meese, you have been sworn. You may be seated.

The Chair will admonish the members of the audience, and of course, I am not admonishing all of you. I will appeal to your sense of propriety, your sense of decorum, to maintain order in this hearing room. This committee is an arm of Congress. We are charged with the business of Congress. The business of Congress is the people's business. We are very happy to have you here with us today, but the Chair does insist that order be maintained and the Chair will take steps to maintain that order.

With that admonition, Mr. Counsel, you will resume your questioning of Mr. Meese.

TESTIMONY OF EDWIN MEESE III—Resumed

Mr. NITTLE. Mr. Meese, at the time of recess, yesterday, I believe you were discussing the October 1965 demonstrations of the Vietnam Day Committee?

Mr. MEESE. Yes, sir.

Mr. NITTLE. Will you continue, Mr. Meese?

Mr. MEESE. All right, Mr. Nittle. I believe I had just described the preparations for the October 15th and 16th march to the Oakland Army Terminal, and we had just introduced into the record certain documents which pertain to the planned civil disobedience which had been distributed by the Vietnam Day Committee prior to the end of September.

At the end of September, the committee held another press conference and announced that this time, that they had changed the plans and that they did not plan to engage in what they called civil disobedience. And this was the public announcement at that time, although it is noted that the meetings of the Vietnam Day Committee did not indicate that they would necessarily go through with this change of plans, but the possibility of different plans of civil disobedience still existed, even after the public announcement.

For example, Professor Smale, one of the cochairmen of the VDC at that time, took the position that they should not decide in advance that they will be arrested, but they should let the issues on the 15th and 16th of October decide.

And at a meeting on the 26th of September, it was decided that anticipation of arrest would not be announced in advance and more concentration would be put on organizing the masses, but that they would state that the possibility of arrest still exists.

Likewise, at what they described as an emergency meeting of the VDC to discuss whether to break the McCarran Espionage Act of 1917, there was a discussion as to whether or not they should engage in civil disobedience, and that possibility was still left open.

The CHAIRMAN. Pardon me. What is the time of this occurrence?

Mr. MEESE. Yes, sir, the emergency meeting of the Vietnam Day was on October 4, which was some approximately 6 days after they had claimed that there would be no disobedience. And at that time,

they discussed in their meeting the fact that "we must urge American soldiers to demand access to the truth about Vietnam and finally to take individual and joint action to refuse to fight in Vietnam."

This was the objective of their march. And they also discussed the issue of whether "we will violate the 1917 Espionage Act, in order to tell soldiers the Government would not dare a political trial."

There was further discussion at that meeting by a person who later became a candidate, unsuccessfully, for this Congress, who stated at the meeting, "It is time to risk treason. We must totally disassociate ourselves with the United States Government."

So this was the tenor of the discussions at that particular meeting, which belied the public announcements that there would be no civil disobedience; and, in fact, this was an example of the tactic, whereby the way for civil disobedience is still left open, but that the organization officially does not come out, saying we will commit criminal violations, so that they can then take the position, if people do get arrested later on, that while they did not officially sanction the civil disobedience, individual members just got carried away.

The CHAIRMAN. And the discussions about civil disobedience even centered around an espionage act of Congress?

Mr. MEESE. This is what took place at the meeting; yes, sir.

Also at this particular meeting, or rather at a membership meeting of the VDC the next evening, on the 5th of October, there was a considerable discussion about the writing of and distribution of what they called the soldier leaflet.

The soldier leaflet ["Attention All Military Personnel." See Meese Exhibit No. 16, p. 1138.] was a leaflet drawn up by a committee of the Vietnam Day Committee called the Strategic Research Committee, and this was adopted by the Steering Committee—I have a copy which will be available to introduce later—but at this time, they are just discussing the content of this leaflet, and it had to do with various attempts to influence soldiers of the United States Army, including such statements as you may have to fight, but don't fight too hard, and if you should refuse to obey orders, you should know that there are plenty of people who will back you up.

Later on, this leaflet was, in fact, printed, and I will at a later point in testimony describe how this leaflet was used if the committee wishes me to, Mr. Nittle.

Mr. NITTLE. Yes, please.

Mr. MEESE. Now at the time of this meeting on the 5th of October, the discussion at the Vietnam Day Committee general membership meeting, which is generally open to the public so that anyone may attend, it said, "it is believed by members of both the Strategic Research Committee and the Steering Committee"—and this was the substance of the discussion—that the soldier leaflet, as well as the VDC declaration against the war in Vietnam, will be a direct confrontation with Federal authorities, and it was their feeling, and the Vietnam Committee discussed this, that it was in violation of section 2387 of the U.S. Federal Code, and there was considerable discussion on their part as to the fact that this was a violation of the law.

Mr. NITTLE. Would you state in substance what provisions of law are contained in the section of the code to which you referred?

Mr. MEESE. Section 2387, and these and the following sections are generally the Sedition Act, which provide that it is a Federal offense for anyone to persuade or dissuade soldiers or military personnel of the United States from doing their duty.

The CHAIRMAN. Well, let me say that the legislation we are considering has nothing to do—although there has been made a general statement that this committee is engaged in legislating against protest rights which are given to any individual under the Constitution—that this legislation we are considering has nothing to do with expressions of protest in the type of meetings that you have described.

What this bill has to do with is making unlawful overt acts against our Government and giving aid and comfort to the enemy during war.

For instance, specifically, making it a crime to interfere with the transport of soldiers to the field of battle and trying to stop shipping arms and ammunition to fighting soldiers on our battlefield.

That is what this bill has to do with, and it is time to be perfectly frank on what this bill is all about. We all have opinions, it is agreed, but in my humble opinion, people who would do those things that I have just mentioned fall short of loyalty to this Government.

Let's call them what they should be called. They are yellow-bellied cowards, in my opinion.

Mr. ICHORD. The Chair thanks the chairman of the full committee for his contribution, and the Chair would point out to the chairman of the full committee that Mr. Meese, who is deputy district attorney in Alameda County, at the beginning of his testimony yesterday stated that, in making his investigation, it was necessary to distinguish from lawful assembly and assemblies which were not lawful. I pointed out, Mr. Chairman, that at the beginning of these hearings, Mr. Pool asked me to support his bill.

I was concerned that he might not be able to draft the legislation in order to protect freedom of assembly, because freedom of assembly is one of the first amendment rights, but certainly freedom of assembly does not extend a guarantee to interference with the movement of troop trains, nor does freedom of speech extend to the soliciting of aid to a hostile force such as the Viet Cong.

Mr. Pool has limited his legislation to overt acts. I personally have no doubt about the constitutionality, and as the chairman indicates, that is also his considered opinion.

Mr. Counsel, you will proceed with the questioning.

Mr. MEESE. I wonder if I might respond to only one question or comment of Mr. Willis', and that is that I believe that the Vietnam Day Committee march of the 15th and 16th of October is particularly relevant to the dangers that you posed, against which this bill is designed to provide criminal sanction, and that is that the ultimate objective of the Vietnam Day Committee's march on the 15th and 16th of October was to get to the Oakland Army Terminal, which is the major shipping point for the Vietnam war on the West Coast. And as I discussed yesterday in answering questions, when you were not present, Mr. Willis, some of the things they were discussing was blocking with a row of human bodies all the exits and entrances to that particular Army terminal, so that they could cut off its operations for as long as they wanted to and, in effect, have the Oakland Army Base under their control, rather than the control of the Federal Government.

This was the reason—that is why the marches and the fact that they left open the possibility of civil disobedience in their own discussions, even though publicly saying they would not, that their whole conduct prior to the 15th and 16th of October was particularly important; and also important, I think, was the extensive logistical arrangements which had been made, so that they could stay in the area of the Oakland Army Terminal as long as they wanted to.

They set up committees, for example, with detailed planning for lighting, for flood lights, for food to be brought down to the demonstrators who were there. They even made plans to rent 10 flat bed trucks, which they were going to wire with sound equipment, which would be used both for their demonstrators and also to project this sound into the Oakland Army Terminal, against the soldiers. And, also, they made such detailed arrangements as planning to rent 40 portable bathrooms, or latrines, to take care of other comforts of the demonstrators, which indicated a long-term occupation, you might say, of the area at or near the Army terminal.

As discussed yesterday, the banners, the propaganda leaflets, and this sort of thing, were all discussed and preparations were made, as were the walkie-talkie communications for controlling the demonstrators.

They also had such plans as to drop balloons.

The CHAIRMAN. Well, let me ask you this question: Taking all of your testimony as a whole, wouldn't you say that some of the acts that they committed and the policies that they advocated went beyond overt acts against the Federal Government, and included aid and comfort to the enemy?

Mr. MEESE. I would say that the objectives of the committee certainly would afford aid and comfort to the enemy. What we have discussed up until this time, of course, is the fact that these were what they were planning.

Now what happened actually was that the committee, which attempted and wished to get to the Oakland Army Terminal, was denied a parade permit by the city of Oakland and the city of Berkeley. In Berkeley, however, they did leave the campus on the evening of the 15th of October and were able to walk through the streets of Berkeley.

Berkeley has a smaller police department and it would have been virtually impossible for them to stop this group of some, well, in excess of 3,000 people, who were marching from the University of California campus, after a half-day teach-in on the 15th of October.

This was a Friday. However, the Oakland police, at the direction of the city council and following the denial of the parade permit, were concerned with two things: Number one, that they should not be allowed to reach the Oakland Army Terminal, because the chance of doing the things which I have described were very real and it had been requested by General Conroy, the commanding officer of the Oakland Army Terminal, that they not be allowed to reach the Oakland Army Terminal.

There were a number of conferences during this period between the military, the local police, the district attorney's offices. Mr. Coakley, the district attorney of Alameda County, at the personal request of Governor Brown, served to coordinate the law enforcement personnel

in cooperation with Sheriff Madigan and the chiefs of police of Oakland and Berkeley, and so the other danger to the community, which is not particularly related to the bill, but nevertheless was a very great danger, was that the march would have gone through one of the most inflammable population areas of the city, and the chance of a community disorder, particularly when this was advertised as a torchlight parade, which would have extended, actually cutting the city of Oakland in two, because it would have stopped traffic from crossing the city, right through the middle of town; this was also a concern of the law enforcement agencies.

In any event, the Oakland police on Telegraph Avenue, at the city line, the border of Oakland and Berkeley, formed a line of officers two or three deep, with additional squads of motorcycle officers available to cut off, if the march should try and proceed down any other streets, and they were stopped at that point.

They then—the committee then turned around, turned down a side street there in Berkeley and marched to the Berkeley Civic Center, where they camped out overnight in one of the parks there.

The next day, the 16th of October, the committee made another attempt to reach the Oakland Army Terminal, marching down the streets of Berkeley, and again, they were stopped at the Oakland line by the Oakland Police Department, reinforced by deputy sheriffs from the Alameda County Sheriff's Office.

It was at this point, I might mention parenthetically, that the fears of possible community disorder were realized and at this point, when they reached the Oakland line, the Vietnam Day Committee marchers sat down and held the teach-in in the streets of Berkeley. And it was while they reached this point, or after they had reached this point, that some members of a motorcycle gang crashed through the line of Berkeley police officers and attacked the marchers, and there was a battle at that point, in which one Berkeley police officer was felled and suffered a broken leg.

As a matter of fact, had it not been for the quick action of the Oakland police in moving forward and restoring order, you might have had a full-scale disorder at that point.

Mr. ICHORD. Mr. Chairman, Mr. Meese intends to appear before the committee later to testify on the legislative aspects of the hearing. The acting chairman has expressed the desire to expedite the investigative aspects of the hearing, in order that we can get promptly to the legislative hearings.

Mr. Meese will testify on the bill. I have several questions which I intend to ask Mr. Meese, as to the legislative effect of the legislation pending in the committee.

Mr. Meese, is Port Chicago, California, within the jurisdiction of Alameda, California?

Mr. MEESE. No, sir, it is not. This is one demonstration that our county law enforcement agency has been spared, somehow, but I am prepared to discuss that, inasmuch as this grew out of activities on the 6th and 7th of August, in which the Vietnam Day Committee was one of the—

Mr. ICHORD. Port Chicago is in the general area, though?

Mr. MEESE. Yes, it is Concord, north of us, in Contra Costa County.

Mr. ICHORD. Well, apparently there are some organizers in operation while you are out here testifying in Washington. Someone yesterday handed to me the ticker tape of a Port Chicago incident, and I think it would be appropriate to read that into the record at this time:

U.S. Marines dragged, pulled, and shoved demonstrators off a county road in front of a Concord Naval Weapons Station today, when the pickets tried to prevent trucks loaded with napalm from entering the base. Marines threw one of the demonstrators, a girl, into a water filled ditch adjacent to the roadway, after she squatted in the road as a napalm loaded truck approached the main gate to the base from which munitions are sent to Vietnam.

Marines arrested nine persons, seven men, the girl and a juvenile, for allegedly trespassing on Government property. The adults were turned over to the United States Marshal's office. Contra Costa County Sheriff's Deputies were on hand during the melee, but they made no arrests. Two American Broadcasting Company newsmen, from KGO-TV in San Francisco were roughed up during the wild demonstration. They said Marines shoved them from the gate, when they attempted to take pictures, and they said one of their cameras was broken and a microphone cord cut in two.

An estimated 200 demonstrators were at the scene when the melee broke out about two dozen hecklers also were on hand, throwing rocks and bottles at the pickets. None of the hecklers was arrested. Each time a truck approached the gate, one of the demonstrators ran to the roadway and lay down. The Marines then dragged or shoved the demonstrator off the roadway to let the truck pass. The weapons station is the primary munitions shipping point for the war in Vietnam. The picketing started on August 6th and has continued since then on a 24 hour basis. Several organizations have been involved in the picketing, including members of the Vietnam Day Committee, a militant anti-war group.

Now does the witness have personal knowledge of the organization of this demonstration?

Mr. MEESE. Yes, Mr. Chairman. This demonstration was organized, as the clipping states, on the 6th and 7th of August. And was to be another international day of protest, the 6th of August being the anniversary of the Hiroshima atom blast. And so these demonstrations have existed there on a 24-hour basis continuously since that date, with varying numbers of people being present at any one time.

The Vietnam Day Committee distributed a leaflet prior to the 6th of August, in which it advertised the August 6th protest. And on the back of this leaflet, among the actions that are listed, one of the actions having been a mass march on Market Street in San Francisco, they indicate other actions supported by this group, and they have here a list of all the organizations which were supporting these various demonstrations, which include the Berkeley VDC, Berkeley Friends of SNCC, Communist Party, U.S.A., Community for New Politics, and a number of other organizations which are listed here, they indicate here "other actions" quote:

"Port Chicago supplies over 90% of all munitions & explosives for the War in VietNam."

Rally—1 p.m. Sunday, Aug. 7, Concord City Plaza. * * *

Walk—2 p.m. to dock gate at Port Chicago. * * *

Action—5 p.m. Individuals will stop munitions trucks. * * *

So this is what has been happening on that date, and since that time, and I would offer this pamphlet for the record.

Mr. ICHORD. There being no objection, the Chair will accept the pamphlet to be incorporated in the record.

(Document marked "Meese Exhibit No. 9." See p. 1124.)

Mr. ASHBROOK. Mr. Chairman.

Mr. ICHORD. The gentleman from Ohio.

Mr. ASHBROOK. I think the witness has pointed out in this case, in this same circumstance, as yesterday, when there was an effort to block a troop train, groups such as this not only have the purpose of trying to impede the flow of troops or the orderly conduct of the Military Establishment, but they are always endeavoring to create incidents, so they can charge police brutality or, in this case, Marine brutality or, in some cases, military police brutality.

I note from the *People's World*, Saturday, August 13, the *People's World*, of course, being one of the Communist organs on the West Coast, the following quotation: "Six women jumped across the road to stop it."

It, of course, being one of the troop trucks you referred to. Note that "jumped across the road to stop it." Think of the plight of the soldiers, the military men, who must contend with groups such as this who are actually endeavoring to cause incidents.

I don't doubt a bit but what some of them would like to have some bodily injury inflicted so they could hold themselves up at future rallies as an example of what happened as a part of our war effort, and so forth. And I think it more than ever indicates the necessity for legislation of this type.

There is continually an effort to cause incidents, so you then can protest police or military force brutality, and this, of course, is a side-light that the gentleman has very properly brought out.

Mr. ICHORD. Thank you, the gentleman from Ohio.

The witness may proceed.

Mr. MEESE. I would offer for the record, as sort of a conclusion to the information about this march of October 15 and 16, a list of elected members of the VDC Steering Committee for that particular march, which include the names, among others, of Windy Smith, who I believe has been subpoenaed as a witness by this committee, Steve Cherkoss, Jerry Rubin, and Steve Smale. I offer this list, and would offer these other documents as a group exhibit, being the documents prepared by the Vietnam Day Committee and announcing their plans for the October 15th and 16th march.

A series of four documents, headed "Proposed Strategy for October 15-16," "The following plan for October 15-16 has been proposed by the Strategic Research Organization," "Calendar of Scheduled Plans," and "International Days of Protest against the War in Vietnam."

Mr. ICHORD. Now, Mr. Meese in regard to this document which purports to be a list of the elected members of the VDC's Steering Committee of the October 15th and 16th demonstration, what is the derivation of this list?

Mr. MEESE. The election of these persons was held at an open general membership meeting of the VDC and that is a list that was prepared by a person who was actually in attendance at that meeting.

Mr. ICHORD. A member of your staff?

Mr. MEESE. He was a member of a police department in the county.

Mr. ICHORD. Is there any objection to the admission of these documents into the record? If not, the documents will be admitted.

(Membership list marked "Meese Exhibit No. 10"; other documents marked "Meese Exhibits Nos. 11-A through 11-D." Exhibit 11-C retained in committee files. For other exhibits see pp. 1126-1132.)

Mr. MEESE. I might mention, Mr. Ichord, that inasmuch as these general membership meetings were open to the public, it is not unusual for occasionally a young looking police officer to attend.

Mr. ICHORD. Counsel will proceed with the questioning.

Mr. NITTLE. Mr. Meese, I believe you have touched on the subject, but would you more fully describe the preparatory planning for these marches?

Mr. MEESE. The detailed planning involved all of the matters that I indicated. Particularly distinctive, I think, was the logistical planning and the fact that they went to all these elaborate plans, in effect, to camp out and stay there in the area around the Army base, plus the widespread use of loudspeakers and floodlights and this sort of thing, so that they could carry this thing on day and night.

Mr. NITTLE. During the period prior to the march, did the Vietnam Day Committee engage in any other activities?

Mr. MEESE. Yes, there was another activity that was directly related to the activities of military operations, and that was, at this time, the Vietnam Day Committee found out that the Army was training war dogs in Tilden Regional Park, which is an area near Berkeley, and in the *Daily Californian*, the campus newspaper, on the 21st of September 1965, John Windrim Smith, along with other members of the VDC, announced that there would be personal harassment of the Army at that location if the dogs were not removed from Tilden Park.

On the same day there was a noon rally—on the 20th of September, there was a noon rally on the steps of Sproul Hall, the administration building of the campus, and during the first 15 minutes of this rally, there was a discussion of the weekend activities by VDC at Tilden Park.

They took pictures of Army guards who were at the park. Due to the possibility of the VDC holding a demonstration there, it was necessary for the Army to provide additional guards for this dog-training site because of the possibility of a demonstration, similar in nature to what we discussed might have happened at the Oakland Army Terminal, and also the VDC members, as a part of their continuing harassment, were posting signs all over the park that read, "Beware of Army War Dogs in the Area. Don't leave any raw meat uncovered or children playing. If dog attacks, wait until handler arrives."

The objective of this kind of thing was to arouse the public generally against the Army training program there, at that site. And as a matter of fact, within a short time after that, for reasons which may or may not have been connected with this activity, the war dog-training site was removed by the Army from that location.

Mr. NITTLE. What happened after the marches of the 15th and 16th of October 1965?

Mr. MEESE. Well, after being blocked by the Oakland police and kept from getting to the Oakland Army Terminal, the committee scheduled another march for the 20th of November 1965, during which march they again, prior to the march, announced that they wanted to go to the Oakland Army Terminal.

They were prevented from this, however, by an order of the Federal court. The city of Oakland again denied them a parade permit because of their objective to get to the Oakland Army Terminal.

The city did offer them another park, which was closer to the city line and which would not have entailed the traffic problems that a long march all the way through the city would have caused.

The VDC applied for a Federal court injunction to force the city of Oakland to allow them to proceed through the city. The Federal court after consultation with a number of parties, both the VDC on the one hand and the city of Oakland on the other, and having asked the district attorney of Alameda County to appear as a friend of the court, after a series of discussions, the court finally ruled that they could proceed to a park in Oakland, called DeFremery Park, but that they could not proceed to the Oakland Army Terminal, so they were prevented from reaching the Oakland Army Terminal by the Federal court order, which the Oakland police were prepared to enforce.

Again, this situation on the 20th of November posed a great threat to the community itself, inasmuch as in meetings with the Vietnam Day Committee during the end of October, there was an attempt to enlist support from some of the dissident elements in the Oakland community, and at one time, one of the leaders of the dissident elements there said that his group would support the VDC march, if the VDC would agree to charge the Oakland police line and combat the police officers, providing that they were stopped, and would attempt to mix it up or have a confrontation, a physical confrontation, with the police.

This the VDC declined to do, and the march itself, under the court order, was orderly, although because of the potential community disorder, it required literally hundreds of police officers to be present at or near the scene.

Mr. NITTLE. Was the November 20th march directed at the Oakland Army Terminal?

Mr. MEESE. That was the initial objective of the VDC, which would have been attained, had it not been for the Federal court order.

Mr. NITTLE. During the fall of 1965, was there any activity by the Vietnam Day Committee in relationship to the draft?

Mr. MEESE. Yes; the activities of the Vietnam Day Committee then centered upon the draft itself. As a matter of fact, Jerry Rubin was quoted in the *San Francisco Chronicle* on the 24th of November 1965, in which he held a press conference, at which John Windrim Smith was also present, that the next goal of the VDC was the embarking upon a serious and intensive campaign against the draft.

And this was done through a variety of things, but mostly, picketing and demonstrations at the Armed Forces Induction Center in Oakland, at 15th and Clay, as well as demonstrations and handing out of leaflets at the high schools and junior high schools in the Berkeley area.

At this time, the committee handed out, among other things, a pamphlet, here, which was headed "BRIEF NOTES ON THE WAYS AND MEANS OF 'BEATING' AND DEFEATING THE DRAFT." And this was authored by a member of the VDC and was distributed by them.

The subtitle on the bottom is "HOW TO BEAT THE DRAFT," and it has a variety of methods, which are all listed here. "Be a C.O.

[conscientious objector].” “Have a ‘demonstration’ during your pre-induction physical.” “Refuse to sign the loyalty oath.” “Be an epileptic.” “Arrive drunk.” One is particularly interesting: “Be an undesirable. Go for a couple of weeks without a shower. Really look dirty. Stink. Long hair helps. Go in barefoot with your sandals tied around your neck. Give a wino a bottle for his clothes and wear them,” and so on. [Laughter.] If all else fails, the panel advises finally that bed-wetting will probably do the trick. I would offer this as an exhibit.

FROM THE FLOOR. Mr. Chairman, that was a—

Mr. ICHORD. There being no objection—let there be order in the hearing room. The Chair will again admonish members of the audience that you are guests of the committee. Let there be order in this hearing room.

If there be no objection the document submitted by the gentleman will be incorporated into the record.

(Document marked “Meese Exhibit No. 12.” See p. 1133.)

FROM THE FLOOR. I have an objection.

Mr. ICHORD. Your objection is definitely out of order. You will be given the opportunity to be heard at a proper time, if you are a witness. The plan of the committee is to call the witnesses at 12 o’clock. You will be given the opportunity to testify, and if you are a witness, sir, I hope that you will testify.

FROM THE FLOOR. The system is—

Mr. ICHORD. Let there be order. Let there be order in the hearing room. I admonish the gentleman again. The Chair has indeed been very patient with you. I ask, I appeal to your sense of decorum and propriety. You will be given the opportunity to testify.

Proceed with the hearing, Mr. Counsel.

Mr. NITTLE. What other activities took place in relation to the draft board?

Mr. MEESE. The picketing of the Oakland Army Induction Center continued for a considerable period of time. Steven Cherkoss, in a newspaper reference in the *Oakland Tribune* on the 25th of October 1965, was quoted as saying that the May 2nd Movement would send someone to the center, the Army Induction Center, every day to pass out the leaflets, in conjunction with these activities which various movements were joining with the VDC, in these operations; and similar activities took place, as I mentioned, at some of the schools in the area, among people who would subsequently become of draft age.

Likewise, on the steps of Sproul Hall, a rally by the Anti-Draft Committee of the VDC was held, at which time Mr. Cherkoss told the crowd that they should stop giving information to the Selective Service Board and that ROTC should be kicked off the campus.

A description of the activities of the Anti-Draft Committee is contained in a pamphlet headed “ANTI-DRAFT COMMITTEE” which was distributed by the VDC during this period, and I would offer this piece of paper for the record.

One other activity—

Mr. ICHORD. Just a minute, Mr. Witness. Is there an objection on the part of the members of the committee, to admission of this document into the record? If not, the document will be admitted.

(Document marked "Meese Exhibit No. 13." See p. 1135.)

Mr. MEESE. Well one other activity in relation to the Armed Forces Induction Center, and specifically the draft, was the Women's March Against the War, held on February 23, 1966.

And at this time leaflets were passed out which said, "WOMEN: March Against the War." "March with us to the Oakland Induction Center where we will present our demands and voice our opposition to the war."

And they actually did march through Berkeley and through Oakland to the induction center. But, unfortunately, the timing was not too good, and by the time they arrived there, the induction center was closed for the day, so they had a demonstration outside for a period of about an hour, in which they sang and had speeches.

The leaflet that was used in this particular event is described here, and I would offer this for the record.

Also during the—

Mr. ICHORD. There being no objection, the document will be admitted.

(Document marked "Meese Exhibit No. 14." See p. 1136.)

Mr. MEESE. Also during this period of time, there was still discussion about possible civil disobedience at these various demonstrations, such as the draft board; and the VDC published a document entitled "ADVICE TO DEMONSTRATORS" in which they state, "Any participant and in fact, any observer of this or any demonstration in Oakland is subject to some risk," and it gives them advice on how the committee will go ahead to raise bail money as quickly as possible, where to send bail donations, "Do not waive any of your constitutional rights." "A defendant's meeting will be called at the first convenience to discuss legal strategy," and so on. And this was done particularly in relation to activities that took place during the early part of 1966, in relationship to the picketing of a Congressman in the Oakland-Berkeley area, at which time they passed out various pamphlets, and actually some of them had a sit-in in the Congressman's office, until a point where they had to be arrested and, ultimately, prosecuted and convicted.

But this advice to demonstrators indicates what we were discussing during the hearings yesterday and what Mr. Ashbrook has brought out this morning about the antipolice activity, which seemed to go along with all of the demonstrations. And I would offer this particular document for the record, also.

Mr. ICHORD. There being no objection, the document marked Exhibit 15 will be admitted into the record.

(Document marked "Meese Exhibit No. 15." See p. 1137.)

Mr. NITTLE. Was an attempt made by the Vietnam Day Committee to distribute literature in military installations on the West Coast?

Mr. MEESE. Yes; this was one of the activities that went on. John Windrim Smith was quoted in the *San Francisco Examiner* of the 27th of October 1965 as saying that in addition to, or rather that a leaflet which was headed "ATTENTION ALL MILITARY PERSONNEL" that this leaflet was described by the lawyers for the VDC to be seditious, but Smith led the majority of the VDC in a vote at a general membership meeting that the VDC would continue printing and

handing out the leaflets; and the particular leaflet involved was this one here.

It is headed "ATTENTION ALL MILITARY PERSONNEL," and it is printed in a format very similar to official Army documents. For instance it has in small print up in the corner, "Approved For Posting." Down at the bottom it has, as a Department of Defense or Army form number, in the same style of type, it has "VDC Form 2017-J, 16 Oct. 1965" and the notation, "All previous Editions Obsolete."

[Laughter.]

Mr. ICHORD. Let there be order.

Mr. MEESE. It is addressed to military personnel, and it says, "You may soon be sent to Vietnam," and then has a description of why we are fighting in Vietnam, who is the enemy, and so on, and winds up with this suggestion:

OPPOSE THE WAR

We hope that you too find yourself, as a human being, unable to tolerate this nightmare war, and we hope that you will oppose it. We don't know what kind of risks we are taking in giving you this leaflet; you won't know what risk you will be taking in opposing the war. A growing number of GIs have already refused to fight in Vietnam and have been court-martialed. They have shown great courage. We believe that they, together with other courageous men who will join them, will have influence far out of proportion to their numbers.

And then they go on to say:

You may feel the war is wrong, and still decide not to face a court-martial. You may then find yourself in Vietnam under orders. You might be forced to do some fighting—but don't do any more than you have to. Good luck. Vietnam Day Committee.

I would offer this for the record.

Mr. ICHORD. Mr. Meese, do you have any information as to whether or not this particular document ended up in Vietnam?

Mr. MEESE. There were newspaper reports that it wound up in Vietnam. The VDC itself denied that they had mailed them to Vietnam. As a matter of fact, John Windrim Smith was quoted in the *San Francisco Examiner*, the student newspaper at the University of California, and the *San Francisco Chronicle* on the 29th of November 1965, in which he acknowledged that the VDC had printed the pamphlet which has just been received into the record and which he described, at that time, as being a leaflet that was sent to Vietnam, but he denied that the VDC mailed the leaflets.

He said that the VDC had sent these leaflets to "peace" organizations and various individuals in the United States, but not to servicemen. He stated that the 30,000 copies of the leaflet were printed, but most were distributed on or near the UCLA campus.

However, in a meeting of the VDC which was held on the 20th of October, there was a discussion about this particular pamphlet, and at that time it was discussed that the majority of the VDC recommends that they approve and distribute this soldier leaflet, which was the one described here, but mainly to U.S. soldiers who are preparing to go to Vietnam. And at that time, it was stated in the meeting that the leaflet had already been widely distributed and reprinted by many groups; 6,000 were taken into Fort Ord and distributed; about 200 at another military installation; and many at the

Army Intelligence School in Monterey. It was stated that they had distributed all but about 5,000 of the 30,000 leaflets which had been printed. These leaflets were also distributed at Travis Air Force Base and Hamilton Field, which are military installations in the vicinity of the Bay area there.

Mr. ICHORD. There being no objection, Exhibit 16 will be admitted in the record.

(Document marked "Meese Exhibit No. 16." See p. 1138.)

Mr. NITTLE. Have there been any recent activities on this subject?

Mr. MEESE. The recent activities, primarily, have been those which took place at the Naval Weapons Station at Port Chicago, which have already been described in relation to the committee. I think that this has been the primary incident of very recent date.

However, during the period of time after the women's march and after the marches in the end of 1965, the VDC turned to other ways of gaining publicity for their activities, including the draft board activity and the distribution of the leaflet which has just been received.

One of the incidents that happened in the Bay area was the bombing, so to speak, by a light aircraft, of certain military installations in the city of Oakland, distributing a leaflet.

Now this activity was not specifically traceable to the VDC and may have been handled by other anti-Vietnam war organizations. The leaflet which was distributed, however, was similar to leaflets which were also distributed by some members of the Vietnam Day Committee, but there is—the persons who were actually arrested for flying over Oakland and the Alameda Naval Air Station and other installations and dropping these leaflets from the plane, the ones arrested were not members of the Vietnam Day Committee.

The leaflet that was dropped from the light plane—and this happened coincidentally during about a week period in southern California over several military installations, and also in northern California, in the Oakland area, the area of the Oakland Naval Supply Depot and the Alameda Naval Air Station—the leaflet that was dropped is this one that I have in my hand, which shows a picture of two burned bodies on one side and some writing material on the other, and I would offer this leaflet into the record at this time.

The CHAIRMAN. May I see that?

Mr. NITTLE. Yes, sir.

Mr. MEESE. I might state parenthetically to the committee, Mr. Ichord, that there seems to be some necessity, which you may, or some other committee of Congress may, wish to consider at some other time, for more strenuous control of dropping things from planes.

Ultimately, the people who dropped these things were convicted under State law, but the only offense that they were able to be convicted for was littering the streets, inasmuch as some of their leaflets were dropped on the streets of Oakland.

FROM THE FLOOR. How about dropping—

Mr. ICHORD. Let there be order in the hearing room.

The Chair will advise the witness that when we go into legislative aspects of the hearing, this member does desire to question you at length on the effectiveness of existing laws, whether they be State or Federal, to control this type of activity, and I hope—I know that

the gentleman has done some research in that regard, and your testimony will be very beneficial to the committee.

If there be no objection, the document will be admitted as a part of the record.

(Document marked "Meese Exhibit No. 17" and retained in committee files.)

Mr. NITTLE. What has been the effect of these activities on law enforcement in Alameda County?

Mr. MEESE. Well, the entire sequence of events which I have described here, has, of course, had a number of effects on law enforcement. At one time, most of the activity of the police agencies and the district attorney's office has been directed at the more conventional type of crime.

In the last several years, an increasing amount of our time and manpower and resources has had to be put into the type of activities that have been conducted by the Vietnam Day Committee.

Because any time you have a demonstration, it takes a tremendous number of police officers just to control the traffic situation and to be available in the case of disorder or possibility of extensive civil difficulties—civil disobedience or criminal violations, which are also very possible at these demonstrations.

(At this point Representative Pool entered the hearing room.)

Mr. MEESE. There has been a great cost to the county of Alameda, which is described in the report of the grand jury of Alameda County, which deals with in part the Vietnam Day Committee.

I have a copy of that grand jury report, which I would offer to you for the record at this time.

Mr. POOL. (Presiding) If there is no objection, the document is admitted in evidence.

(Document marked "Meese Exhibit No. 18." See p. 1140.)

Mr. ICHORD. Mr. Chairman, at this point, I have a question which I would like to direct to the witness.

Mr. Meese, I have always been very curious as to how the fines are raised to support the type of activities which you have been testifying about. Do you have any evidence to give to the committee concerning the cost of the activity you have been testifying about and, also, as to the way or ways the money is raised?

Mr. MEESE. Now by this, Mr. Ichord, you are referring to the expenses on behalf of the Vietnam Day Committee?

Mr. ICHORD. Of the Vietnam Day Committee and the activities which you have been talking about.

Mr. MEESE. I don't have any absolute figures on the total cost of their operations, other than to say that the total operation during the period of time from May of 1963 to the present has been costly, inasmuch as during this time, they were renting a permanent headquarters; at the demonstrations, there was the rental involved of walkie-talkies, and there was the providing of loudspeaker equipment.

Mr. ICHORD. Do you know what the rental on the headquarters was?

Mr. MEESE. No, I do not. The printing of the leaflets, just the printing costs, and what has been introduced into the record here of the leaflets is just a small sampling, actually, of the total number of leaflets that were printed and distributed during this period of time.

So the only thing I can tell you, inasmuch as the costs were not directly related to any of the criminal violations that our office had cognizance of, is——

The CHAIRMAN. You say some of these leaflets were distributed by plane?

Mr. MEESE. Yes.

The CHAIRMAN. That is costly.

Mr. MEESE. So that I have no concrete evidence, other than to say that there was considerable cost. Now as to how the money was raised, among the sources were solicitations, a continuous solicitation of funds at tables set up on the campus of the University of California and also in various other locations in the county where they solicited funds. And at rallies and demonstrations, of course, there would be an appeal for funds, so this was at least one source of income.

Beyond that, I have no immediate information.

Mr. NITTLE. Mr. Chairman and Mr. Ichord, may I state that the committee, that is, this committee, will produce evidence of the sums of money that have passed through the accounts of the Vietnam Day Committee, and I would say it appears that in excess of \$30,000 has been received, according to bank statements.

Mr. ICHORD. Do you have a witness that you will produce in that regard, Mr. Counsel?

Mr. NITTLE. We have subpoenaed, Mr. Ichord, the ledger sheets of a Berkeley bank at which funds of the Vietnam Day Committee were deposited.¹

Mr. ICHORD. I thank the counsel for that contribution.

Mr. NITTLE. Mr. Meese, has there been any effect on the military installations involved?

Mr. MEESE. Yes; there was a definite effect, particularly of the marches on the 15th and 16th of October and the 20th of November, inasmuch as, particularly in October, the objectives of the Vietnam Day Committee were in effect to go to the Oakland Army Terminal and to demonstrate there. It was necessary, since the Army could not afford to have their operations at the base stopped, it was necessary for them to mass large numbers of the military's own Armed Forces police and to have in readiness other people to support the police, in the event that the disorders got out of hand or that actual criminal offenses were perpetrated against the Army terminal, in the manner that I described had been discussed in Vietnam Day Committee circles.

I mentioned that in my testimony yesterday.

In addition, because of the possible civil disorder within the city of Oakland which would be generated by the activity, the march, the torchlight parade, the Governor of California felt it necessary to have the National Guard, a great number of National Guardsmen, on duty on stand by duty and available in the event that there was a riot or other disorder within the city, so the effect on military personnel and military operations was felt in these two demonstrations.

Mr. ICHORD. Well, Mr. Chairman, the gentleman has testified repeatedly that the police, the National Guard, have been directed to control these activities continuously.

¹The ledger sheets of the Bank of America, University Branch, Berkeley, California, for the account of the Vietnam Day Committee for the period May 7, 1965, to July 19, 1966, indicate deposits to that account in the sum of \$37,775.50. However, it is to be noted that the amounts deposited to this account would not necessarily reflect all sums collected or received by the Vietnam Day Committee or its agents.

I wonder if he has any statement of the cost to law enforcement officials in the State of California in regard to this type of activity?

Mr. MEESE. Well, the cost it is very hard to estimate, because the costs were not only involved in the overtime pay that was involved on these particular days, and I might add that during these days, it was necessary to put the police department of all the cities, the sheriff's department in the city of Berkeley, city of Oakland, city of Emeryville, on a 12-hour shift.

The officers, so you could have the officers, instead of having three platoons working 8 hours a piece, all the officers were called back from duty, and the police department worked 12-hour shifts, so that you could have half the department carrying on the normal police functions of patrolling the street, and the other half were made necessary to be at these demonstrations.

Now one estimate of the cost of the 20th of November parade was that it cost at least \$10,000 an hour to protect the Vietnam Day Committee on Saturday the 20th of November.

And they described the situation as being—the California Highway Patrol, which were brought in, had 400 officers and 40 sergeants. The entire police department of the city of Oakland was on duty during that day.

The Alameda County Sheriff's Department had their entire patrol force on duty and likewise the city of Berkeley, and so these were just the immediate costs of the thing.

I would have no way, other than adding up the cost of this parade, and the cost of a similar parade. We don't have the figures on the National Guard, but I am sure you could say that, during the fall of 1965, in excess of a hundred thousand dollars of public money, and possibly much more than that, went into handling, on a law enforcement basis, the activities of the Vietnam Day Committee.

Mr. ICHORD. I would say, Mr. Meese, that democracy is indeed very generous to go to this expense in providing any protection at all for Vietnam Day marchers.

Mr. NITTLE. Has there been any recent direct activity by this element in regard to soldier morale?

Mr. MEESE. Yes; the Vietnam Day Committee fairly recently, during the summer, was prepared to support the three soldiers who were formerly stationed at Fort Hood, Texas, in their activities of opposing the war and refusing to fight in Vietnam, and as the committee, I am sure, knows, these soldiers were en route for the Oakland Army Terminal, for shipment overseas, and it was the plan of the Vietnam Day Committee to demonstrate at or near the Oakland Army Terminal in support of these soldiers.

They passed out leaflets describing the situation and describing their demonstration, which would have been set for Friday the 15th of July, and I offer these two exhibits, the leaflets that they passed out.

However, their demonstrations actually did not take place in the vicinity of the Oakland Army Terminal, and what was ultimately planned did not happen, inasmuch as the soldiers themselves were shifted by the Army to another location, and so they did not arrive at the Oakland Army Terminal.

The picketing, the demonstrations were planned for the Armed Forces Induction Center and, undoubtedly, would have continued at the Oakland Army Terminal, had the soldiers arrived there.

This is one of the concerns which the military personnel at Oakland Army Terminal were very cognizant of.

Mr. POOL. Without objection these are admitted into evidence.

(Documents marked "Meese Exhibits Nos. 19-A and 19-B," respectively. See pp. 1149-1150.)

Mr. NITTLE. Mr. Meese, would you please tell us how the Vietnam Day Committee was led, and who were its principal officers?

Mr. MEESE. The leadership of the Vietnam Day Committee was usually by way of a steering committee, and the committee composition changed from time to time. However, it was interesting the way they functioned. Very often, they would have different people who would lead particular events, such as they would have parade chairmen and they would have other people who would apply for the parade permits.

Other people would apply for the facilities where they held their meetings on the campus of the University of California.

This was done, in part, as a way of evading individual responsibility for many of the activities, if there was some disorder or some other misconduct. However, generally there was a steering committee, and there were also, during the early stages of the Vietnam Day Committee, they had a chairman or a cochairman.

The sheet of paper previously introduced into the record lists the Steering Committee for the march on the 15th and 16th of October.

I have documents here which give the names of some of the leaders. One of the early leaflets had to do with picketing President Johnson when he appeared at the commemoration of the 20th anniversary of the United Nations, and on here, it lists "If you wish to help or want further information, phone Jerry Rubin" at a phone number which is listed, and send contributions in care of Professor S. Smale. So these were some of the early names that came out.

A document entitled "Press Release from the Vietnam Day Committee, For Release 10 a.m., June 10," and which describes the picketing of President Johnson, is—has the names at the bottom. Morris Hirsch, professor of mathematics, University of California Steering Committee, VDC; Paul E. Ivory, acting assistant professor of economics, UCLA, acting cochairman, VDC; and Jerry Rubin, cochairman, VDC; and then a document which was distributed in June of 1965, entitled, "Reply to Professor Scalapino," having to do with differing opinions over the conduct of the war in Vietnam, or of the conduct of the Vietnam Day Committee in opposition to the war in Vietnam, and this is signed by Professor Morris Hirsch, Professor Stephen Smale, and Jerry Rubin.

I would offer these documents, which are from the VDC into the record, and would also be prepared if the committee wished, to go into the activities of specific leaders.

Mr. POOL. If there is no objection, the documents are admitted into evidence.

(Documents marked "Meese Exhibits Nos. 20-A, B, and C," respectively. See pp. 1152-1154.)

(At this point Mr. Buchanan left from the hearing room.)

Mr. MEESE. I would be prepared to go into the activities of specific leaders who have been subpoenaed here before the committee, if this is what is wished, Mr. Nittle.

Mr. NITTLE. Yes, we would be pleased. Do so.

Mr. MEESE. Mr. Rubin has already been described as a leader of the VDC. He was an organizer and one of the cochairmen of the teach-in on May the 21st, which was really the founding of the VDC as a formal organization.

He was a leader of the troop train activities in Berkeley, in August. He stated in a quote in the *Examiner* on the 23rd of August 1965, in reply to questions about the general setup of the VDC, he said that all national VDC groups took the lead from the Berkeley VDC.

Mr. Rubin, along with others, was arrested on the 24th of August 1965, at the Fairmont Hotel, for trespassing and interfering with a police officer in the performance of his duty, while picketing General Maxwell Taylor, who was staying there.

He pleaded in court *nolo contendere*, which is a form of—which is equivalent, legally, to a plea of guilty, and was convicted and sentenced in December of 1965.

He was present at the noon rally.

Mr. ASHBROOK. Now on that point, what was the sentence?

Mr. MEESE. He was sentenced to 30 days in jail, and 18 months probation. Mr. Rubin was a speaker at a noon rally at the University of California, at which the discussion about war dogs was discussed, among other subjects, and he was one of those who announced the new plan for the October 15-16 demonstration, in which statement he stated that there would be no civil disobedience.

He was quoted in opposition to statements of Attorney General Lynch of California, in October of 1965, prior to the 15th and 16th of October.

The attorney general of California had indicated that if there were any criminal violations by the VDC in their march, that it would be necessary for State and local officials to take criminal action against them.

Mr. Rubin was quoted in the paper as stating what the purpose of the march was and also stating that the VDC would march anyway, whether or not the cities involved granted a parade permit.

And he was quoted in the daily *Tribune*, the *Oakland Tribune* of the 14th of October, after being questioned about Oakland's denial of the parade permit for the march, he said that the parade would start as scheduled.

He also, in the article, encouraged arrests and predicted a civil rights fight would result from the VDC activities if anyone attempted to stop the march.

(At this point Mr. Buchanan returned to the hearing room.)

Mr. MEESE. Mr. Rubin was quoted in the *San Jose News* or the *Mercury-News* of the 17th of October, as on the 16th of October, Saturday, announcing the plans for the second attempt at getting to the Oakland Army Terminal.

And he said in that statement that instead of a fight at the line if they were stopped, the marcher would sit down and participate in a teach-in on the street. He also vowed that there would be another attempt, too, in November, if the march should be stopped at the Oakland City line.

Mr. NITTLE. Would you hold a moment, Mr. Meese?

Would you kindly proceed, Mr. Meese?

Mr. MEESE. In relation to Mr. Rubin, there is one other note and that is a quote in the *Daily Californian*, the student newspaper at the University of California, on the 20th of October 1965, in which they quote Mr. Rubin, in speaking about the pamphlet which you have in evidence here, "BRIEF NOTES ON THE WAYS OF 'BEATING' AND DEFEATING THE DRAFT." Mr. Rubin stated at that time that the VDC as an organization did not write the article, or the pamphlet, but an individual member of the VDC did write it, and he said, "We don't take credit for something we did not do, but we support its position."

In summary, Mr. Chairman and members of the committee, during the period from May of 1965 through 1966, Mr. Rubin was one of the leaders and principal spokesmen for the VDC.

I believe his other activities have already been related for the record in regard to these individual specific instances.

Mr. John Windrim Smith, Jr., was a spokesman on several occasions for the Vietnam Day Committee. He was quoted in relation to the Tilden Park war dog episode, as I mentioned.

He was quoted in the *Tribune* on the 14th of October 1965, after the city manager had refused to issue a parade permit, in saying that "We will march anyway." As discussed earlier, he was active in being a spokesman for the distribution, and advocating the distribution, of the "Attentional All Military Personnel" leaflet, and which is here in evidence, and was quoted in the *Examiner* on the 30th of October 1965, in relation to the antidraft campaign, in which he said that the goal was to reach high school students, and described the pamphlets that were being printed.

He also took part in rallies for medical aid for the Viet Cong, and continued in various other picketing and demonstration activities of the Vietnam Day Committee. On the 5th of January 1966, in the *Daily Californian*, Mr. Smith was quoted as announcing the future plans of the VDC.

He stated that the VDC did not plan to march to the Oakland Army Terminal any more, unless there was a major escalation of the war in Vietnam. He said that at that time their policy was that they had used up the effectiveness of mass demonstrations, and that they would engage in other types of activities, some of which I have described for you.

Mr. Steven Cherkoss was among the persons who picketed the Oakland Army Induction Center. He is listed, as is Mr. Smith, as members of the Steering Committee, with members of the 15th and 16th of October march.

Mr. Cherkoss was one of the leaders of the picketing and demonstrations at the Oakland Army Induction Center, and the antidraft campaign. He spoke at a rally of Sproul Hall, on the antidraft campaign, as I previously testified, and set up a table near the Garfield Junior High School, in Berkeley, to pass out VDC leaflets there.

He was described in articles in the *Berkeley Gazette* as the VDC high school coordinator, and also was active in the campaign to gain medical supplies and money for the Viet Cong.

Mr. Cherkoss was arrested, or had a prior arrest for non-VDC demonstrations activity, in the city of Oakland. He was arrested in December of 1964 for resisting and interfering with the police officer in the performance of his duty, disturbing the peace, failure to leave the scene of an unlawful disturbance, and public nuisance, and ultimately received a sentence to the county jail, some 35 days in the county jail, for that offense.

I believe those are the leaders, the principal spokesmen who were subpoenaed here before the committee. The other leader, Professor Smale, I have already described him, many of his activities in relation to the incidents that were mentioned.

Mr. NITTLE. Were there any efforts made to encourage American citizens to aid the Viet Cong?

Mr. MEESE. Yes; on the 10th of November 1965, the *San Francisco Chronicle* had a story that on the 9th of November of that year, Mr. Smith, John Smith, had spoken at a rally on the University of California campus, at which blood and money were being solicited for the Viet Cong.

The group was called the Medical Aid Committee. He said that 43 persons had volunteered to donate one pint of blood to victims of what he called United States aggression in Vietnam. Likewise, Mr. Cherkoss announced on the 27th of October 1965, in articles in—that were carried by the *San Francisco Chronicle*, the *Oakland Tribune*, and other papers, announced that the May 2nd Movement would solicit and send medical supplies to the Viet Cong, and he hoped that the VDC would join the movement.

He also led, was present at the rally and spoke at the rally held on the 9th of November, which I described in relation to Mr. Smith.

The Medical Aid Committee, as they called themselves, published a brochure, describing provision purchases and soliciting donations of money to a post office box in Berkeley, and I have here photostatic copies of that brochure, headed "Medical Aid Committee."

Mr. POOL. Do you offer that in evidence at this time?

Mr. MEESE. Yes, sir.

Mr. POOL. With no objections, it is so ordered.

(Document marked "Meese Exhibit No. 21." See p. 1155.)

Mr. NITTLE. Have you completed your testimony on that point, Mr. Meese?

What other activities did Mr. Smith engage in on behalf of the Vietnam Day Committee?

Mr. MEESE. I think the principal activities were those that I have already outlined in relation to the pamphlet distribution in which he was very active.

Mr. NITTLE. Were there any other organizations which participated in the work of and supported the Vietnam Day Committee?

Mr. MEESE. Yes; there were a number of other organizations. Certainly the marches brought out every description of person who belonged to a variety of organizations, many of which the police departments and law enforcement agencies of our area had had prior concern about.

Perhaps the best list of the other types of organizations which supported and participated with the Vietnam Day Committee are those

contained in the leaflet you already have in evidence, in support of the August 6 demonstrations in San Francisco, and particularly then at Port Chicago Naval Weapons Station. That is one of the most complete lists of organizations supporting this movement.

Other leaflets that I have here give other types of organizations. One is the picketing of President—or rather the picketing and demonstrations in San Francisco and a rally in Union Square on the 7th of August of 1965, which contains a list of the sponsors, among them the Stanford Committee for Peace [in Vietnam], the San Francisco and Berkeley DuBois Clubs, Students for a Democratic Society [SDS], West Oakland Project, and others.

This leaflet, I would offer into evidence, with a list of the groups supporting it there.

Mr. POOL. With no objection, the exhibit is admitted into evidence.

(Document marked "Meese Exhibit No. 22" and retained in committee files.)

Mr. MEESE. Another pamphlet which I have here indicates the close correlation between the students who are involved in the Sproul Hall sit-in in the winter of 1964 and the Vietnam Day Committee, during the course of the trial of the sitters-in.

The day came for sentencing on Thursday, July 29, and at that time, there was distributed a leaflet advertising a rally at noon of that day on the Sproul Hall steps, a march to the court, a rally, and a sit-in, in the courtroom.

They say a sit-in in the courtroom. Not a sit-in in the classical sense, "Sit in the courtroom & hear sentencing—2 P.M." And this is in support of the students who had been arrested and at that time convicted, and they list the sponsors of this rally, Vietnam Day Committee, Free Student Union, SLATE, Campus CORE, Independent Socialist Club, Richmond CORE, [SDS] Students for a Democratic Society, Campus SNCC, Berkeley DuBois Club, Young Socialist Alliance, and Berkeley CORE.

Mr. POOL. With no objection, the document is admitted into evidence.

(Document marked "Meese Exhibit No. 23" and retained in committee files.)

Mr. MEESE. And then as a group exhibit I have a variety of other documents, pamphlets which indicate other organizations, some of which have already been mentioned, which support the Vietnam Day Committee, and particularly the activities of the Vietnam Day Committee.

Various DuBois Clubs, the Students for a Democratic Society, and an article from the Progressive Labor Party magazine, authored by Steven Cherkoss, about the war in Vietnam.

I would offer these into evidence.

Mr. POOL. With no objection the documents are admitted into evidence.

(Documents marked "Meese Exhibits Nos. 24-A, B, C, and D," respectively. Exhibits 24-A, B, and D retained in committee files. See p. 1159 for Exhibit 24-C.)

Mr. MEESE. I believe that is a fairly complete rundown of the information we have available, Mr. Counsel, concerning the organizations supporting the Vietnam Day Committee.

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

Mr. ASHBROOK. Mr. Chairman?

Mr. POOL. Yes.

Mr. ASHBROOK. I would merely like to state for the record I have had occasion for the best part of 6 years now to hear witnesses before various committees, and I don't believe I have ever heard a witness who knew his subject any better and was able to make any greater contribution to the legislative effort before a committee than Mr. Meese, and I certainly would like to go on record as saying we thank you.

We thank your office, we thank your boss, we thank all of you who have made this contribution. It certainly has been most enlightening, and I, for one, have received a great amount of information from it.

I thank you.

Mr. MEESE. Thank you very much.

Mr. POOL. Mr. Ichord.

Mr. ICHORD. Mr. Chairman, I join in the commendation of Mr. Meese. He obviously had made a very thorough investigation, and he is also extremely articulate in presenting the results of that investigation.

Your testimony, sir, is a very valuable contribution to this committee and the Congress, and will be a very valuable, very valuable testimony in support of any legislation that we might present to the Congress.

Mr. MEESE. Thank you, Mr. Ichord.

Mr. CLAWSON. Mr. Chairman.

Mr. POOL. Yes, sir.

Mr. CLAWSON. May I compliment Mr. Meese? As a fellow Californian, one from down at the other end of the State, it is nice to feel a fresh breeze from Berkeley.

Mr. MEESE. Thank you.

Mr. BUCHANAN. Mr. Chairman, I would like to join the general chorus and thank Mr. Meese for his outstanding contribution to these hearings.

Mr. MEESE. Thank you.

Mr. POOL. Mr. Chairman, we are certainly glad to have you here. Would you care to make any comment to this witness?

The CHAIRMAN. Well, I join in all that has been said and I stress that, in my opinion, you have made out a case for the passage of the Pool bill.

Mr. POOL. Thank you, and the Chair wishes to also join with his colleagues in complimenting you on a job well done. At the same time, I want to make mention of the good work of Inspector Don Lynn, who is here with you and has worked closely with you, and I think that his work should be complimented, too.

It is a real privilege, and we salute you as a great American for coming here and giving us the benefit of this testimony.

Thank you.

Mr. MEESE. Thank you, sir.

Mr. POOL. The witness is excused.

(All Meese exhibits referred to in the testimony and not marked "retained in committee files" follow :)

MEESE EXHIBIT NO. 1

Are You Interested In Working For
Withdrawal Of USA Troops From Vietnam?

THE VIETNAM DAY COMMITTEE
is holding an important
organizational kick-off

MEETING!

TUESDAY NIGHT, JULY 6, ^[1965] 7:30 p.m.

145 DWINELLE HALL

HELP BUILD PEACE!

We are planning activities in education-research, direct action, and community work. We need you to help plan and carry out these activities. If you have any questions call 845-6637.

SEE OTHER SIDE FOR DETAILS.

MEESE EXHIBIT NO. 1—Continued

Where Is The Peace Movement In The Bay Area Headed?

The goal is a nationwide peace movement which can coordinate nationwide protest demonstrations.

The goal is mobilization and organization of grassroots anxieties about the war into vigorous opposition, and to work toward participatory democracy.

The goal is to spread the truth about the war--by means of speakers, newspapers, pamphlets, research projects, classes and community meetings--to offset the control of the mass media and the universities by the liberal Establishment's cold war ideology.

In order to build such a three-phased movement of direct action, community organization and education-research we must begin. The Vietnam Day Committee, which organized the Teach-in on campus in May and the picket against Johnson, has undertaken this task. We need you to join us.

Come this Tuesday night to our kickoff summer meeting where we will organize some of the following projects:

- * A mass drive throughout Berkeley and Oakland on Saturday, July 10 for signatures on a petition asking the President to withdraw the troops from Vietnam immediately.
- * Door-to-door canvassing of Oakland to discuss the war.
- * A "peace vote" in Oakland at the end of the summer.
- * Setting up a speakers' bureau to send speakers to PTA's, labor unions, churches, fraternities and sororities
- * A labor teach-in at the Oakland Army Terminal, encouraging the longshoremen who load the munitions there to take off from work to hear the facts about our role in the war in Vietnam, then to be followed by mass picketing of the base.
- * A teach-in during the lunch hour for the employees of IBM.
- * Mass leafleting of the soldiers at Fort Ord, The Presidio, and other installations.
- * A second "Vietnam Day" to be followed by civil disobedience, on Oct. 15 and 16.
- * A Congress of Unrepresented Peoples on Sunday August 8 to pass resolutions demanding that the USA withdraw from Vietnam, and then a march to the office of Congressman Jeffrey Cohelan presenting the resolutions to him and asking him questions about his stand on the war.
- * A bi-weekly newspaper.
- * A research project on the involvement of the University of California in the war in Vietnam.

These ideas scratch only the surface of the possibilities of work to end the war in Vietnam. We will organize as many projects as there are people to work. Please come Tuesday night to help make the above projects successful, or to add new ones.

THE VIETNAM DAY COMMITTEE (Campus Chapter)



MEESE EXHIBIT No. 2

STOP the TROOP TRAIN!

Another troop train is coming through Berkeley taking American boys to Vietnam to kill and be killed in a country where the U.S. does not belong.

We must demonstrate against the war machine; we must stop the train and give our anti-war literature to the soldiers. To oppose the immoral war in Vietnam and to block the war machine is immoral; to take orders from an immoral state is immoral. The police will be on hand to try to help the war machine go through--without a second's stop. We will be there too.

We are not demonstrating against the soldiers. We consider the soldiers to be our brothers--brothers who have been conscripted against their will and forced to kill by a government which has forgotten how to tell the truth. We want to stop the war machine and tell the soldiers what is really going on in Vietnam.

thursday, august 12

SANTA FE STATION, BERKELEY 1300 University Ave:

TENTATIVE TIME: 8:45 a.m.

For the exact arrival time call the Vietnam Day Committee Wednesday night, or come over to the office for further information.

2407 Fulton St., Berkeley

549-0811 or 845-6637

8/13/65

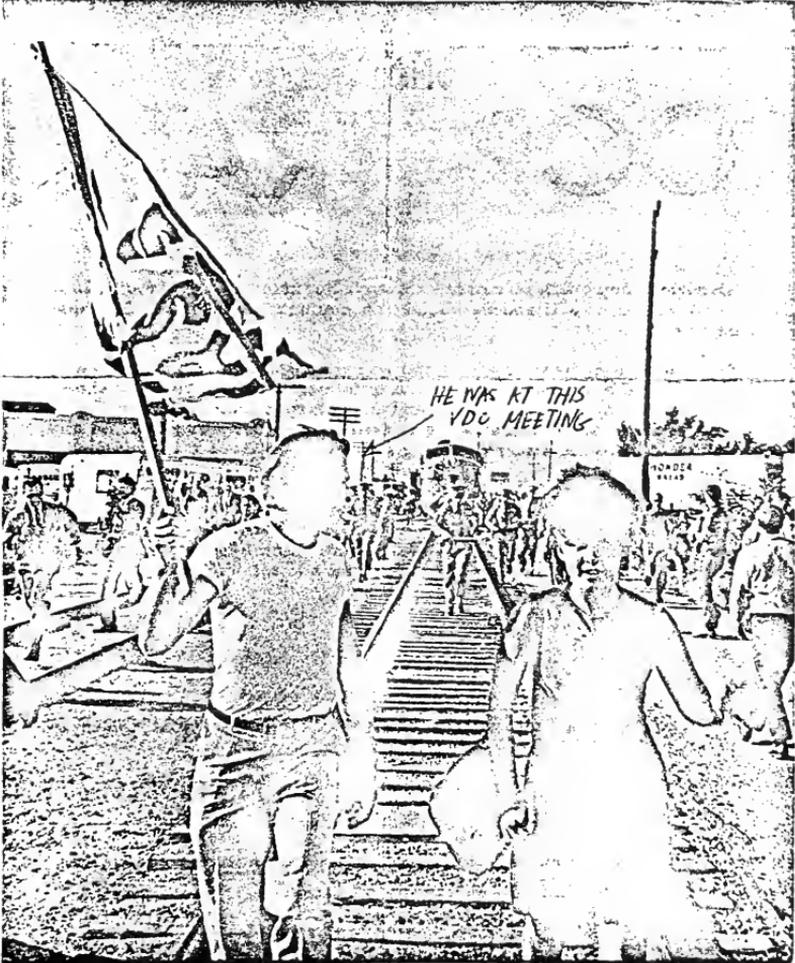
Car pools will be leaving for the Santa Fe Station at approximately 8 a.m. from the corner of Bancroft and Dana.



MEESE EXHIBIT No. 2—Continued

Troop Train Picket No. 4 - this Thursday, 8:45 a.m.

WHAT WILL HAPPEN THIS TIME?



MEESE EXHIBIT NO. 3

MISSISSIPPI NEGROES SAY: "DON'T FIGHT IN VIETNAM"

(This leaflet was passed out and posted in McComb, Mississippi in July 1965. It was written by a group of Negroes in the community who met together after learning a classmate of theirs, John D. Shaw, had been killed in action in Vietnam. Shaw, who was 23 years old, has participated in the 1961 demonstrations in McComb.)

Here are five reasons why Negroes should not be in any War fighting for America:

1. No Mississippi Negroes should be fighting in Vietnam for the White mans freedom, until all the Negro People are free in Mississippi.
2. Negro boys should not honor the draft here in Mississippi. Mothers should encourage their sons not to go.
3. We will gain respect and dignity as a race only by forcing the United States Government and the Mississippi, Government to come with guns, dogs and trucks to take our sons away to fight and be killed protecting Miss. Ala, Ga, and La.
4. No one has a right to ask us to risk our lives and kill other Colored People in Santo Domingo and Vietnam, so that the White American can get richer. We will be looked upon as traitors by all the Colored People of the World if the Negro people continue to fight and die with-out a cause.
5. Last week a white soldier from New Jersey was discharged from the Army because he refused to fight in Vietnam he went on a hunger strike. Negro boys can do the same thing. We can write and ask our sons if they know what they are fighting for. If he answers Freedom, tell him thats what we are fighting for here in Mississippi. And if he says Democracy tell him the truth---we don't know anything about Com-munism, Socialism, and all that, but we do know that Negroes have caught hell here under this American Democracy.

This was reprinted by the:
Vietnam Day Committee
2407 Fulton
Berkeley, California
Phone: 549-0811 or 845-6637



MEESE EXHIBIT No. 4

CLASS OF SERVICE
 * This is a fast message unless its detented character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

W. P. MARSHALL
 CHAIRMAN OF THE BOARD

R. W. MCFALL
 PRESIDENT

SYMBOLS
 DL = Day Letter
 NL = Night Letter
 LT = International Letter Telegram

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is 1967 AUG 12 at point of destination.

136A PDT AUG 12 65 0A027

O SFC305 LL27 LL27 NL PD TDSR PWS SAN FRANCISCO CALIF 11

J FRANK COAKLEY, DISTRICT ATTORNEY

COUNTY OF ALAMEDA 1225 FALLON ST OAKLAND CALIF

SANTA FE SUPERINTENDENT GROUNDWATER TODAY SENT THE FOLLOWING TELEGRAM IN RESPONSE TO ONE RECEIVED BY LEADERS OF DEMONSTRATION AGAINST MOVEMENT OF TROOP TRAINS BY SANTA FE THROUGH BERKELEY: QUOTE WE HAVE JUST RECEIVED A TELEGRAM FROM YOU READING AS FOLLOWS: QUOTE. THE VIET NAM DAY COMMITTEE IS A GROUP OF STUDENTS, FACULTY MEMBERS, AND OTHER MEMBERS OF THE BAY AREA COMMUNITY OUTRAGED BY THE USE OF BERKELEY RAILWAYS FOR THE PURSUIT OF THE IMMORAL WAR IN VIET NAM. WE WILL NOT REMAIN SILENT. WE WILL NOT CLOSE OUR EYES WHILE THE WAR MACHINE ROLLS ON. THE BRUTALITY OF THE WAR IN VIET NAM WAS EXTENDED TO HOME LAST WEEK WHEN RAILROAD TRAINS MOVING WITHOUT REGARD TO HUMAN LIFE NEARLY CRUSHED TO DEATH A NUMBER

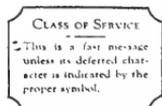
OF YOUNG PROTESTORS. LET THIS NOT HAPPEN AGAIN. WE DEMAND THAT THE TRAIN STOP IN BERKELEY SO THAT THOSE OF US WHO OPPOSE AMERICAN INTERVENTION IN VIET NAM CAN HAVE THE OPPORTUNITY TO HAND OUT LITERATURE TO THE SOLDIERS, TELLING THEM THE REASON THEY ARE BEING MADE TO KILL AND DIE. THIS IS OUR DEMAND. STOP THE TRAIN AND LET US TALK WITH THE SOLDIERS. THEY HAVE A RIGHT TO KNOW WHAT THEY ARE FIGHTING FOR. AND WE AS CITIZENS HAVE A MORAL RESPONSIBILITY TO TELL THEM. WE WILL BE AWAITING YOUR REPLY. SIGNED STEPHEN SMALE, PAUL IVORY, GERRY RUBIN, LARRY LAUGHLIN. END QUOTE.

THESE TRAINS CARRYING ARMED FORCES OF THE UNITED STATES GOVERNMENT ARE MOVING UNDER MILITARY ORDERS AND NO STOP AT BERKELEY OR EMERYVILLE IS SCHEDULED OR WILL BE MADE. YOUR ILLEGAL DEMAND THAT THESE TROOP TRAINS STOH IN BERKELEY SO THAT YOU MAY HAND

SF1201 (R2-65)

X

MEESE EXHIBIT No. 4—Continued



WESTERN UNION

TELEGRAM

W. P. MARSHALL
CHAIRMAN OF THE BOARD

R. W. McFALL
PRESIDENT



The time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination.

OUT LITERATURE TO THE SOLDIERS AND ALSO TALK WITH THEM IN AN EFFORT TO DISSUADE THEM FROM OBEYING THE LAWFUL ORDERS OF THEIR COMMANDING OFFICERS AND OF THE UNITED STATES GOVERNMENT IS FLATLY REJECTED. YOU AND YOUR FOLLOWERS ARE WARNED NOT TO OBSTRUCT THESE TRAINS IN ANY MANNER. STAY OFF THE TRACKS, RIGHT-OF-WAY, AND OTHER SANTA FE PROPERTY, YOUR THREE PAST ATTEMPTS TO OBSTRUCT THESE TRAINS AND THE THREAT NOW CONTAINED IN YOUR TELEGRAM SERIOUSLY ENDANGER THE PERSONAL SAFETY OF THE SOLDIERS, OTHER CITIZENS, THE TRAIN CREWS, POLICE, YOURSELVES, AND YOUR FOLLOWERS, AND INVOKE, AMONG OTHERS, THE FOLLOWING FEDERAL AND STATE CRIMINAL LAWS AND RELATED CONSPIRACY STATUTES: SECTION 2387 OF THE UNITED STATES CRIMINAL CODE, A FEDERAL LAW, DECLARES IT TO BE A CRIMINAL ACT FOR ANYONE WITH THE INTENT TO INTERFERE WITH, IMPAIR OR INFLUENCE THE LOYALTY, MORALE, OR DISCIPLINE OF THE MILITARY OR NAVAL FORCES OF THE UNITED STATES, TO DISTRIBUTE OR ATTEMPT TO DISTRIBUTE ANY WRITTEN OR PRINTED MATTER WHICH ADMISES, COUNSELS, OR URGES INSUBORDINATION, DISLOYALTY, MUTINY, OR REFUSAL OF DUTY BY ANY MEMBER OF THE MILITARY OR NAVAL FORCES OF THE UNITED STATES, OR WHO ADVISES, COUNSELS, URGES, OR IN ANY MANNER CAUSES OR ATTEMPTS TO CAUSE INSUBORDINATION, DISLOYALTY, MUTINY, OR REFUSAL OF DUTY BY ANY MEMBER OF THE MILITARY OR NAVAL FORCES OF THE UNITED STATES. ANYONE VIOLATING THIS STATUTE SHALL BE FINED UP TO \$10,000 OR IMPRISONED UP TO TEN YEARS OR BOTH AND SHALL BE INELIGIBLE FOR EMPLOYMENT BY THE UNITED STATES OR ANY DEPARTMENT OR AGENCY THEREOF FOR THE FIVE YEARS FOLLOWING SAID CONVICTION. SECTION 398 OF THE CALIFORNIA MILITARY AND VETERANS CODE DECLARES IT TO BE A CRIMINAL ACT FOR ANY PERSON WHO IN ANY WAY OR MANNER

MEESE EXHIBIT No. 4—Continued

CLASS OF SERVICE
 This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

W. P. MARSHALL
 CHAIRMAN OF THE BOARD

R. W. MCFALL
 PRESIDENT

SYMBOLS
 DL = Day Letter
 NL = Night Letter
 LT = International Letter Telegram

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination

INTERRUPTS OR MOLESTS THE ORDERLY DISCHARGE OF MILITARY DUTY OR WHO DISTURBS OR PREVENTS THE PASSAGE OF TROOPS GOING TO OR RETURNING FROM ANY DUTY. SAID PERSON OR PERSONS IS GUILTY OF A MISDEMEANOR CRIME AND IS SUBJECT TO ARREST AND PUNISHMENT. SECTION 587 OF THE CALIFORNIA PENAL CODE DECLARES IT TO BE A FELONY CRIME FOR ANY PERSON TO MALICIOUSLY OBSTRUCT THE RAILS OR TRACK OF ANY RAILROAD. A VIOLATION OF THIS CRIMINAL STATUTE IS PUNISHABLE BY IMPRISONMENT IN THE STATE PRISON UP TO FIVE YEARS.

SECTION 407 OF THE CALIFORNIA PENAL CODE DECLARES IT TO BE UNLAWFUL FOR ANY PERSONS TO ASSEMBLE TOGETHER TO DO AN UNLAWFUL ACT AND PROHIBITS UNLAWFUL ASSEMBLY. ANYONE VIOLATING THIS STATUTE IS GUILTY OF A MISDEMEANOR AND SUBJECT TO A FINE AND IMPRISONMENT UP TO SIX MONTHS.

SECTION 602 J OF THE CALIFORNIA PENAL CODE DECLARES IT TO BE A MISDEMEANOR CRIME PUNISHABLE BY FINE OR IMPRISONMENT TO ENTER UPON ANY PROPERTY WITH THE INTENTION OF INTERFERING WITH OR OBSTRUCTING ANY LAWFUL BUSINESS OR OCCUPATION CONDUCTED THEREON.

SECTION 1992 OF THE UNITED STATES CRIMINAL CODE MAKES IT A FEDERAL CRIME TO DERAIL, DISABLE, OR WRECK ANY TRAIN OR ATTEMPT TO DO SO AND MAKES SUCH OFFENSE PUNISHABLE BY A FINE OF NOT MORE THAN \$10,000 OR IMPRISONMENT OF NOT MORE THAN TWENTY YEARS OR BOTH, AND IF SUCH CR ME RESULTS IN THE DEATH OF ANY PERSON EXPOSES THE OFFENDER TO THE DEATH PENALTY OR IMPRISONMENT FOR LIFE.

SECTIONS 218 AND 229 OF THE CALIFORNIA PENAL CODE DECLARE IT TO BE A FELONY CRIME FOR ANYONE TO OBSTRUCT ANY RAILROAD TRAIN

MEESE EXHIBIT No. 4—Continued

CLASS OF SERVICE
This is a fast message unless its deterrer character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

W. P. MARSHALL
CHAIRMAN OF THE BOARD

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BY ANY MEANS WITH

THE INTENTION OF DERAILING IT AND PROVIDES FOR PUNISHMENT INCLUDING LIFE IMPRISONMENT WITHOUT PAROLE AND THE DEATH PENALTY WHERE ANY PERSON SUFFERS BODILY HARM BECAUSE OF SUCH ATTEMPTED DERAILMENT.

A COPY OF YOUR WIRE AND THIS REPLY ARE BEING SENT TO THE APPROPRIATE LAW ENFORCEMENT AGENCIES. SIGNED J. T. GROUNDWATER, SUPERINTENDENT - SANTA FE RAILWAY COMPANY. UNQUOTE.

R W WALKER VICE PRESIDENT AND EXECUTIVE REPRESENTATIVE SANTA FE RAILWAY COMPANY

2387 \$10,000 398 587 407 602 J 1992 \$10,000 218 219

MEESE EXHIBIT No. 5

*Friends of The Vietnam Day Committee*2407 Fulton Street
Berkeley, California 94704
Telephone: 549-0811

Dear Friend,

The Friends of the Vietnam Day Committee are writing to you about the activities of the Vietnam Day Committee. We are asking your support for the Committee's functions.

The Vietnam Day Committee began by organizing the May 21-22 teach-in at the Berkeley campus of the University of California. Since then, the Committee has acted with great success to protest against the war in Vietnam. These actions captured the headlines of national newspapers, thereby bringing the fact of opposition to the Government's war policy to the attention of every American. In the Bay Area, the Committee obtained two and one-half hours prime radio time on KCBS, and there has been extensive radio, TV, and newspaper coverage of its protest demonstrations.

This publicity is a reaction to the Committee's bold confrontations with the Government's war machine. The Committee (and other groups) have found that the news media will not carry "peace news" without dramatic acts involving the risk of arrest; and, without risk, there has been no drama and no confrontation. The Committee's boldness in action has enabled it to grow very rapidly and to be in the forefront of the peace movement. For example, the Vietnam Day Committee proclaimed October 15-16 as International Days of Protest, and this call has been answered by peace groups all over the United States, Japan, Argentina, France, and other countries. The call for Days of Protest will result in significant international protest against the war on October 15-16.

In order to carry on the opposition to the war, the Committee has a paid staff of eight persons and many volunteers who work day and night. They are working to organize community meetings, neighborhood groups, students, and peace demonstrations. They have produced a film; they are publishing a book; they are in daily contact with peace groups all over the world by mail and telephone; and they plan projects to carry the peace message to the public. The present and future activities (e.g., Oct. 15-16) of the Committee require a great deal of money to keep them going and to bring them about.

Every day you may read in your daily newspaper that the Government is expanding the war in Vietnam. By the same token, the Vietnam Day Committee urgently needs to expand its efforts and the peace movement. Progress has been made with a small budget, but the Committee's effectiveness will be increased more than proportionately with an increasing budget. An annual budget of, say, \$100,000 could pay for an intensive peace campaign in the Bay Area

MEESE EXHIBIT NO. 5—Continued

and such a campaign could have national effects. The Friends of the Vietnam Day Committee are those persons engaged in raising the money to meet such a budget and who contribute to this cause in a special way.

If each of 1,000 persons in the Bay Area (approx. pop. 3,000,000) gave \$100 or more to the Vietnam Day Committee annually, the \$100,000 budget would be a reality; and there are surely 1,000 Bay Area citizens who can support the peace movement to this extent. In order to reach those people, the Friends of the Vietnam Day Committee are creating a fund of \$10,000 for a publicity campaign designed to bring the Vietnam Day Committee to the attention of all those who can contribute to it.

Since it is the conviction of the Friends that far more than 1,000 people will support the Vietnam Day Committee with \$100 or more, the Friends make this guarantee: if the first \$10,000 is not raised by October 31, 1965, each person who contributes to the Friend's \$10,000 fund will be refunded his contribution. If the first \$10,000 is raised by October 31, the proceeds will be forwarded to the Vietnam Day Committee for the purposes we have indicated. If you can support the Vietnam Day Committee through the Friends, please send your check for \$100 or more to the Friends of the Vietnam Day Committee, 2407 Fulton Street, Berkeley, California, 94704.

Checks should be made payable to the "Friends of the Vietnam Day Committee." Please indicate in your return whether you do not wish your name to be used in connection with this project.

Thank you for support,

William L. Beach

William L. Beach

Morris W. Hirsch

Morris W. Hirsch

Walter L. Battaglia

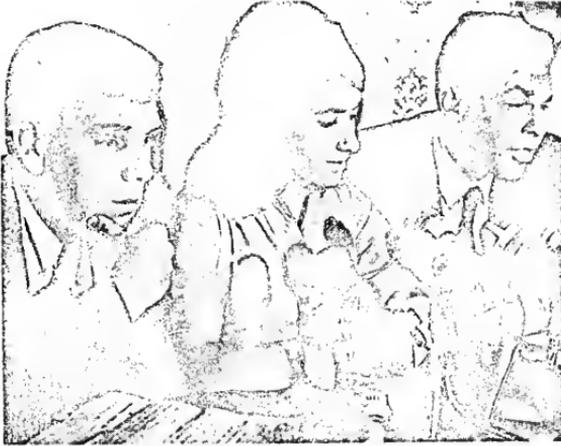
Walter L. Battaglia

THE TRUSTEES OF THE FRIENDS OF THE VIETNAM DAY COMMITTEE

MEESE EXHIBIT NO. 6

[San Francisco Chronicle, September 10, 1965]

[San Francisco Chronicle, September 10, 1965]



LARRY LOUGHLIN, SUZANNE POLLARD, STEPHEN SMALE
Committee leaders pledge civil disobedience

Big Peace March In the East Bay

A protest march of 10,000 persons to culminate in civil disobedience at the Oakland Army Terminal on October 16 was promised by the Vietnam Day Committee yesterday.

Stephen Smale, a University of California mathematics professor, told a press conference that this would be the principal local contribution of an international protest against the war.

He said that plans are being made to hold a campus protest meeting at UC on October 15 and a second meeting on the following morning.

Then at noon on that day, he said, the protest march would begin towards the terminal, one of the major shipping points of military supplies.

He said it will be "by far the biggest peace march the Bay Area has seen."

Some of the marchers would take part in acts of civil disobedience, he continued, but the exact types of law breaking had not been decided upon.

These, Professor Smale continued, could include dropping peace leaflets on the base from the air, an amphibious landing by small boats, a march into the terminal, or simply blocking the entrances to the terminal.

Suzanne Pollard, a graduate student in romance languages at the university, said

the group had been communicating with peace groups in many lands.

A number of favorable responses had come in with agreement to participate in the "International Days of Protest" on October 15-16.

She said groups in Latin America, England, Japan and Canada have promised to stage demonstrations of their own.

Larry Loughlin, a staff member of the Berkeley Vietnam Day Committee said that 50 to 60 groups in this country will stage protest meetings.

Their activities are being co-ordinated out of headquarters in Madison, Wisconsin, he added.

MEESE EXHIBIT No. 8-A

FUTURE COMMUNITY PROTEST MEETING AND MASSIVE CIVIL DISOBEDIENCE PLANNED BY THE VIETNAM DAY COMMITTEE

The Vietnam Days of May 21 and 22 on the Berkeley campus were very successful in bringing vast numbers of people in the Bay Area into involvement with protest over Johnson's foreign policy. We estimate that peak crowds at the campus protest meeting reached 10,000 to 15,000, while the total number of people who came was at least 50,000. Besides this, we estimate that the peak radio audience of KPFA was one quarter of a million, with at least half a million listening to part of the program broadcast from the campus.

Inspired by this success, the Vietnam Day Committee has decided to hold on October 15 another community protest meeting against American military intervention and to follow this on October 16 with massive civil disobedience. Already speakers are being invited, and this program is being developed with the aid of the large number of workers who made Vietnam Day such a success.

Now the Vietnam Day Committee is beginning to coordinate its activities more and more with local and national political groups. Thus, it is expected that October 15 and 16 will have a heavy impact on the American political scene. We hope that in the process of development of these events, the uniting of the activist peace and other political groups will lead to a new force in America, and that this force will effect the end of Johnson's interventionist policies.

Jerry Rubin
Steve Smale
Co-chairmen of
Vietnam Day Committee

If you want to help on this and other projects, call: Jerry Rubin 848-3158

Enclosed is my contribution to help further the work of the Vietnam Day Committee

Name _____ \$ _____

Address _____

Make checks payable to: Vietnam Day Committee. Send to Prof. Smale, Box 2201, Berkeley, California

Campus

6/23/65



MEESE EXHIBIT No. 8-C

9/11/65

VDC Defendants Committee

In preparation for our civil disobedience of October 15 and 16, we, who expect to be arrested, are now organizing into a group whose basic purpose is the commitment to a political defense.

On the 16th of October, civil disobedience will occur against United States intervention in Vietnam. We, the defendants of October 16, are now organizing ourselves for political defense, which will begin now and continue through and after the trial.

The aim of our defense is to put Johnson on trial. To do this, we must be prepared to refuse bail and remain in jail, discipline ourselves while in prison, reject the domination of lawyers, and continue as a political unit with political leadership throughout. We, the Defendants Committee, must discuss this strategy from now until October 16th.

We have just witnessed the court's attempt to suppress the student movement by exorbitant bail and unreasonable terms of probation, after a successful civil disobedience action in December. The mistake made by the student movement here was that politics ended with the arrest. Legal considerations then dominated. We must learn from these mistakes, and from those made in San Francisco a year earlier. Let the battle not end with the arrest. Let us who plan to be arrested on October 16 now begin our defense -- collective political action.

Yesterday Johnson doubled the draft. The day before the United States bombed a Soviet missile site in North Vietnam. Tomorrow it may be Hanoi, or even China. The American people must not remain silent. We must mobilize, and mobilize dramatically, to oppose this madness. Let us not be like those Germans who did not oppose Hitler in the thirties.

Civil disobedience in October will not end this war. However, if done effectively, it can raise opposition to the Administration's policies to a new level. Large-scale political civil disobedience will cause debate and discussion where there was none, and commitment where there was only opposition.

We ask all those who agree with us to join us as members of the VDC Defendants Committee. Discussions of tactics and their political implications for the Defendants, and others who are interested, will be held every Sunday at 3 p.m. at the Vietnam Day Committee office, 2407 Fulton Street, Berkeley. This series of discussions will continue weekly and culminate on October 2nd, "The Anniversary of the Police Car," with a full day of workshops sponsored by the VDC on the subject of October 15 and 16.

On the 15th and 16th of October, actions will occur throughout the world to make these dates International Days of Protest Against American Military Intervention. Students for a Democratic Society is cooperating with the Vietnam Day Committee in organizing nationwide demonstrations. The VDC is also engaging in intensive community work in Oakland, among many other activities. Please come by the office -- 2407 Fulton Street (at Channing Way), Berkeley -- or telephone 549-0811.

meetings every sunday, 3pm
 2407 Fulton Street
 to plan civil disobedience

MEESE EXHIBIT NO. 9

AUG. 6th PROTEST

JOIN MORE THAN 40 GROUPS TO PROTEST THE WAR IN VIETNAM

Every year on August 6th concerned people around the world commemorate and mourn the devastation of Hiroshima. Today, 21 years later, as the bombs continue to drop on Asia, the New York 5th Ave. Peace Parade Committee has called on Americans to join people throughout the world in protesting the Vietnam war. Deeply disturbed by our government's actions in Vietnam, hundreds of thousands have responded to this call. We are not in favor of this war, and we shall raise our voices and march through our streets to show President Johnson and the world how we feel. WHEN SILENCE MEANS CONSENT, NO ONE CAN AFFORD TO BE SILENT!

MASS MARCH ON MARKET ST.

11 a.m.

THE MARCH WILL BEGIN AT DRUMM AND MARKET STS., S. F.

BRING YOUR OWN SIGNS

RALLY AT CIVIC CENTER

1 p.m.

SET UP YOUR OWN TABLE

SPEAKERS

MRS. ANN SAMAS (Mother of a soldier who recently refused to fight in VietNam)
ROBERT SCHEER
VINCENT HALLINAN
PETE CAMEJO
SIDNEY ROGER

SPECIAL EVENTS

PUPPET PLAY - Knives in the Drawers
ANTI-WAR PAGEANT
THE COMMITTEE
PUBLIC DISCUSSIONS
SNAKE DANCING
MUSIC - The Five Year Plan

NO MORE HIROSHIMAS!
GET OUT OF VIETNAM!

- OVER -

MEESE EXHIBIT NO. 9—Continued

THE FOLLOWING IS A PARTIAL LIST OF GROUPS SUPPORTING THE AUGUST 6th MARCH:

- | | |
|---|---|
| ✓ Bay Area Peace Coordinating Comm. | ✓ Iranian Students Association |
| ✓ Berkeley Friends of SNCC | ✓ Moslem Student Association |
| ✓ Berkeley VDC | ✓ North Beach VietNam Committee |
| ✓ Bring the Troops Home Now Newsletter | ✓ Northern California Guardian Committees |
| ✓ Bullets in the Bay Comm. | ✓ Potrero Hill Peace Committee |
| ✓ Citizens for Kennedy-Fulbright (Berkeley) | ✓ Progressive Labor Party |
| ✓ College of San Mateo Liberal Caucus | ✓ San Francisco Peace Center |
| ✓ Committee for Independent Political Action | ✓ San Francisco State VDC |
| ✓ Communist Party USA | ✓ San Jose State College VDC |
| ✓ Community for New Politics (Scheer Campaign) | ✓ Socialist Workers Party |
| ✓ Concerned Citizens of Palo Alto | ✓ Spartacist |
| ✓ Contra Costa Citizens Against the War in VietNam | ✓ Stanford Committee for Peace in VietNam |
| ✓ Eureka-Noe Valley Concerned Citizens | ✓ Students for a Democratic Society |
| ✓ Godzilla Comm. to End the War in VietNam Before it Ends Everything Else | ✓ United World Federalists(student division) |
| ✓ Gondor Committee | ✓ United Youth for Peace(Berkeley) |
| ✓ Haight Ashbury VietNam Comm. | ✓ Vets for Peace(Berkeley) |
| ✓ High School Students Against the War in VietNam(San Francisco) | ✓ Villagers Opposed to the War in VietNam(Albany) |
| ✓ Independent Socialist Club | ✓ Women for Peace(Berkeley) |
| ✓ Independent Truth Center | ✓ Women's International League for Peace and Freedom(San Francisco) |
| | ✓ Young Socialist Alliance |

OTHER ACTIONS

Anti-Napalm Vigil, UTC, Redwood City (Bayshore East to Harbor Blvd. exit), Mondays-Fridays, 12noon to 1p.m. and 7p.m. to 8p.m.

August 6-9th. Friends(Quakers). Continuing Vigil at Oakland Army Terminal. For info: TH3-7557.

August 7-9th. Stanford Campus, White Plaza, 3 Day Vigil. For info: 325-3405.

August 5-13th. Peace Booth at San Mateo County Fair. 10a.m. to 10p.m.

"Port Chicago supplies over 90% of all munitions & explosives for the War in VietNam."

RALLY--1p.m. Sunday, Aug. 7, Concord City Plaza, Willow Pass & Grant STs. WALK--2p.m. to dock gate at Port Chicago.

ACTION--5p.m. Information:

ACTION--5p.m. Individuals will stop munitions trucks. For info: 934-3323 or 841-8919.

Dance on 2400 Telegraph Ave. Berk., Fri. Aug. 5th, 9 to 11p.m. Berkeley & San Francisco State VDC. (tentative).

MEESE EXHIBIT NO. 10

The elected members of the VDC Steering Committee for the October 15 and 16 demonstration are:

- | | |
|----------------------|------------------------|
| 1. Jack Weinberg | 16. Steve Smale |
| 2. Windy Smith | 17. Phil White |
| 3. Steve Cherkoss | 18. Phil Sugar |
| 4. Larry Laughlin | 19. Walter Battaglia |
| 5. Jerry Emmerick | 20. Anya Allister |
| 6. Paul Montauk | 21. Pete Cohen |
| 7. Mike O'Hamlin | 22. Manya Corn |
| 8. Joann Peyton | 23. Mike Delacour |
| 9. Bart Abbott | 24. Jon Read |
| 10. Suzanne Pollard | 25. Annalesia Zach |
| 11. Marilyn Milligan | 26. Frank Smitha |
| 12. Howard Jeter | 27. Marion Steinkeller |
| 13. Jerry Rubin | 28. Janet Pugh |
| 14. Steve Weissman | 29. Barton Stone |
| 15. John Seltz | 30. Sid Stapleton |

1/19/66

MEESE EXHIBIT NO. 11-A

VDC

ENCLOSED STRATEGY FOR OCTOBER 15-16 (Report of the SRO and Defendants Committee) 9/26

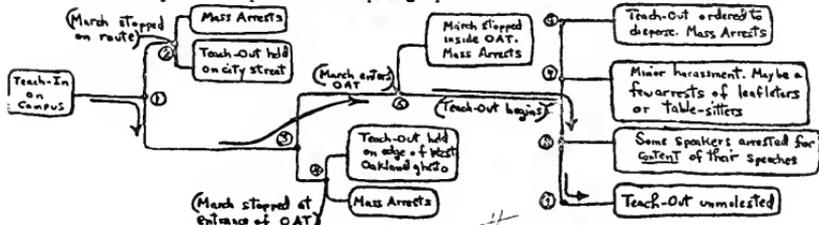
The SRO and the Defendants Committee met jointly Sunday afternoon to discuss plans for October 15-16. The strategy passed by last Tuesday's membership meeting was elaborated, and some decisions were made about the "tone" of the demonstration, and how we should respond to various contingencies (particularly the threat of arrest, or the possibility of a police cordon stopping our march). The following elements of the strategy were agreed upon by consensus:

Our planned program will include a Teach-In on campus beginning Friday morning (Oct. 15) and ending at some time between 5pm and 9pm Friday evening. All participants in the Teach-In will be urged to join a march through Berkeley and Oakland to the Oakland Army Terminal. The March shall begin as the campus Teach-In ends, and shall be turned into a "Teach-Out" at the OAT. Assuming no police interference, the Teach-Out shall be held at one of several unusual, unopened open areas on the army base, near the troop barracks. We will remain all night Friday, and most of ~~the~~ Saturday. In addition to the Teach-Out speeches, there may be workshops and other activities. Sign-ups will be taken for future anti-Vietnam war work.

The Teach-Out will have several themes, most strikingly the fact that a campus-based movement against the war in Vietnam intends to carry out large-scale political activities, such as the "prolonged-mass-informational-rally," in vital areas off the campus. A theme most appropriate to the military setting will be the concept of individual responsibility for war-crimes, as defined in the London Treaty and at the Nuremberg Trials. Finally, we will emphasize that soldiers have both the right and the obligation to engage in political opposition to the war. Such opposition can take many forms, from signing ^{and circulating} petitions, to refusing to fight. ~~It is our right~~ ^{It is our right} to address the soldiers and their right to listen to us ^{will be one of} ~~is~~ the political and ~~the~~ legal justifications for the Teach-Out.

We shall emphasize in all our literature and press statements prior to the March that we do not regard our planned actions as "civil disobedience", and that we do not intend to engage in road-blocking or fence-climbing. The V.D.C. shall publicly oppose individual acts of civil disobedience performed during our March and Teach-Out. Because of all our past announcements about civil disobedience, we must be absolutely unambiguous in announcing our change of plans. On the other hand, we must make it clear that we regard the planned Teach-Out on the Oakland Army Terminal as a lawful and reasonable activity, and we will not back down even if we are threatened with mass arrests. There was some dispute in the SRO as to the "tone" of the Teach-Out. The final consensus was that we should not set in a "belligerent" manner, or through our prior publicity make it appear that we are trying to provoke arrest, or that we intend to "take over" the army base.

If the police interfere with our program, they will force us to make crucial on-the-spot decisions. These contingencies must be planned in advance. Some of the "branch-points", and the decisions recommended by the SRO are illustrated in the following chart. The considerations that went into these decisions are discussed briefly and in part in the paragraphs which follow.



579

MEESE EXHIBIT NO. 11-A—Continued

(2)

Before we begin our analysis of the decision points, let us consider two possibilities. A judge may issue an injunction prohibiting our March or Teach-Out. The SRO recommends that such an injunction be ignored. Ignoring a court injunction would probably lead to mass arrests at some point of the March, thus placing us at one of the branch points described below. Another unpleasant possibility is that there may be no soldiers at our Teach-Out, either because of official orders or because of fear of reprisal. In order to avoid the appearance that the Teach-Out was a flop because no soldiers were there, we must be careful, in our publicity, to stress the symbolic significance of the location, rather than the physical presence of troops. In fact, there are relatively few soldiers at the OAT, and these are not usually destined for Vietnam.

The numbered branch points on the chart indicate decisions that will be made by the police or by the V.D.C. We anticipate no serious problems while on campus.

- 1) Police officials may decide to stop the March enroute to the OAT, probably somewhere in Oakland, ~~to the~~. Since we will not respond to injunctions, they will have to cordon off the marchers. At this point, the SRO recommends that we sit down on the spot and begin the Teach-Out. We will ~~then~~ attempt to conduct the Teach-Out ~~exactly~~ as originally planned. If we are ordered to disperse, we will refuse to do so, and will urge all marchers (except minors, aliens, etc.) to stay. Thus, there will be either mass arrests, or a Teach-Out on the city street, this decision (2) being in the hands of the police.
- 3) If the March is allowed to reach the road leading into the Oakland Army Terminal, but is stopped at this road, the SRO recommends that we proceed as at branch point (1). Thus we will force police to make decision (4), either mass arrests or a Teach-Out in the street. City officials will probably be reluctant to mass large numbers of police or national guardsmen at the edge of the West Oakland ghetto on a Friday night.
- 5) For strategic reasons of their own, the authorities may decide to cordon off the March just after it enters the federally-owned property of the OAT. Clearly, they would not do this if they intended to allow any Teach-Out at the OAT, so we would be given the choice of dispersing or being arrested. Again, the SRO recommends that we submit to arrest rather than disperse.
- 6) The police may prefer to allow the March to reach the Teach-Out area, and then order us to disperse. If they intend to make arrests, this would be the best time, for several reasons. The arrests would occur in a relatively private area, with few spectators, and no one could claim in court that he was arrested "by mistake". Any one of several charges could be used, ranging from petty offenses to treason.

Attorneys have advised the V.D.C. Legal Committee that we would have a fairly good chance of being found "not-guilty", at least on appeal. Of course, this must be balanced against the high probability of severe harassment (high bail, compulsory court attendance, etc.) and conviction during the original trial, because of its political nature. We would, however, have a ~~much~~ better case than that of the FSM, or most civil-rights sit-ins.

Because we do not intend to actually commit civil disobedience, the authorities may decide not to arrest us. They may use harassing tactics, such as arresting a few leafleters or table-sitters. Or they may arrest some of the speakers at the Teach-Out for violation of various "treason acts" involving "lowering the morale of soldiers". In these events (7)^{and}(8), we must prepare a "political defense".

- 9) Finally, there is the possibility that they may just leave us alone. Then, we will have held a very significant anti-Vietnam war demonstration without paying the very high price of mass civil disobedience.

MEESE EXHIBIT NO. 11-B

9-1-65

VDC

The following plan for October 15-16 has been proposed by the Strategic Research Organization:

1. Teach-in on campus Friday, break for night
2. Teach-in on campus Saturday, 9-11 a.m.
3. a) Continue teach-in on march to Oakland Army Terminal. Talks should be aimed at bystanders as well as marchers. Music would also be appropriate (e.g. "Eve of Destruction").
 b) We can expect 10-15,000 to start out from the campus. The column should stretch out for over 1 mile and should not break at intersections. To make the talks audible we will need 1 transmitter and 4-6 receivers linked to amplifiers. Some busses could be chartered for older people and kids but should be part of the march.

4) a) If there is no prior police interference, the march should end at the intersection of Maritime St. and the two other entrances to the base. 10,000 people in this area would effectively immobilize the base without any overt attempt to block the gates, etc.

b) The teach-in should continue on Maritime St. and be aimed at soldiers and civilian base employees.

c) Other actions are possible at this point: a draft-card bonfire, a call on soldiers to refuse to fight in Vietnam; an attempt to enter the harbour area; etc.

If the march is stopped before getting close to the base there are two options:

- a) Sit there and block 1 mile of a main thoroughfare including intersections (Set in a scene);
- b) Break the column and have back three-quarters detour and continue toward the base.

5. If the march is stopped at the 7th St. entrance half the column should remain there and the other half should proceed to the Wake Ave. entrance where it will presumably be stopped. Thus 2 of the 3 entrances would be blocked. A third group coming in off the Bay Bridge by car could easily block the last entrance.

The point of all this is to stage a dramatic action which will mobilize people against the war in Vietnam and begin to take decision-making about this war out of the hands of irresponsible elites. Arrests are not necessary but the risk of arrest can hardly be avoided. This risk can be minimized for most people who participate, they can choose to obey police orders to stop, disperse, shut up, or whatever.

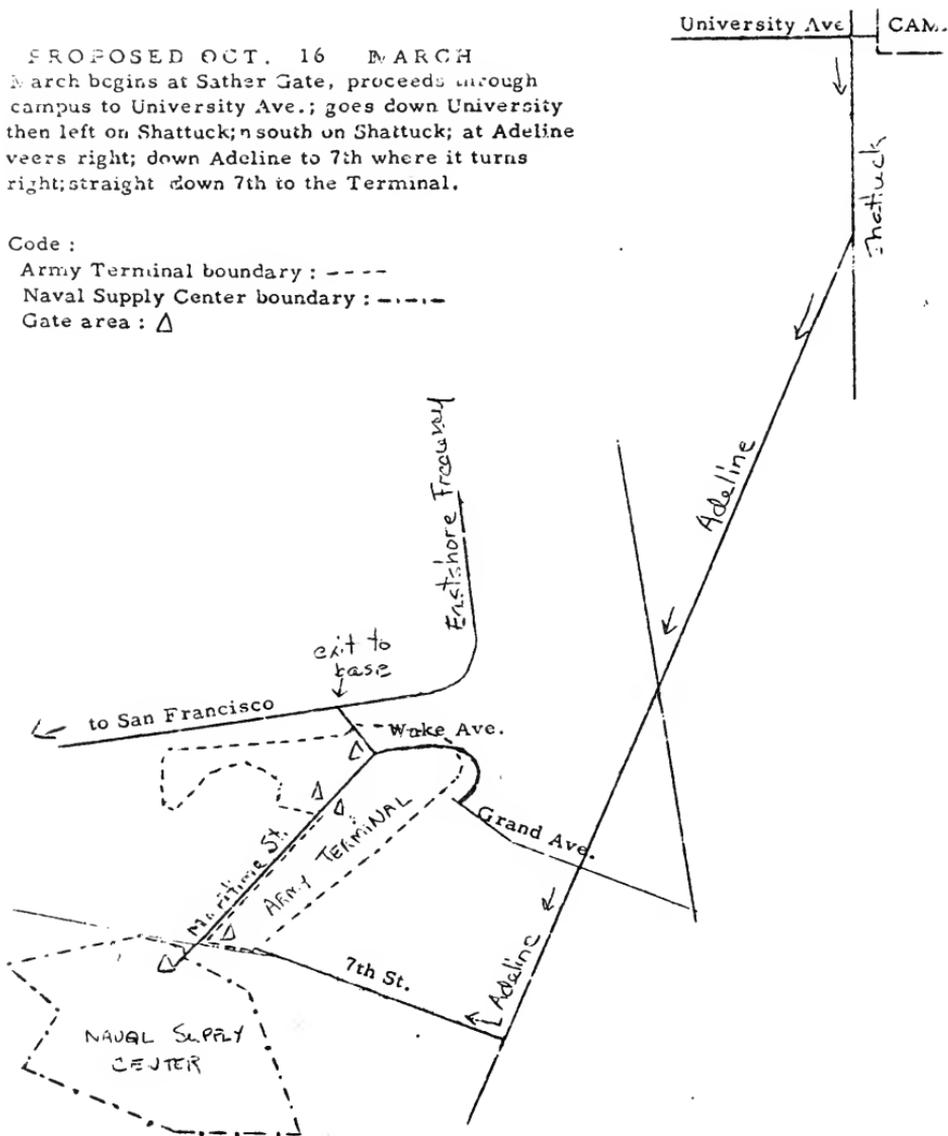
The Oakland Army Base is a particularly good place at which to stage a protest because it is the main West Coast supplier to the American forces in Vietnam.

MEESE EXHIBIT NO. 11-B—Continued

PROPOSED OCT. 16 MARCH
 March begins at Sather Gate, proceeds through campus to University Ave.; goes down University Ave.; then left on Shattuck; south on Shattuck; at Adeline veers right; down Adeline to 7th where it turns right; straight down 7th to the Terminal.

Code :

- Army Terminal boundary : - - - -
- Naval Supply Center boundary : - . - . -
- Gate area : Δ



MEESE EXHIBIT No. 11-D

OCTOBER 15-16

International Days of Protest against the War in Vietnam

On October 15-16 people in Europe, Asia, Latin America, Africa, and 80 cities in the United States will be demonstrating against American intervention in Vietnam. In New York 30 groups are organizing a march of 15,000 people down Fifth Avenue; demonstrations are also planned in Atlanta, Boston, Ann Arbor, Chicago, Milwaukee, Portland, and Detroit. In London there will be a vigil outside the American Embassy; in Argentina students and professors have pledged to protest in the streets; peace groups in Scotland will march through town; and people in Paris, Mexico City, Senegal, British Columbia, and Uruguay will demonstrate in some way against United States policy.

The initiating body for these International Days of Protest is the Vietnam Day Committee, a student-faculty-community group in Berkeley, California, which has become known internationally for its anti-war activities, particularly the attempts to stop trains carrying troops bound for Vietnam. The Berkeley-San Francisco Bay Area aspect of the international protest will center around the "pacification" of the Oakland Army Terminal.

Friday evening at 7:30 we will leave the campus, taking the teach-in into the community in a seven-mile torchlight peace march through the heart of Oakland to the army terminal. The route of the march is: Telegraph to Broadway, to 14th Street, to Peralta, to 7th Street and then to Maritime. Maritime Street, our destination, is a street which runs through the army terminal. On one side of this street are the ships taking munitions to Vietnam; on the other are the army barracks. We intend to continue our teach-in in an empty lot opposite the barracks and to beam it at the soldiers, asking them to consider seriously the implications of their participating in an immoral war.

We will tell soldiers that under the 1945 London Treaty and The Nuremberg Codes they bear individual responsibility for committing war crimes, even if they are following orders from a superior or obeying national law. We will ask them to refuse to fight in Vietnam.

This will be the nation's first teach-in in the midst of an army terminal. We will stay there throughout the night and Saturday with sleep-out, teach-in and workshop discussions on the future of the peace movement.

If the police try to interfere with the march or try to disperse the teach-in, we will be arrested rather than submit to this infringement on our civil liberties. We have decided on these plans rather than on "massive civil disobedience," such as blocking roads, to make visible our sense of the horrendous war which our government is waging in Vietnam. This way, if there should be arrests, we would be in a good position to raise the issue of the Vietnam war in the courts and even have some chance of acquittal. Of course even in this case there will be an opportunity to avoid arrest for those who wish to.

Vietnam Day Committee
2407 Fulton Street
Berkeley, California
Telephone: 549-0811

MEESE EXHIBIT No. 11-D—Continued

Vietnam Day Committee

10/11/65

tentative program for OCTOBER 15th & 16th

International Days of Protest

at Berkeley Campus & Oakland Army Terminal

Activities

FRIDAY - OCT. 15th

BERKELEY CAMPUS

9 - 12 am: Folksingers in upper Sproul Plaza. Discussion with speakers.

12 - 3 pm: Paul Goodman and others.

3 - 6 pm: Discussions on Vietnam and other workshop activities with speakers. Movies, folksinging, picnic supper.

6 - 7:30 pm: Pre-march Rally

7:30 - 11 pm:

Torchlight Peace March

with Loud-Speakers - Music - Banners!

11 - 12 pm: Rally at Army Base.

SATURDAY - OCT. 16th

OAKLAND ARMY TERMINAL

12:30 - 9 am: Army Base Sleep-out. Movies all night, folksingers, campfires, discussions and more discussions.

9 - 12 am: Workshops on:
After Oct 15 & 16 - next steps -
Should VDC and other groups oppose
Cohelan with a candidate?
Another International Day of Protest?
WHAT IF HANOI IS BOMBED?

12 - 5 pm: Final Speakers.

.....
: ART & PHOTOGRAPH SHOW :
.....

.....
: movies Hiroshima Mon Amour
: include----- I Live in Fear
: Night and Fog
: Hitler's Executioners
:

Speakers INCLUDE:

Fanny Lou Hamer - Mississippi Freedom Democratic Party

Paul Krassner - Editor of The Realist

Allen Ginsberg

Dave Dellinger - Editor of Liberation;
Co-chairman of NYC Oct. 16 march

Paul Goodman - Author of Growing Up Absurd, The Empire City, etc.

Staughton Lynd

Marcus Raskin - Ex-aide to J. F. K.

"The Committee" - S. F. satirical group

Robert Scheer - Associate editor of Ramparts; just back from Saigon

Mike Myerson - Just back from Hanoi

A. J. Muste - C. N. V. A.

Hugh Hester - Brig. General, retired

Lawrence Ferlinghetti

Franz Schurmann - Faculty Peace Comm.

Donna Allen - Women for Peace

Bill Stanton - State Assemblyman

M. S. Arnoni - Editor of Minority of One

Stanley Sheinbaum - Ex-advisor to Diem

Paul Jacobs - Labor leader

Prof. Robert Browne - Ex-State Dept. official; just back from Saigon

Prof. Marshall Windmiller



.....
: Mark Spoelstra
: Fugs - Joe McDonald
: F O L K S I N G E R S
:

MEESE EXHIBIT NO. 12

BRIEF NOTES ON THE WAYS AND MEANS OF "BEATING" AND DEFEATING THE DRAFT

- 1/ Be a C.O. Write your local draft board requesting the special conscientious objector form sss 150. Now if you don't have religious or philosophical reasons that cause you to be against war "in any form," don't let it bother you. Mark yes or that question anyway, or mark out the "in any form" if you want to be more honest about it. It's fairly certain that your local board will turn you down. However, you can then appeal their decision, be investigated, appeal again and so on. The whole process takes about a year, and by that time we'll have stopped the war in Vietnam (we hope). For further information on the C.O. process, write: Central Committee for Conscientious Objectors, 2006 Walnut St., Philadelphia, Pa, 19103. or. War Resisters League, 5 Beekman St., New York 38, N.Y. Have fun.
- 2/ Have a demonstration! during your pre-induction physical. This is a way for political objectors to get a L-F and cause the military a lot of trouble. Arrive at the examining center wearing signs: END THE DRAFT NOW! or GET OUT OF VIETNAM or the like. Wear buttons. Leaflet your fellow prospective inductees. Tell them what army life and the war in Vietnam are really all about. Be determined and the officers will be only too glad to be rid of you.
- 3/ Refuse to sign the loyalty oath and don't mark the RED list. If you do, they'll arrest you. They'll investigate you and if you've been fairly active in any of the 'subversive' campus movements, they won't want you.
- 4/ Be 'gay'. Play the homo-sexual bit. Mark 'yes' or don't mark the "Homo-sexual Tendencies" line on forms. Psychiatrist may give you the run-around but stick with it. If you're really game, be obviously one of the 'gay' boys. Besides flicking your wrist, move your body like chicks do -- hold cigarette delicately, talk melodically, act embarrassed in front of the other guys when you undress. Ask your girl-friend to give you lessons or watch the Frisco North Beach crowd any week-end night. 'Gay' bars are also found down in the Tenderloin--Turk Street area.
- 5/ Get a fake doctor. If you have a 'friendly' family doctor or can buy one, you'll find he's extremely handy. Get a signed note from him attesting to an allergy, a trick knee or elbow or shoulder or back trouble, or asthma. Don't forget to mark appropriate places on induction forms and you've got it made. Without a Dr.'s note, you'll have to do a pretty good job of faking these things. Certain chemicals will temporarily induce allergies -- see your chemist.
- 6/ Be an epileptic. Borrow the standard epileptic medal from a friend and wear it. Mark the form properly, tell the Dr. and you're in good shape. If you want to have some fun, read about and fake a seizure. It's fun and you'll really give them a headache.
- 7/ Mail record. Most of us aren't lucky enough to have a felony record, but if you've got one -- use it. They insist on it: you'll see signs all over the place telling you what a crime you'll be committing if you don't tell them. Inmate numbers -- if you've got enough of them -- are a good deal. Suspicion of burglary or robbery or murder are also nice bets.

HOW TO BEAT THE DRAFT

MEESE EXHIBIT NO. 12—Continued

8/ Play psycho. If you've ever been to see a "head-shrinker"--even once-- by all means mark so on forms. A note from him and a little bit of acting with this will go a long way. Chew your fingernails. Talk about the Viet Cong being out to get you. Tell them you're a secret agent for God Johnson. Or be sincere and tell the Dr. how much you enjoy walking on the Golden Gate bridge. Use your imagination, have a ball, and you'll blow their minds without having yours blown up.

9/ Arrive drunk. Being late here really helps. They may send you away to come back another day, but it'll look good to have it on your record. If you do this bit enough times, they'll probably run you back to the headshrinker to find out why. Then play it cool (the booze will help) and you've got it made.

10/ Arrive high. They'll smell it, and you won't have to admit it. If you want to go about the addiction scene in a really big way, use a common pin on your arm for a few weeks in advance. Check with your friends who 'shoot' to see if the marks look good; then you'll have no trouble convincing the Drs.

11/ Be an undesirable. Go for a couple of weeks without a shower. Really look dirty. Stink. Long hair helps. Go in barefoot with your sandals tied around your neck. Give a wine a bottle for his clothes and wear them. For extra kicks, talk far-out (some pot will help here). One doctor is probably all you'll have to see, and he'll be only too happy to get you out of the place.

12/ Be a fuck-up! Don't do ANYTHING right. Forget instructions, don't follow orders, and generally do just about everything wrong. Apologize profusely for your mistakes, and they'll probably tell you how sorry they are for having to give you a 4-F.

13/ Be a trouble-maker. Refuse to follow orders. (You don't have to, you're not in the army). Let them know exactly what you think of them. Be antagonistic; smoke where the signs say NO SMOKING. Pick a fight with a fellow inductee, or better yet--one of the officers or doctors.

14/ Bed-wetting. Tell them you wet the bed when you're away from home. If they don't defer you, prove it when you're inducted.

Extra Special Service for those who really care. Join the army or any of the other military branches and really screw up the works. Tell your buddies the truth about the scene in Vietnam. They'll listen to you; you're one of them. Use the base bulletin boards for posting official-looking leaflets about the whole military mess. Please be careful! If you want to be effective at this, you can't be caught. For the man with real guts. (Detailed pamphlet on this is currently in preparation.)

A deluxe booklet containing all the many ways and means and whys of 'beating' and defeating the draft is nearing completion and will soon be issued at nominal cost. If you have any suggestions or personal anecdotes on draft evasion and army infiltration, please forward them to: Dept. 2017-J, 2407 Fulton Street, Berkeley, California. Attn: Sydney. Also contact above at 542-0811 for draft counseling and additional information.

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MEESE EXHIBIT NO. 13

~~ANTI-DRAFT COMMITTEE~~

An Anti-Draft Committee has been formed by members of the Vietnam Day Committee, Students for a Democratic Society, and other interested individuals. We are a broadly-based group with various points of view, and encourage everyone who opposes the draft for any reason to join us.

The Anti-Draft Committee has several major perspectives:

1. Applying for "conscientious objection" on political and moral grounds.
2. Total non-cooperation with Selective Service.
3. Publicizing the many methods of beating the draft.
4. Attempting to clog up the machinery of the draft system.
5. Undermining the war effort from within the army.

Activities we are planning include:

1. Campus-- noon rallies, wide distribution of anti-draft literature, and informal discussions.
2. High Schools-- encouraging and assisting area high school students to organize anti-draft activities within their schools.
3. Induction Centers-- leafletting and talking to draftees about the war in Vietnam.
4. Community--petitions and community meetings in support of our activities.

The Anti-Draft Committee has planned two workshops during the VDC protest on the 15th and 16th. The first workshop will be held following Dave Dellinger's speech on Friday afternoon around 3:00 PM. The exact time and place will be announced from the podium. The workshop will discuss the various perspectives for anti-draft activity. On Saturday at the Oakland Army Terminal we will sponsor an action workshop, where we will form several committees to make specific plans for future activities.

A meeting to make final plans for the workshops will be held on Tuesday at 6:00 PM in 145 Dwinelle Hall. For further information about the Anti-Draft Committee contact Mark Stahl or Steve Cherkoss at Vietnam Day headquarters, 2407 Fulton, 549-0811.

WOMEN • MARCH AGAINST THE WAR

FOR HIM
AND FOR ALL OF AMERICA'S YOUNG MEN

March with us to the Oakland Induction Center where we will present our demands and voice our opposition to the war.

OUR PLANS

On WEDNESDAY, FEBRUARY 23, we will hold an all-woman's march on the Oakland Induction Center.

Women on the Berkeley campus are urged to attend a NOON RALLY on Wednesday. At 1:00 p. m. the march will leave the campus.

Other women who wish to join the march are urged to MEET IT AT 1:15 P. M. AT CONSTITUTION SQUARE IN BERKELEY (Center & Grove).

The march will proceed down Grove & should arrive at the Induction Center at about 3:15 p. m.

Those who will not be able to join the march are urged to MEET AT THE INDUCTION CENTER (14th & Clay) at 3:15 p. m. There will be a rally when the march arrives, and a delegation of women will present the demands of the march to the commander of the induction center, requesting they be conveyed to the President, Commander-in-Chief of the Armed Forces.

We ask that men do not participate in this demonstration. We urge women to dress conservatively, preferably in black.



BRING HIM HOME

OUR DEMANDS

As women who are deeply concerned about the illegal and immoral war in Vietnam, we demand:

that the United States Government bring our husbands, sons, and brothers home now.

that our government recognize and negotiate with the National Liberation Front for the withdrawal of U.S. troops.

self-determination for the Vietnamese people.

that there be open public discussion and debate on the war. As a beginning we demand that Secretary of Defense MacNamara and other government officials testify in public sessions before the Senate Foreign Relations Committee.

that the disciplinary reclassification of the Ann Arbor, Michigan demonstrators be rescinded and that such policies be never again used.

Women's March Committee
1414 Broadway, Berkeley
947 041

FEB 23

JOIN THE WOMEN'S MARCH: WED,

2/23/68

MEESE EXHIBIT No. 15

ADVICE TO DEMONSTRATORS

The Oakland Police are irrational and unpredictable. Any participant and in fact, any observer of this or any demonstration in Oakland is subject to some risk. Present plans call for a lengthy sit-in which might well result in arrests and convictions. Because of the issue, sentences could be stiffer than any we have experienced. For those who are not prepared to risk arrest we will hold a supporting picket line outside the sit-in. Those who participate in the sit-in should be prepared for the possible consequences and should follow the instructions of the monitors. We urge the following procedures if you are arrested:

1) We will try to raise bail money as quickly as possible. Unless you have a specific hardship, we urge you to stay in jail until enough money is raised to bail out every one. If money comes in at the rate we expect, we hope to have everyone out within from 24 hours to over a week. There is a small possibility of eventual bail reduction and even release on OR (Own Recogniscense). We urge cooperation in filling OR Forms, etc.

2) Insist on your right to a phone call, and either call 845-4123 or have the person you call phone that number, (write the number on your hand). We will need to get a list of the names of those arrested.

3) Anyone who wishes general information about the arrests or the people arrested should call Th8-4754.

4) Bail donation checks should be made out to CFJ Anti-war Bail Fund. Phone 549-0690 for bail information. If you know someone who wishes to put up your bail, urge them to put the money in the fund ear-marked for you.

5) The VDC has secured the Council For Justice (CFJ) to co-ordinate legal defense. Any lawyer who wishes to involve himself in this case should first call Peter Franck, legal co-ordinator for the CFJ at 845-4123.

6) Do not waive any of your constitutional rights.

7) A defendant's meeting will be called at the first convenience to discuss legal strategy.

8) We urge minors (under 18) and aliens to avoid arrest.

9) Good luck.

ATTENTION ALL MILITARY PERSONNEL

You may soon be sent to Vietnam. You have heard about the war in the news; your officers will give you pep talks about it. But you probably feel as confused and uncertain as most Americans do. Many people will tell you to just follow orders and leave the thinking to others. But you have the right to know as much about this war as anyone. After all, it's you—not your congressman—who might get killed.

WHY ARE WE FIGHTING IN VIETNAM?

We are supposed to be fighting to protect democracy in Vietnam, and yet our own government admits that South Vietnam is run by a dictatorship. General Ky, the latest military dictator, is as bad as they come. In a recent interview he said: "People ask me who my heroes are. I have only one -- Hitler. I admire Hitler because he pulled his country together when it was in a terrible state." (London Sunday Mirror, July 4, 1965).

General Ky doesn't mean much to us; we're not even sure how to pronounce his name, but the South Vietnamese have lived under men like him for years. As far as the Vietnamese are concerned, we are fighting on the side of Hitlerism; and they hope we lose.

WHO IS THE ENEMY?

U.S. military spokesmen have often said that their greatest problem is finding the enemy. The enemy, they say, is everywhere. The old woman feeding her chickens may have a stock of hand grenades in her hut. The little boy who trails after the American soldiers during the day slips out to give information to the guerillas at night. The washer-woman at the American air base brings a bomb to work one day. It is impossible, say the military, to tell which are the Viet Cong and which are the civilians.

And so, because the whole Vietnamese people seem to be the enemy, the military is taking no chances. They use tear gas -- a weapon designed for use against civilians. They order American troops to fire at women and children -- because women and children, after all, are firing at American troops. American fighter planes destroy civilian villages with napalm; American B-52's are flattening whole regions. That is why the war in Vietnam is so often called a "dirty war."

When the South Vietnamese people see you in your foreign uniform, they will think of

you as their enemy. You are the ones bombing their towns. They don't know whether you're a draftee or a volunteer, whether you're for the war or against it; but they're not taking any chances either.

FREE ELECTIONS

The Vietnamese would like to vote the foreigners out of their country, but they have been denied the chance. According to the Geneva Agreement of 1954, there were supposed to be elections throughout Vietnam in 1956. But the U.S. government was certain that our man in Vietnam, Premier Diem, would lose. So we decided not to allow any election until we were sure we could win. Diem set up a political police force and put all political opposition -- Communist and anti-Communist -- in jail. By 1959, it was clear there weren't going to be any elections, and the guerillas known as the Viet Cong began to fight back. By 1963 our government was fed up with Diem, but still wasn't willing to risk elections. Our CIA helped a group of Vietnamese generals to overthrow Diem and kill him. Since then there have been a series of "better" military dictators. General Ky -- the man who admires Hitler -- is the latest one.

FIGHTING FOR DEMOCRACY

Your job as a soldier is supposed to be "to win the people of South Vietnam." Win them to what -- democracy? No, we keep military dictators in power. What then? The American way of life? But why should they care any more about our way of life than we care about theirs? We can't speak their language or even pronounce their names. We don't know anything about their religion or even what it is. We never even heard of Vietnam until Washington decided to run it.

You are supposed to be fighting "to save the Vietnamese people from Communism." Certainly Communist influence is very strong

ENCLOSURE (1)

All Previous Editions Obsolete

FORM 107
14-5881

MEESE EXHIBIT No. 16—Continued

in the National Liberation Front, the rebel government. Yet most of the people support the NLF. Why? Many of the same people who now lead the NLF led the Vietnamese independence movement against the Japanese during World War II, and then went on to fight against French colonial rule. Most Vietnamese think of the NLF leaders as their country's outstanding patriots. In fact, many anti-Communists have joined the guerrilla forces in the belief that the most important thing is to get rid of foreign domination and military dictators. On the other hand, very few Vietnamese support the official government of General Ky. His army has low morale and a high desertion rate.

THE GUERRILLAS

The newspapers and television have told us again and again what a tough fighter the Vietnamese guerrilla is. Short of ammunition and without any air cover, he can beat forces that outnumber him five or ten to one. Why do they have such high morale? They are not draftees; no draftees ever fight like that. They are not high-paid, professional soldiers. Most of them are peasants who work their fields; they can't even spare the ammunition for target practice.

Their secret is that they know why they are fighting. They didn't hear about Vietnam in the newspapers; they've lived there all their lives. While we were in high school, they were living under the Diem regime and hating it. Now American planes are bombing their towns and strafing their fields; American troops have occupied their country; and if they complain out loud, an American-supported dictator sentences them to jail or the firing squad. Is it any wonder that they fight so fiercely?

CRUSHING THE RESISTANCE

The war in Vietnam is not being fought according to the rules. Prisoners are tortured. Our planes drop incendiary bombs on civilian villages. Our soldiers shoot at women and children. Your officers will tell you that it is all necessary, that we couldn't win the war any other way. And they are right. Americans are no more cruel than any other people; American soldiers don't enjoy this kind of war. But if you are going to wage war against an entire people, you have to become cruel.

The ordinary German soldier in occupied Europe wasn't especially cruel, either. But as the resistance movements grew, he became cruel. He shot at women and children because they were shooting at him; he never

asked himself why they were shooting at him. When a certain town became a center of resistance activity, he followed his orders and destroyed the whole town. He knew that SS men were torturing captured resistance fighters, but it wasn't his business to interfere.

FOLLOWING ORDERS

As a soldier you have been trained to obey orders, but as a human being you must take responsibility for your own acts. International and American law recognize that an individual soldier, even if acting under orders, must bear final legal and moral responsibility for what he does. This principle became a part of law after World War II, when the Allied nations, meeting in London, decided that German war criminals must be punished even if they committed war crimes under orders. This principle was the basis of the Nuremberg trials. We believe that the entire war in Vietnam is criminal and immoral. We believe that the atrocities which are necessary to wage this war against the people of Vietnam are inexcusable.

OPPOSE THE WAR

We hope that you too find yourself, as a human being, unable to tolerate this nightmare war, and we hope that you will oppose it. We don't know what kind of risks we are taking in giving you this leaflet; you won't know what risk you will be taking in opposing the war. A growing number of GIs have already refused to fight in Vietnam and have been court-martialed. They have shown great courage. We believe that they, together with other courageous men who will join them, will have influence far out of proportion to their numbers.

There may be many other things you can do; since you are in the service, you know better than civilians what sorts of opposition are possible. But whatever you do, keep your eyes open. Draw your own conclusions from the things you see, read and hear. At orientation sessions, don't be afraid to ask questions, and if you're not satisfied with the answers, keep asking. Take every chance you get to talk to your fellow soldiers about the war.

You may feel the war is wrong, and still decide not to face a court-martial. You may then find yourself in Vietnam under orders. You might be forced to do some fighting -- but don't do any more than you have to. Good luck.

Vietnam Day Committee
2407 Fulton Street
Berkeley, California
549-0811



MEESE EXHIBIT No. 18

GRAND JURY
COUNTY OF ALAMEDA

COURT HOUSE, OAKLAND 7, CALIFORNIA

January 27, 1965

TO THE HONORABLE, THE SUPERIOR COURT
OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA

Under the applicable sections of the California Penal Code and under the instructions given by the Presiding Judge of the Superior Court, it is the duty of the Grand Jury to inquire into and report on the needs and operations of County government, and to submit such recommendations as it may deem appropriate.

During the term of this Grand Jury, there have been a large number of criminal prosecutions, a series of arrests, and many demonstrations requiring police supervision, which have been directly related to activities on the Berkeley Campus of the University of California and which have had a profound impact upon Alameda County government. This impact has been reflected in added court costs and congestion, extensive costs to County and local police agencies, and numerous police operations which have resulted in the dilution of the services otherwise available for local community protection. Because of this burden upon local government, the 1965 Grand Jury feels an obligation, in fully carrying out its responsibility to the Superior Court and to the community, to objectively analyze this situation and to offer constructive conclusions and suggestions.

The Berkeley Campus has increasingly become the primary base for activities throughout the Bay Area which have involved law violations and disorder. This fact, coupled with the central University function of educating young people, points up the obligation of the University to share with the community its responsibility for keeping this burden within reason and within the rule of law.

The Grand Jury is concerned with the fact that facilities of the Berkeley Campus of the University of California have been made available to organizations such as the "Vietnam Day Committee", whose leaders and membership are composed largely of persons who are not students or otherwise associated with the University. The "Vietnam Day Committee" has its headquarters off the Campus and its objectives and activities are unrelated to the educational purposes of the University.

MEESE EXHIBIT No. 18—Continued

Yet it has been able to use Campus facilities on numerous occasions during the past several months to organize and implement actions which have detrimentally affected the surrounding community (see Appendix "A"). Particularly serious is the use by this group of the Berkeley Campus as a staging area for unlawful off-campus activities, such as the attempts to interfere with the passage of troop trains through Berkeley and Emeryville in August 1965, and the open advocacy and planning of "civil disobedience", which in reality involves the deliberate violation of criminal laws.

These and other incidents, occurring on the Berkeley Campus or resulting from activities which took place there, have created an extraordinary burden on governmental services, which has been borne by the County of Alameda and the cities surrounding the Campus. When law and order broke down on the Campus, such as during the so-called "Free Speech Movement" demonstrations of October and December 1964, the agencies of local government were required to step in and regain control of the situation. Likewise, where Campus activity was directed at creating incidents in the community-at-large, such as the marches and troop train demonstrations of the "Vietnam Day Committee", local authorities were required to enforce the law and preserve order. Hundreds of police officers, months of court time, and the services of numerous other public officials and agencies have been necessary to handle the problems emanating from the Berkeley Campus. The total cost of these services has amounted to thousands of dollars over the past two years (see Appendix "B"). In addition, the Berkeley situation has repeatedly required the diversion of manpower and resources, and has involved difficulties in operation, which has deprived the citizens of our community of essential governmental services which could otherwise be made available for their benefit.

It is naturally more costly when the full machinery of our law enforcement and legal system must be invoked to handle Campus situations, which could be better, more easily, and less expensively controlled by the disciplinary powers available to the Regents and Administration of the University. Nevertheless, when this disciplinary authority is not fully utilized, or when Campus officials are unwilling or unable to handle the situation, local government has a responsibility to preserve order. It is for this reason that the University must fully carry out its responsibilities, so that the extraordinary burden on local government and the taxpayers, which has been experienced by this County during the past two years, can be eliminated.

Recommendations

1. The University Administration should consistently and

MEESE EXHIBIT No. 18—Continued

firmly enforce all University regulations, should take appropriate disciplinary measures whenever rules are violated, and should fully carry out its responsibility for the maintenance of law and order on the Campus.

2. The University Administration should promulgate and enforce clear directives forbidding the use of University facilities for unlawful off-campus action.
3. The University Administration should diligently enforce its own regulations which limit the use of Campus facilities to students, faculty and staff for purposes which are related to the educational function of the University.
4. The University should extend full cooperation to local authorities in the investigation and/or prosecution of criminal cases which originate on the Campus.
5. The State Legislature and the Regents of the University should provide for the reimbursement of county and city government when conditions on or related to the University Campus require extraordinary law enforcement or other local governmental services.
6. The State Legislature, with the cooperation of the Regents, should enact new legislation to improve University control over outsiders coming on and/or using University property and facilities for purposes unrelated to the educational goals and functions of the University.

In order that the taxpayers of Alameda County may be protected, that the facilities of the University may be preserved for the fulfillment of its educational objectives, and that these recommendations may be evaluated for implementation, copies of this document are being forwarded to the Governor of California; the President, the Chancellor at Berkeley, and the members of the Board of Regents of the University of California; the Board of Supervisors of Alameda County; and the members of the Alameda County delegation to the California State Legislature.

Respectfully submitted,

1965 GRAND JURY OF ALAMEDA COUNTY

Henry A. Bruno, Foreman

MEESE EXHIBIT NO. 18—Continued

APPENDIX "A"

UNIVERSITY FACILITIES GRANTED TO VIETNAM DAY COMMITTEE

Permission was granted to the "Vietnam Day Committee" to use the following facilities of the Berkeley Campus of the University of California during the months of September, October, and November, 1965.

<u>Date</u>	<u>Time</u>	<u>Facilities</u>
Sept. 15	12-1 p.m.	Sproul Steps
Sept. 16	7:30 p.m. on	30 Wheeler
Sept. 18	7-10 p.m.	155 Dwinelle
Sept. 20	12-1 p.m.	Sproul Steps
Sept. 21	4-6 p.m.	2000 Life Sciences Bldg., (LSB)
Sept. 22	7:30-10:30 p.m.	4093 LSB
Sept. 23	7:30 p.m. on	30 Wheeler
Sept. 28	7:30-10 p.m.	204 Engineering
Sept. 29	12-1 p.m. 9:30-10 p.m. 7:30-10:30 p.m.	Sproul Steps 15 Dwinelle 4093 LSB
Sept. 30	7:30 p.m. on 4-12 p.m.	30 Wheeler Wheeler Auditorium
Oct. 2		Wheeler Auditorium
Oct. 3	12-4 p.m. 7:30-10:30 p.m.	155 Dwinelle 145 Dwinelle
Oct. 5	7 p.m. on	204 Engineering
Oct. 6	7:30-10:30 p.m.	4093 LSB
Oct. 7	7:30 p.m. on	30 Wheeler
Oct. 8	4-6 p.m.	155 Dwinelle
Oct. 9	12-3 p.m.	11 Wheeler
Oct. 11	4-6 p.m.	2000 LSB

MEESE EXHIBIT NO. 18—Continued

<u>Date</u>	<u>Time</u>	<u>Facilities</u>
Oct. 12	4-6 p.m. 7-11 p.m.	2000 LSB 204 Engineering
Oct. 13	12-1 p.m. 3-6 p.m. 3:15-5 p.m. 4-6 p.m. 7:30-10:30 p.m. 7:30-11:00 p.m.	Sproul Steps Wheeler Auditorium 2003 LSB 2000 LSB 4093 LSB 204 Engineering
Oct. 14	4-6 p.m. 7-10 p.m. 7:30 p.m. on	2000 LSB 11 Wheeler 30 Wheeler
Oct. 15	8 a.m. to 8 p.m. 2-8 p.m. 2-8 p.m. 5-7 p.m. 6-7 p.m.	Lower Student Union Plaza Wheeler Auditorium 145 Dwinelle Sproul Steps 126 Barrows 110 Wheeler 104 Cal Hall 106 Cal Hall 4093 LSB 4505 LSB 308 LeConte
Oct. 16	11-3 p.m.	Wheeler, Rooms 30, 100, 110, 120, 200, 210
Oct. 20	No time listed	Sproul Steps
Oct. 21	7:30 p.m. on	30 Wheeler
Oct. 19	7-10 p.m.	204 Engineering
Oct. 26	3-5:30 p.m.	106 Calif. Hall
Nov. 4	2:30-5 p.m. 7:30-10 p.m.	120 Wheeler 101 Wheeler
Nov. 11	2:30-5 p.m. 7:30-10 p.m.	120 Wheeler 101 Wheeler
Nov. 16	12-1 p.m.	Sproul Steps
Nov. 18	2:30-5 p.m. 7:30-10 p.m.	120 Wheeler 101 Wheeler
Nov. 19	6 p.m.-12	145 Dwinelle

MEESE EXHIBIT NO. 18—Continued

<u>Date</u>	<u>Time</u>	<u>Facilities</u>
Nov. 20	9-10 a.m.	Sproul Steps

NOTE: In addition to the above facilities, the Vietnam Day Committee was granted the use of the following facilities on November 21, all day from 9 a.m. to 5 p.m. for the "West Coast Regional Conference of the Committees Against the War in Vietnam": Wheeler Auditorium, Rooms 20, 24, 102, 103, 104, 121, 122, and 123 Wheeler Hall.

MEESE EXHIBIT No. 18—Continued

APPENDIX " B "

COST TO LOCAL GOVERNMENT

The following reports from governmental agencies in Alameda County reflect a partial summary of the extraordinary expenses which have been required of city and County government as a result of activities related to the Berkeley Campus of the University of California.

Alameda County Sheriff's Department

The following are the man hours and cost for the Sheriff's Department in connection with the "Free Speech Movement" (FSM) and the Vietnam Day Committee (VDC) demonstrations:

October, 1964	(FSM)	914 hours	\$ 3,628.60
December, 1964	(FSM)	3673	14,405.31
October 15-16, 1965	(VDC)	3875	16,235.17
November 20, 1965	(VDC)	2126	8,905.12
			<u>\$ 43,174.20</u>

The above figures do not include two groups of fifty men each, which were dispatched during August 1965 to support and assist the police departments of Berkeley and Emeryville during VDC demonstrations against troop trains. In addition to the costs set forth above, numerous key personnel of the Sheriff's Department were forced to devote their working time to matters related to the above events before and after the actual incidents, and a great number of personnel were involved for over two months in the court trials of the FSM defendants. During the incidents enumerated herein, the entire Sheriff's Department was placed on a twelve-hour shift basis in order to handle the regular crime-suppression, patrol and custodial functions, as well as to police the emergency incidents discussed above.

Berkeley Police Department

During the period October 1964-January 1965, expenses involved in the handling of "Free Speech Movement" demonstrations on the Berkeley Campus amounted to \$9,722.54. This includes only direct costs and does not cover the expense of officers appearing in court as witnesses, trial preparation, or other miscellaneous or indirect costs incurred by the City of Berkeley.

During the period from May to December 1965, protest activities of the VDC required the mobilization of off duty police officers on thirteen separate occasions at considerable overtime cost to the City, as the chart shown below indicates:

<u>Date</u>	<u>Incident</u>	<u>Hrs. of Overtime</u>	<u>Cost</u>	<u>Misc. Cost</u>
May 21,22	Vietnam Protest Teach- in and March	202	\$ 950.00	
August	Troop Train Demon- strations	596	2,755.00	

MEESE EXHIBIT No. 18—Continued

Berkeley Police Department (Cont'd)

<u>Date</u>	<u>Incident</u>	<u>Hrs. of Overtime</u>	<u>Cost</u>	<u>Misc. Cost</u>
Oct. 15,16	Vietnam Protest Marches (2)	1085	\$ 5,093.00	\$452.00
Nov. 20	Vietnam Protest March	719	3,441.00	997.00
		<u>2602</u>	<u>\$12,239.00</u>	<u>\$1449.00</u>

Total cost of policing VDC activities: \$13,663.00.

This does not include the loss incurred because of the injury and 5-month period of recuperation of a Sergeant injured during the October 16 demonstration.

Oakland Police Department

The following salary costs are reported by the Oakland Police Department. These figures do not include logistical or miscellaneous expenses.

<u>Date</u>	<u>Location</u>	<u>Man Hours</u>	<u>Salary Cost</u>
2 Oct 64	University of California (FSM)	1125	\$ 4927.50
3 Dec 64	University of California (FSM)	1999	3755.26
12 Aug 65	34th & Wood (Troop Trains-VDC)	90	406.49
15 Oct 65	Oakland Army Base, etc. (VDC)	5104	23,325.00
16 Oct 65	Oakland Army Base, etc. (VDC)	4351	22,043.94
20 Nov 65	DeFremery Park, etc. (VDC)	4779½	21,240.50
			<u>\$ 80,711.87</u>

NOTE: The City of Oakland was partially reimbursed by the University of California, in the amount of \$4580.78, for expenses incurred on 2 Oct 64.

Municipal Court

The Municipal Court for the Berkeley-Albany Judicial District reports that extraordinary costs directly chargeable to the trial of FSM defendants amounted to \$28,096.75 for the twelve-month period ending December, 1965. This does not include the salaries of regular personnel of the Court, including the Judge, whose efforts were redirected to the handling of this case, nor does it include overtime for regular employees or the cost of utilizing an additional court room, additional cost for marshals, or other expenses which were provided out of the regular Court budget or the budgets of other County departments.

Other Expenses

The expense summaries set forth above do not include a number of additional costs to County government. Personnel and miscellaneous costs incurred by the District Attorney's Office and the Alameda County Probation Department, as well as the costs of other Courts in the County, are not reflected above.

MEESE EXHIBIT NO. 18—Continued

Other Expenses (Cont'd)

Considerable expense was also incurred by the State of California and the Federal Government because of the mobilization of large numbers of California Highway Patrolmen, National Guardsmen, and military personnel required by various incidents described in this report.

MEESE EXHIBIT No. 19-A

WE DEMAND



FREEDOM FOR G.I.S

The three soldiers who refused to fight in Vietnam were jailed and held incommunicado, on their way to speak at an anti-war demonstration. The three privates, Mora, Samas, and Johnson refused to fight in Vietnam on the grounds that it is illegal, immoral, and unjust. They hope that their action, as well as the suit that they have instituted against McNamara will free others who feel the same way about the war from being forced to commit murder in Vietnam.

Stokely Carmichael for S NCC, Floyd McKissick for CORE, A. J. Muste, Staughton Lynd and Dave Dellinger of the Fifth Avenue Committee, have pledged their support. Pledge your support to these brave soldiers who may be the first of many to take a stand against the war.

DEMONSTRATE OAKLAND INDUCTION CENTER FRIDAY, JULY 15

Start at 5:00 PM, 15 Clay St. (5th and Clay), Oakland
Rally at 5:00 PM, City Centre Sq. (12th and Broadway), Oakland

WE NEED YOUR HELP

To continue our efforts against the war in Vietnam and to aid the three soldiers in their courageous struggle, we need your financial support. Please send contributions to Steve Meisenbach, c/o August 6-9 Committee, 2001 Milvia, Berkeley, California. Thank you.

AUG.6-9 COMM. MEETING

A general meeting of the August 6-9th Committee for the International Days of Protest will take place at 8:00 PM on Thursday July 14 at LeConte School Auditorium, Ellsworth and Russell. Committee meetings will start at 7:00 PM. All are welcome. Further info. at 845-9159.

VDC 15/JULY/1966

AUGUST 6-9th COMMITTEE

MEESE EXHIBIT No. 19-B

G.I.'s ARRESTED FOR OPPOSING THE WAR

Three G.I.'s, formerly stationed at Fort Hood, Texas, and on leave in New York City were arrested July 7 just one half hour before they were to speak to a public meeting to explain legal proceedings which they have instituted against the Vietnam war, which they consider "illegal, immoral and unjust". They were taken, two of them in handcuffs, to Fort Dix, New Jersey, where they are being held under tight restrictions.

The three are PFC James Johnson, 20, Pvt. Dennis Mora, 25, and Pvt. David Samas, 20. They were drafted into the Army last December, took basic training at Fort Hood and signal training at Fort Gordon, Georgia. They became friends in training and found that they all felt the war in Vietnam was wrong.

ORDERED TO VIETNAM

They completed the signal school and were assigned to the 142nd Signal Battalion, 2nd Armored Division, Fort Hood, Texas. There they found they were under orders to go to Vietnam.

"Now all we had discussed and thought about was real. It was time for us to quit talking and decide. Go to Vietnam and ignore the truth or stand and fight for what we know is right."

They were given 30-day leaves before reporting to Oakland Army Terminal in California for shipment to Vietnam. They decided not to go to Vietnam and to make a legal case of it. They went to New York and contacted an Attorney to seek an injunction in Federal Court based on the illegality of the war. They contacted the Fifth Avenue Vietnam Peace Parade Committee and asked for help.

On June 30 they held a news conference and announced that they were filing the injunction, that they would report to the Oakland Army Terminal as ordered when their leave was up July 13, but that they would not go to Vietnam.

THEY SAID:

"We have been told that many times we may face a Vietnamese woman or child and that we will have to kill them. We will never go there --to do that--for Ky!... We have made our decision. We will not be a part of this unjust, immoral and illegal war. We want no part of a war of extermination. We oppose the criminal waste of American lives and resources. We refuse to go to Vietnam!"

WIDESPREAD SUPPORT

They have been supported in their stand by leaders of the civil rights groups and by the entire anti-war movement. Stokely Carmichael, Chairman of the Student Nonviolent Coordinating Committee (SNCC) and Lincoln Lynch, associate national director of Congress on Racial Equality (CORE) appeared with them at the press conference to give the support of their organizations.

Master Sergeant Don Duncan, who spent 18 months in the Special Forces in Vietnam, then refused a commission and quit the army because he had become convinced the war was wrong, sent a message of support saying: "Your actions, if properly motivated, take a strength greater than that required to go to Vietnam. To perservere will be an act of personal bravery far beyond the capabilities of most of us, certainly far beyond anything I have ever done."

VDC 8/1/66

MEESE EXHIBIT NO. 19-B—Continued

- Page 2-

A committee to aid the three soldiers in their case was formed called the Fort Hood Three Defense Committee, with prominent people across the country as sponsors.

After their announcement, though they were still on leave, attempts were made to intimidate them and even to bribe them to drop the case. Pvt. Samas's parents were contacted by police and told that if their son would drop the case, he would be given an Army discharge. Then, only 30 minutes before they were to speak on their case before a public meeting they were arrested.

Floyd B. McKissick, national director of CORE, declared that the arrests "were made explicitly to prevent these young men from exercising their First Amendment right to freedom of speech and were reminiscent of 'police state tactics.' Recently in Baltimore at its National Convention, CORE went on record as being opposed to the Vietnam war and pledged to aid and support those who would not serve in Vietnam."

TELEGRAM

The Fifth Avenue Vietnam Peace Parade Committee sent a telegram to the U. S. Attorney General and the Secretary of Defense saying: "The peace movement will continue to aid in every possible lawful way anyone, civilian, soldier, sailor or Marine, who opposes this illegal, immoral war. The young men in the armed services are entitled to know the truth about the war and to engage in discussions about it. Citizens are likewise entitled to communicate the truth about the war which they consider immoral and unjust.

The anti-war movement, with hundreds of thousands of active participants across the country is backing the three soldiers now being held at Fort Dix. We defend their right to free speech, their right to their day in court, and their right not to participate in a war which they consider immoral and unjust.

THE THREE SOLDIERS INVOLVED ARE:

PFC James Johnson, 20. Born in East Harlem. Graduated from Rice Parochial High school. Attended Bronx Community College for a year before being drafted. He is Negro.

Pvt. Dennis Mora, 25. Born in Spanish Harlem. Attended Bronx High School of Science. Graduated from CCNY with a B. A. in History. A case worker for the New York City Department of Welfare until being drafted. He is Puerto Rican.

Pvt. David Samas, 20. Born in Chicago. Was attending Modesto Junior College in California when drafted. Married this June. Of Italian, Lithuanian background.

For further information contact The August 6 - 9 Committee, 2001 Milvia, Berkeley
telephone 845-9159

Send contributions, with checks payable to A. J. Muste, to Soldiers Defense Fund,
the above address.

MEESE EXHIBIT No. 20-A

PICKET PRESIDENT JOHNSON

President Johnson is coming to San Francisco on June 25 and 26 to speak at a commemoration of the 20th anniversary of the United Nations. Yet our government's actions in Vietnam and the Dominican Republic have served to undermine the United Nations.

The mandate for peace that President Johnson received from the American people has been betrayed. He is following Goldwater's policies of escalation, brinkmanship and gunboat diplomacy.

WE DEMAND:

END THE WAR IN VIETNAM NOW

THE VIETNAM DAY COMMITTEE IS ORGANIZING
DEMONSTRATIONS TO TAKE PLACE ON JUNE 25 and 26:

- * Come at 7:00 p.m. Friday, June 25th to picket Johnson Directly in front of the Fairmont Hotel, San Francisco.
- * Come at 8:00 a.m. Saturday, June 26th to picket Johnson at the S.F. War Memorial Opera House on Van Ness between Grove and McAllister, S.F.
- * At 1:00 p.m. we will hold our own commemoration of the United Nations in the Civic Center across the street from City Hall. We are inviting representatives from various countries to address our meeting.

If you wish to help or want further information, phone Jerry Rubin at 845-6637.

Send contributions to: Vietnam Day Committee
c/o Prof. S. Smale
Box 2201
Berkeley, California

MEESE EXHIBIT NO. 20-B

For Release 10 a.m. June 10

PRESS RELEASE FROM THE VIETNAM DAY COMMITTEE

The Vietnam Day Committee, which sponsored the recent 36-hour protest teach-in on the University of California campus, a meeting which drew upwards of 35,000 people, is sponsoring protest demonstrations against the appearance of Pres. Lyndon Johnson at the 20th commemoration of the UN in San Francisco June 26.

The Committee believes that it is sheer hypocrisy for Johnson to commemorate the UN when his administration is doing so much to destroy that organization in Vietnam and the landing of U.S. troops in the Dominican Republic--acts of aggression in violation of the UN charter. In Vietnam the Johnson administration acts in violation of the Geneva treaty. In addition to all this, it is the US which is largely responsible for keeping China out of the UN in spite of the fact that many of the outstanding political problems of the world require the participation of China in a settlement. In view of all these actions, how can Lyndon Baines Johnson commemorate the UN?

We urge the people of the Bay Area to protest hypocrisy and aggression. We urge Lyndon Johnson to refrain from coming to San Francisco for the 20th commemoration of the U.N.

If Johnson comes, let the American people who protest war and big-bullyism turn out to demonstrate that LBJ does not represent us. Let the world's press see how deeply we protest Johnson's war policies. We know that the city of San Francisco is investing a lot of money and effort in this 20th commemoration and that city officials hope that the meeting will be held without any disruption from dissenters. But the Vietnam Day Committee believes that LBJ's appearance in the U.N. on the commemoration meeting is an insult to those of us who believe in the U.N. as a force for peace.

The Vietnam Day Committee has written to Chief of Police Thomas Cahill informing him that we plan to picket LBJ Friday night, June 25 at the Fairmont Hotel and Sat. morning, June 26, at the War Memorial Opera House. In view of the growing opposition to the war in Vietnam, we expect 3000 to 5000 people marching on our lines. We expect to be able to exercise our rights as citizens and to peacefully picket the President. We plan to picket directly in front of the Fairmont Hotel on Friday night and directly in front of the Opera House on Sat. morning. We will probably be meeting with Chief Cahill soon.

In addition, after LBJ speaks on Sat. we will hold our own commemoration of the UN in the Civic Center directly opposite City Hall. We have invited representatives from more than 45 countries, ranging from France to Tanzania...in addition to other noted speakers. From Johnson we can expect homilies and pieties. Perhaps his advisers will caution him against repeating his schoolboy's orations about his country's flag in foreign soil. Our meeting will truly commemorate the U.N.. We hope that representatives in the U.N. will take advantage of this opportunity to speak directly to the American people.

On the question of civil disobedience, the Vietnam Day Comm. announces that it has no plans at this time for civil disobedience but that it is considering all forms of nonviolent action.

The peace movement is growing in the U.S. as more and more people become disenchanted with the fact that while they may have voted for Johnson, the policy they receive is Goldwater's. The Vietnam Day Committee is receiving support from many groups for its June 25-26 demonstrations. We invite the citizens of the Bay Area to attend our commemoration of the U.N. at noon on June 26 in Civic Center. Lyndon Baines Johnson has forfeited any right to speak or act for us; nor can he represent us at the U.N. On June 25 and 26 we will demonstrate how we feel.

Morris Hirsch Professor of Mathematics UC Steering Comm. VDC
 Paul E Ivory Acting Assnt Prof. of Economics UC Acting Co-Chairman VDC
 Jerry Rubin Co-Chairman, VDC

MEESE EXHIBIT No. 20-C

REPLY TO PROFESSOR SCALAPINO

Professor Scalapino, in slandering the organizers and speakers of Vietnam Day, to be held Friday and Saturday on the Berkeley Campus, has confused the purpose of the meeting to such an extent that one must consider it deliberate.

The purpose of Vietnam Day is to present to the Bay Area Community alternatives to current U. S. policy. The information and ideas that will be related on these days cannot be found in the mass media, the State Department white paper, or even in university classrooms. We are contributing to democratic dialogue by expressing the views which, although widespread in Asia and Europe, are rarely presented to American people. Professor Scalapino calls such objective "propaganda".

Professor Scalapino has implied that the only people who are qualified to discuss Vietnam in public are academic or State Department experts on Vietnam. We do have such technical experts on the program: Professor Stanley Sheinbaum, who designed the strategic hamlet program for the Government, but now regrets it, is one example. But to restrict public discussion to "experts" leads to a dangerous elitism because in the end decisions on foreign policy are based on value judgments, not on just simple recording of facts. The issues in Vietnam are too important to be settled by cold war gamesmanship or academic hairsplitting. One of the purposes of Vietnam Day is to transfer the discussion from the Rand Corporation to the streets.

But more important than this, the problem of Vietnam is the problem of the soul of America. What the State Department is doing in our name in Vietnam is tied directly to Alabama, the Dominican Republic, the state of freedom of the press of America, and the scope of our literature. We think that people like Bob Farris of the Student Nonviolent Coordinating Committee, Norman Mailer and Dr. Benjamin Spock have much to say that is relevant to Vietnam.

Professor Scalapino makes much of the fact that we have included entertainers in the program. Had he bothered, he would have counted less than three hours of entertainment scattered throughout the main program. He conveniently juxtaposes speakers and entertainers and calls them all "performers". Which of our speakers does Professor Scalapino consider entertainers or performers? Senator Gruening? Isaac Deutscher, world-renowned writer on the Soviet Union? Bertrand Russell? Ruben Brache, the representative of the Dominican rebels in the United States? Professor Marvin, Chairman of the International Relations Department, San Francisco State College? Bui Van Anh, Counselor of the Vietnamese Embassy in Washington?

We offered Professor Scalapino and Professor Burdick, who attacked us yesterday, as much time as they wanted at any hour. If they fear the public will be misinformed, they do the public a great disservice by attacking the meeting instead of participating in it as others who support the State Department are doing.

They refuse to take part because they fear four aspects of the meeting:

1. Vietnam Day is giving a platform to intellectuals who are not favored by the State Department as Professor Scalapino is, but who, nevertheless, have much to say about Vietnam: people like Robert Scheer, Professor Staughton Lynd, Dave Dellinger, M. S. Arnoni, Edward Keating, and Felix Greene.
2. The meeting goes beyond the narrow definition of academic expert and challenges the authority of Professors Scalapino and Burdick.
3. The meeting will spread some dangerous ideas to masses of people.
4. The protest movement against the war is successful and is spreading.

One week the State Department, well aware of the nature of the program, promises to send speakers. The next week they back out, giving as an excuse, "lack of balance", thereby helping to create the very imbalance they say they oppose. Why are Professors Scalapino and Burdick and the State Department afraid to take the best time in our program and face an audience which has just heard fresh and unconventional ideas on Vietnam? Are they afraid that in this atmosphere their cliches, apologies, and academic excuses for injustice will be exposed?

6/4/65
 Professor Morris Hirsch
 Professor Stephen Smale
 Jerry Rubin

Vietnam Day Committee

Campus

MEESE EXHIBIT No. 21

Medical Aid Committee

Everyday the people of Vietnam are being killed, wounded, their homes devastated by the weapons of modern war. Intensive attacks using steel fragmentation bombs, napalm and toxic chemicals sprayed from the air have been used, often indiscriminately on the civilian population. While this unjust, cruel war continues, it is the people of Vietnam who suffer most. Since 1957, well over 300,000 have been killed and 400,000 injured or tortured. It is these innocent people living in the villages who need your help.



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1/5/65



MEESE EXHIBIT NO. 21—Continued

On November 6, the San Francisco Chronicle reported that Pope Paul donated \$50,000 to the victims of the war in both North and South Vietnam. He made an appeal for others to follow suit.

There is a desperate need to send medical supplies which will help to save lives. Medical equipment and drugs of all kinds are needed, especially antibiotics and antiseptics. Even the simplest equipment for first aid posts such as forceps, scissors, needles and sutures are desperately needed in addition to amputation saws and blood plasma. Money can buy these supplies. The people of Vietnam need your help!

The Medical Aid Committee will send all contributions to the International Red Cross in Geneva, Switzerland, which has already agreed to deliver the aid to victims of the war in North Vietnam and civilian controlled areas of South Vietnam. This guarantees the greatest possible efficiency.

Viet Cong.



In North Vietnam our help takes the form of medical supplies handed over to North Vietnamese Red Cross in Hanoi.

The National Liberation Front of South Vietnam is supplied with medical and surgical supplies through its representatives.

Money handed over to us will be used for the purchase of relief goods and medical supplies according to the wishes of the donors.

This is an excerpt from a letter received by the Medical Aid Committee from the International Red Cross in Geneva, dated October 15, 1965.

MEESE EXHIBIT No. 21—Continued



This is the "enemy."

By contributing to the Committee the American people will be able to render immediate relief to those who are innocently suffering as a consequence of the U.S. Government intervention and military actions.

Medical aid being collected and sent to the victims of our government's foreign policy is a dramatic protest that has a concrete effect ... they need the bandages and blood!

Need it be added that when men, women and children lie hurt and bleeding, the political views of the victims are as irrelevant as those of the Good Samaritan.

MEESE EXHIBIT No. 21—Continued

—Senator Robert F. Kennedy
S.F. Chronicle, Nov. 6.

"If it's a blanket question, yes, I would give my blood to North Vietnam. I think that would be in the oldest tradition of this country."

I am enclosing _____ as a donation for the Medical Aid Committee for Vietnam.

NAME _____

ADDRESS _____

Medical Aid Committee
P.O. Box 1128
Berkeley California

VDC

I-301
1/4/65

If you wish to be on our mailing list, please enclose this form.

MEESE EXHIBIT No. 24-C

Divided into
 OCT 6, 1965
 Univ. of Calif

TREASON

- TO MAKE THE DECISIONS WHICH AFFECT YOUR OWN LIFE
- TO DESIRE THAT DECISIONS ABOUT LIFE AND DEATH BE MADE DEMOCRATICALLY
- TO REFUSE TO SUPPORT A GOVERNMENT WHICH ORGANIZES ITSELF FOR THE PURSUIT OF WAR
- TO REFUSE TO COOPERATE WITH THE DRAFT

The majority of people in this country neither actively support nor understand the war in Vietnam, yet the war goes on. Men serve in the armed forces because they feel they cannot avoid serving. The power of the United States Government to carry on war rests on coercion from above rather than patriotism from below, on acquiescence rather than cooperation. War is carried on by governments, not by people. People must no longer be treated as the objects of this or any governments desire for power.

People are now coming together, in Berkeley and across the nation, to formulate programs of action against the draft. Some wish to register Conscientious Objectors, to clog up the machinery of conscription. Others wish to in no way cooperate with a Government where decisions are made without the consent of the governed. Some propose alternatives to cooperation with the draft.

Some proposed activities include,

- speaking to high school students who are about to register, proposing alternatives
- organizing community meetings to talk about the war, the draft, democracy
- organizing inductees and their families to creatively disrupt the draft centers
- urging soldiers not to fight

COMB, HELP PLAN THE FIRST ACTIVITIES FOR THE BAY AREA

students for a democratic society

WEDNESDAY, OCTOBER 6

109 Dwinello Hall.

7:00 PM

10/20/65

Mr. POOL. The committee will stand in recess until 2 o'clock.

(Members present at time of recess: Representative Willis, chairman of the full committee; Representatives Pool, Ichord, Ashbrook, and Buchanan, of the subcommittee; and Representative Clawson, alternate subcommittee member.)

(Whereupon, at 11:45 a.m., Thursday, August 18, 1966, the subcommittee recessed, to reconvene at 2 p.m., the same day.)

AFTERNOON SESSION—THURSDAY, AUGUST 18, 1966

(The subcommittee reconvened at 2 p.m. Hon. Joe R. Pool, chairman of the subcommittee, presiding.)

(Subcommittee members present: Representatives Pool, Ichord, and Buchanan.)

Mr. POOL. The committee is called to order.

The House has called for a record vote, so the committee will now stand in recess for 15 minutes so the members can go to the floor and vote.

(Whereupon, at 2:11 p.m. the subcommittee recessed and reconvened at 2:45 p.m. with the following members present: Representatives Pool, Ichord, Ashbrook, and Buchanan.)

Mr. POOL. The committee will come to order.

Counsel, call the next witness.

Mr. NITTLE. Would Allen Krebs come forward, please?

Mr. POOL. Call his name again.

Mr. NITTLE. Would Allen Krebs come forward, please?

Mr. POOL. The third time.

Mr. NITTLE. Would Allen Krebs come forward, please?

Mr. POOL. Let the record note that the witness failed to respond after the third call of his name.

Call the next witness.

Mr. NITTLE. Would Walter Dorwin Teague III come forward, please?

Would Walter Dorwin Teague III come forward, please?

Would Walter Dorwin Teague III come forward, please?

Mr. POOL. Let the record show that the witness failed to respond after his name was called three times.

Mr. NITTLE. Would Stanley Nadel please come forward?

STATEMENT OF STANLEY NADEL

Mr. NITTLE. Are you appearing as a witness to testify?

Mr. NADEL. I have a subpoena to testify.

Mr. POOL. Ask his name.

Mr. NITTLE. Would you state your name for the record, please?

Mr. NADEL. Stanley Nadel.

Mr. NITTLE. And your residence?

Mr. NADEL. I—

Mr. POOL. That is not necessary.

Mr. NADEL. I will not give my address. My house was bombed once. I do not intend to have that happen again.

Mr. NITTLE. Would you be sworn to testify?

Mr. NADEL. Do I have a choice?

Mr. NITTLE. Are you represented by counsel?

Mr. NADEL. I wish to have counsel. You forced the counsel of my choice to withdraw from this case by your actions yesterday. It is clearly unsafe for him to vigorously represent me.

Mr. ICHORD. Mr. Chairman, let me ask the witness a few questions.

Do you wish, sir, to testify before this committee without the benefit of counsel?

Mr. NADEL. I do not wish to do so. I will do so if I am compelled to by the committee.

Mr. ICHORD. Then, Mr. Chairman, the witness does not wish to testify. It is my understanding that the counsel for this witness withdrew from the case. He does not wish to testify. I think perhaps this witness should be continued over under subpoena and given additional time to obtain an attorney.

I would make that suggestion to the Chair.

Mr. NADEL. If I may—

Mr. ICHORD. If he wishes to testify, if he wishes to be sworn as a witness and testify without the benefit of an attorney, that wish will be granted him.

Mr. NADEL. If I may, I do wish to have counsel. However, I could not trust any counsel to appear with me under the conditions of this hearing.

Mr. ICHORD. That will suffice, Mr. Nadel.

Then, Mr. Chairman, I renew my suggestion, and I will put that in the form of a motion. I move that the subpoena of this witness be continued over and he be given additional time, to November 15, to appear before this committee at that time.

Mr. POOL. Are there any objections?

The Chair hears no objections. The witness is excused until November 15, at which time he would have had plenty of time to obtain counsel of his choice.

Mr. NADEL. I state again that I could not trust any counsel—

Mr. ICHORD. The witness is out of order. Would you please be seated, sir?

Mr. NADEL. As you wish.

Mr. POOL. Call the next witness.

Mr. NITTLE. Would Anatole Ben Anton come forward, please?

Mr. NADEL. Could I reconsider?

Mr. POOL. Yes.

Mr. NADEL. This is expensive and that could be finals' time at school, so I will under protest testify without counsel.

Mr. POOL. You have not yet reconsidered.

Mr. ICHORD. Let him be seated. Call the next witness.

Mr. NADEL. I will testify. I am willing to testify.

Mr. POOL. The way you have put it to the committee, we are going to be fair with you and give you a chance to get a lawyer.

Mr. NADEL. I am telling you now I cannot get a lawyer under these conditions. Therefore, I am willing to testify without one.

Mr. POOL. Does the committee wish to reconsider?

Mr. ASHBROOK. He, in effect, is saying that he can't.

Mr. ICHORD. Let me ask the witness a question again.

Do you at this time, Mr. Nadel, wish to voluntarily testify before this committee without the benefit of counsel?

If you desire, the committee will grant you that wish because we do feel you have evidence that you could present if you desired to testify, if you will be sworn, testimony that will be of benefit to this committee.

With that understanding, sir, have you reconsidered and do you desire to testify before this committee voluntarily without the benefit of counsel?

Mr. NADEL. I am not sure of the meaning of the term—

Mr. ICHORD. Then, Mr. Chairman—

Mr. NADEL. Wait. I am not arguing. I am not sure what you mean by "voluntarily." I mean I am testifying willingly, but with the understanding that then it is willingly under the conditions of the subpoena. If I were not subpoenaed, I would not be here.

Mr. ICHORD. We are willing to continue the subpoena and give you time to obtain counsel.

Mr. NADEL. I am saying I am willing to testify under subpoena without counsel.

Mr. ICHORD. Do you wish to testify at this time without the benefit of counsel?

Mr. NADEL. Yes.

Mr. ICHORD. You do.

Then I would suggest, Mr. Chairman, I withdraw my motion, or I move to reconsider the motion that I made. I would suggest to the Chair that if that motion carries that the witness be sworn, put under oath, for his testimony.

Mr. ASHBROOK. Mr. Chairman, there is no question in my mind but what this witness will leave this room and say he was literally forced to testify under duress, under the supposed threat of future testimony, that it was a financial aggravation to himself, and so forth. He has already indicated this. Under the circumstances, I think it would be wrong to reconsider that motion at this time.

Mr. ICHORD. I would point out to the witness that you will not come back after you have had the opportunity to obtain counsel, you will not come back at your own expense. That will be at the expense of the Government, as you have been subpoenaed here today.

But I want to make it clearly understood that you wish to be heard by this committee without the benefit of counsel.

Mr. NADEL. I have said that I would rather do this now than do it in November, seeing as it will be under the same conditions.

Mr. ASHBROOK. But you did say it would be under protest. Do you still feel that you are doing this under protest, or are you willingly doing it and voluntarily doing it at this time?

Mr. NADEL. I feel the counsel of my choice has been forced to withdraw. I would like to have him here, but he has been forced to withdraw.

Mr. ASHBROOK. Under these conditions, I do not think he should be permitted to testify.

Mr. POOL. Mr. Ichord, from what he said, I would ask you to withdraw your motion.

Mr. ICHORD. I agree with the chairman. I think the witness should be seated. Call the next witness.

Mr. POOL. You have your instructions. Have a seat. Call the next witness.

Mr. NITTLE. Anatole Ben Anton.

STATEMENT OF ANATOLE BEN ANTON

Mr. NITTLE. Will you state your name for the purposes of the record, please?

Mr. ANTON. I would rather do that after I have been sworn in, if you don't mind.

Mr. POOL. Counsel asked you to state your name.

Mr. NITTLE. Would you state your name?

Mr. ANTON. Since I am not under oath, I can say "James Bond."

Mr. POOL. All right, Counsel.

Mr. NITTLE. Are you represented by counsel, Mr. Anton?

Mr. ANTON. Well, the fact is—what is your name? I forget it.

Mr. NITTLE. It does not matter. Proceed.

Mr. ANTON. The fact is, Lackie—

Mr. NITTLE. Address your remarks to the Chair, please. You are not addressing me.

Mr. ANTON. The fact is, Mr. Lackie, that no self-respecting lawyer, members of this committee notwithstanding, would come into this courtroom now. So under those conditions, I am without counsel.

I have to face you people.

Mr. POOL. Do you desire counsel? Do you desire counsel?

Mr. ANTON. Of course I desire counsel.

Mr. POOL. Have you tried to obtain counsel?

Mr. ANTON. The fact is that every counsel that has an intelligent position vis-a-vis this committee certainly would not violate the agreement of the lawyers to withdraw from this committee and certainly would not come in.

Mr. ICHORD. Do you wish, sir, to testify before this committee today without the benefit of counsel?

Mr. ANTON. Is that Mr. Willis?

Mr. ICHORD. I would remind the gentleman that the gentleman was in the committee earlier yesterday and that I thought this committee had some very important business to proceed with and that was the consideration of the Pool bill that would establish a criminal penalty for such actions that this witness, it has been testified, has been committing in certain areas in the United States. Such testimony is certainly within the jurisdiction of this committee.

The gentleman's counsel has withdrawn from the case. I do think that, in all fairness to this witness, he should be given an opportunity to obtain additional counsel.

But I do feel, sir, since you have been making so many statements, that the business that is pending before this committee is so important that we do not have time to listen to a bunch of clowns.

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

Mr. ANTON. I am not the clown, I will have you know. But listen, Ritchie, really—

Mr. POOL. Let's have order. Wait just a minute.

Mr. ICHORD. Mr. Chairman, I would move that this witness be continued over until November 15 under his subpoena, to give him ample opportunity to obtain counsel.

Mr. ANTON. No, that could not be. No lawyer would come into this—

Mr. POOL. Let's have order in the hearing room. Just be quiet until we ask you to say something.

Mr. ANTON. Joe, if you don't mind, I would like to state for the record that I would testify—Joe, I mean—I have busy things. I am a busy man myself.

Mr. POOL. You look as if you are pretty busy.

The motion has been made that this man's subpoena be continued until November 15. All in favor say "aye," all opposed, "no."

The ayes have it.

Your subpoena is continued until November 15.

You can now be seated.

Call the next witness.

Mr. NITTLE. Would Stuart McRae come forward, please?

TESTIMONY OF STUART ALLAN McRAE

Mr. NITTLE. Your name is Stuart McRae?

Mr. McRAE. Yes.

Mr. NITTLE. Do you appear with counsel?

Mr. McRAE. No, I do not. The actions of the committee deprive me of the counsel of my choice. I will testify without counsel. I feel no need of legal help in proceedings with such little respect for me.

Mr. POOL. Is it your statement that you do not desire counsel?

Mr. McRAE. I do not desire counsel that will enter this room under these conditions, there being no counsel that I can trust. I will proceed alone.

Mr. POOL. Mr. Ichord, would you like to make a motion?

Mr. McRAE. I wish to testify.

Mr. ICHORD. Do you wish to testify at this time?

Mr. McRAE. Yes, I do.

Mr. ICHORD. Then I would suggest, Mr. Chairman, that the witness be sworn.

Mr. POOL. Is that the desire of the witness to testify at this time without counsel?

Mr. McRAE. Yes, willingly under protest.

Mr. POOL. Do you solemnly swear that the testimony—let's have order—you do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McRAE. I so affirm.

Mr. POOL. Do you affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. McRAE. I so affirm.

Before proceeding, I have a statement I would like to read.

Mr. POOL. Counsel wants you to identify yourself first.

Mr. NITTLE. Would you state your full name for the purposes of the record?

Mr. McRAE. My name is Stuart Allan McRae.

Mr. NITTLE. Where do you live?

Mr. McRAE. I am in a transit condition at the moment. My room right now is Room 306 Congressional Hotel.

Mr. NITTLE. What was your residence prior to coming here?

Mr. McRAE. 573 Center Drive [Palo Alto, California].

Mr. NITTLE. What was the date and place of your birth?

Mr. McRAE. January 29, 1944.

Mr. POOL. Counsel, he wishes to make a statement.

Mr. McRAE. Yes, I wish to make a statement. It is not a long statement.

My name is Stuart McRae. I am a student at Stanford University and I make this statement in protest against my appearance before the House Committee on Un-American Activities.

Frankly I am incredulous at having been subpoenaed by this committee. I have broken no law. By what right does this committee, whose entire history has been plagued by bigotry, racism, and patriotic bigotry—

Mr. POOL. Just a moment. You can make a statement in objection to the proceedings, but limit it to objections.

Mr. McRAE. These are objections, vigorous objections. Let me say at the outset that I, like millions of other Americans, am convinced that the committee is unconstitutional, and is un-American as—

Mr. NITTLE. May I confer with the chairman a moment?

Mr. POOL. Yes.

You may proceed.

Mr. McRAE. Showing my support, I wish to indicate my support of the injunction against the committee on the basis it is unconstitutional according to the first amendment. But if this were one of the committee's garden-variety witch hunts, I would refuse to cooperate in this unconstitutional circus. This hearing has an enormous importance for the ever growing army of Americans, both adults and students, who are determined to resist Johnson's undeclared war in Vietnam.

I have a responsibility to stand up to this committee and to speak out against its transparent effort to intimidate resistance to the war, and I do not wish to permit a sinister crowd of the committee to shadow and besmirch me.

I have done nothing of which I am of the slightest ashamed and surely nothing which requires criminal sanctions. I am here on trial for sending money to the International Red Cross, for relief which is administered by the National Liberation Front in South Vietnam, to alleviate the suffering of victims of brutal American bombing.

Am I to be harassed in believing in the ideals of the American Red Cross?

Senator Robert F. Kennedy has asserted that such aid to the suffering, whoever they are, is in the oldest American tradition. For acting on my convictions as an American, as a man, I have been dragged across the entire country to participate in the low comedy of this congressional sideshow.

But unfortunately we must take these hearings and the Pool bill seriously, for in addition to the general suppression of dissent, the subpoenaing of young people to these hearings represents a negative attempt by an agency of the Government to intimidate and suppress the peace movement.

It is clear to me that this hearing represents an attempt to smear the peace movement as red or subversive. More than this, it represents an attempt to stifle the peace actions which go beyond the politely spoken dissent that the administration tries to ignore.

This will not stop me from my views to end aggression of the United States in Vietnam, in responding to the call of conscience to help the wounded and suffering, and in cooperating with all of those, regardless of their politics, who believe as I do about the war.

It is my hope that that sector of the American public will find some solidarity encouraged to bring a possible end to this brutal carnage. That is the end of my statement.

Mr. POOL. All right, Counsel, go ahead with your questions.

If you have stated any objections there, they are overruled.

Mr. McRAE. I would expect nothing other than that.

Mr. NITTLE. Would you relate the extent of your formal education?

Mr. McRAE. It is a normal education. I have attended 6 years of grade school, elementary school, 3 years of junior high school, 3 years of high school, and 3 years at Stanford University.

Mr. NITTLE. Would you tell us the years of attendance at Stanford?

Mr. McRAE. I attended Stanford from September 1962 through June 1964, and again from September 1965 to June 1966.

Mr. NITTLE. Prior thereto, were you a graduate of the Highland High School at Albuquerque, New Mexico?

Mr. McRAE. Yes, I was.

Mr. NITTLE. Do you serve as cochairman of the Stanford Medical Aid Committee?

Mr. McRAE. I am very proud to say that I did this activity.

Mr. NITTLE. When was that committee formed?

Mr. McRAE. There was no formal date of formation in that it was quite a fluidly organized committee. I believe it was in the month of October 1965.

Mr. NITTLE. Did you at that time file in the Office of the Dean of Students at Stanford a constitution for, or charter of, the Medical Aid Committee for Vietnam?

Mr. McRAE. May I ask you if that was turned over to you by the university authorities?

Mr. NITTLE. I asked you a question: Did you file a charter for the Medical Aid Committee for Vietnam with the Office of the Dean of Students at Stanford on or about October 28, 1965?

Mr. McRAE. Yes, I did.

Mr. ASHBROOK. Mr. Chairman, although the witness is here without counsel, I would like to make completely sure he understands his full rights, that he may invoke the fifth amendment to any question asked.

I would like to make sure that he understands this because I think it is our duty, even though he is not represented by counsel, that he has

waived that right, to inform him here, where he feels that a question might tend to incriminate him, he does have this right which is recognized totally by this committee.

Mr. ICHORD. To make that more explicit, Mr. Chairman, if the witness feels that the answers to any question might tend to incriminate him, that it would subject him to criminal proceedings—and this, of course, is not a trial, but merely an investigative hearing—the witness does have the right to rely upon the self-incrimination clause and decline to answer the question upon those grounds.

Mr. POOL. The witness is now so instructed in accordance with what Mr. Ashbrook and Mr. Ichord have just stated.

That is for your information, for your guidance.

Go ahead.

Mr. NITTLE. By whom were you invited to join in the formation of this group?

Mr. McRAE. I was originally invited by the numerous pictures in various newspapers of the country, of various atrocities and burnings of people that the United States has carried on.

This was my recruitment.

Mr. NITTLE. Were you invited to form this Medical Aid Committee for Vietnam with Anatole Ben Anton?

Mr. McRAE. No one invited me to form this committee.

Mr. NITTLE. Did you discuss it with Anatole Ben Anton prior to the filing of the charter with Stanford?

Mr. McRAE. This line of questioning disgusts me fully. I will not say anything about anybody else on the grounds that this violates the trust of free association guaranteed by the first amendment. I will not answer questions referring to anyone else. This is disgusting; I am not going to come to that level.

Mr. POOL. That is not responsive and not a sufficient reason for you not to answer the question. Do you have any further objections, any other ground or objections, to answering the question?

Mr. McRAE. I would like to know the relevance of the question and I challenge the question as a violation of the first amendment.

Mr. POOL. State the relevancy of the question, Counsel.

Mr. NITTLE. It is the committee's information, Mr. Chairman, that this organization, the Medical Aid Committee for Vietnam, was formed by Anatole Ben Anton, a member of the May 2nd Movement, together with Stuart McRae.

Mr. ICHORD. Furthermore, Mr. Chairman, one of the bills pending before this committee is H.R. 12047. Section 402 of the bill prescribes a criminal penalty for anyone who solicits, collects, receives, or gives to another, any money, property, or thing for delivery to any hostile foreign power, agency, or nationals thereof.

So it would definitely be within the purview of the resolution establishing this investigative hearing.

Mr. POOL. Without objection from any members, I rule that the question is relevant.

Go ahead and answer the question.

Mr. McRAE. Since you have subpoenaed Mr. Anton, I think it only decent that you ask him about his own activities and don't try to implicate me.

Mr. POOL. I direct the witness to answer the question or state a valid legal objection. We have informed you of the fifth amendment. Do you want to take the fifth amendment?

Mr. McRAE. Are you qualified to speak for the gallery?

Mr. POOL. We have informed you of the defense you might have if you want to answer the question. If you want to avail yourself of that, you now have the opportunity to do so.

Mr. McRAE. I will not answer that question. You subpoenaed Mr. Anton. You can ask him this question. You are trying to put me in the position of being of the same low character as the witnesses, the first witnesses.

Mr. POOL. I direct you to answer the question.

Mr. McRAE. You can tear the tongue from my mouth before I answer the question.

Mr. POOL. Take the next question, Mr. Counsel.

Mr. NITTLE. Mr. Chairman, may I speak to the Chair?

Mr. POOL. I would suggest, Counsel, before you go to the next question, that you inform the witness, if he fails to respond to the question or give a valid reason for not answering the question, of the penalties that he could incur under the contempt proceedings.

Mr. ICHORD. Mr. Chairman, could I be recognized for a moment?

Mr. POOL. Yes.

Mr. ICHORD. Mr. Chairman, since the witness is not represented by counsel, I think he should be fully informed.

I will state to the witness that this member is a member of the Missouri Bar and also of the bar of the United States Supreme Court.

The witness testifying before this committee cannot be compelled to testify if he feels that the answer to that question would incriminate him.

The Supreme Court in numerous cases has held time and time again that the rights guaranteed an American citizen under the Constitution, such as freedom of speech, freedom of assembly, freedom of the press, freedom of religion, are not sufficient grounds to refuse to testify before a congressional committee.

The courts have also held the same time and time again in regard to amendment number 4, amendment number 6, amendment number 7, amendment number 8, amendment number 9, and amendment number 10, which I believe one of the witnesses yesterday sought to invoke.

The amendment that is a sufficient grounds, provided that he feels the answer would incriminate himself, is the self-incrimination clause of the fifth amendment.

You have the right, if you feel that it would incriminate you, to refuse to answer on those grounds. Otherwise, the cases do hold that you should be compelled to answer.

Mr. McRAE. The only way answering this question would incriminate me is to make me stoop to the level of an animal. I am not going to that level.

Mr. POOL. With that instruction that Mr. Ichord has just given you and the information he has given you for your benefit, I direct you

for the last time to answer the question, the previous question, the last question asked.

Mr. McRAE. I will answer any questions about myself. If you want to know about other people, you can ask them. You have the power to subpoena anyone you wish. I am not going to be reduced to this level. Direct me again.

Do you wish to go for six on this?

Mr. POOL. I can't hear you.

Mr. McRAE. I said do you wish to go for six on this? The Supreme Court has slapped down the last five contempt decisions.

Mr. ICHORD. I will state to the witness that the sixth amendment covers trials, and this definitely is not a trial. The witness is not under trial before this hearing. There is a possibility that the witness could be in contempt of this committee, but I would further explain that although the Congress does have the power to exercise contempt itself—it has been done in the history of the United States Congress, but it is not doing it at the present time as the procedure is to go through the courts.

Always, the Congress votes a contempt citation which is only similar to a complaint. Any witness that would be cited for contempt would still have a right to go before a grand jury.

A grand jury would have to return an indictment and then, of course, he would be entitled to a trial. I think that is the best I can explain it for the witness in layman's terms. I think he is sufficiently informed at the present time.

Mr. POOL. I direct the witness to answer the last question asked him.

Mr. McRAE. I will not answer this question on the grounds that it nauseates me and I am liable to vomit all over this table.

Mr. POOL. Next question.

Mr. NITTLE. What was the major effort at Stanford in the way of raising funds for this committee which you served as chairman?

Mr. McRAE. The effort of my committee for aid to the victims of U.S. aggression was to collect money to be sent to the International Red Cross to be used by the Red Cross of North Vietnam and the National Liberation Front of the people of South Vietnam then for use in alleviating the suffering of the people who are bombed and murdered by the indiscriminate bombing of the United States.

Mr. NITTLE. Did you hold a rally on November 2, 1965, at White Plaza, for the purpose of making collections for this purpose?

Mr. McRAE. Yes, we did. The rally was quite successful, I might add.

Mr. NITTLE. The reports are that you received 40 pledges of blood and a certain amount of financial support. Did you receive 40 pledges for blood donations?

Mr. McRAE. Yes. That was a little less than we hoped for, but we got a few a little later on. I think 40 is approximately right.

Mr. NITTLE. How much money did you collect for this purpose at that rally?

Mr. McRAE. I don't remember how much at that rally. I know how much we eventually sent to the International Red Cross. We collected money over a period of time.

Mr. NITTLE. Is your committee for medical aid still in existence?

Mr. McRAE. No; as a matter of fact, it was dissolved. Each year the student organizations of Stanford University, to maintain their status, must reapply. So far this has not been done.

Mr. NITTLE. When was this organization dissolved, then?

Mr. McRAE. I don't know the date. I don't know when it becomes effective.

Mr. ICHORD. Mr. McRae, could you pull the microphone a little closer to you? The acoustics are poor in this room. It is particularly difficult to hear you up here.

Mr. NITTLE. What was the total collection that you made for this organization during the time you had been associated with it?

Mr. McRAE. This was approximately somewhere over \$300.

Mr. NITTLE. Did you communicate with the American Red Cross with regard to the propriety of the collecting of this blood and money?

Mr. McRAE. Yes, we did. We informed the American Red Cross of what our planned activity was and received a letter commending our humanitarian attitude from some official of the American Red Cross.

Mr. NITTLE. Did you receive further information from the American Red Cross with regard to your plans?

Mr. McRAE. Later under the pressure of the furor caused by the initial statement by the American Red Cross, then it showed its true colors and came around and showed up its humanitarianism, so called, and declined to help us in our activity, though I must say in the first letter they directed us it was very good that we were dealing with the International Red Cross and that is what we should do.

Mr. NITTLE. Mr. McRae, I hand you a copy of a check or a draft drawn on Wells Fargo Bank at San Francisco, California, dated December 7, 1965, and made payable to the order of the International Committee of Red Cross, the purchaser being the Stanford Committee for Medical Aid, Box 7672, Stanford, California.

(Document handed to witness.)

Mr. NITTLE. Did you purchase that draft at the Wells Fargo Bank on December 7, 1965?

Mr. McRAE. Yes, I did purchase this draft in the name of the committee.

Mr. NITTLE. And at the time you purchased that draft, did you appear there with representatives of another medical aid group known as the Medical Aid Committee, Post Office Box 1128, Berkeley, California?

Mr. McRAE. Yes, I did.

Mr. NITTLE. And were you aware that they likewise were purchasing a draft from the Wells Fargo Bank for the delivery of a similar amount to the International Committee of the Red Cross?

Mr. McRAE. Yes. We thought \$500 was a nice, round, conceivable number, that it would be very appropriate for the two groups to send each a check for \$250 to the International Red Cross.

Mr. POOL. Mr. Nittle, are you offering that in evidence?

Mr. NITTLE. Yes.

Mr. POOL. If there is no objection, it is so ordered.

(Check marked "McRae Exhibit No. 1" follows.)

McRAE EXHIBIT No. 1

PURCHASE STANFORD COMMITTEE FOR
MEDICAL AID BOX 7672
STANFORD, CA 1PORNIA

U.S. RATE 250.00
COMMISSION \$1.00
AIR MAIL .15
251.15

No. 118997

WELLS FARGO BANK

FORMERLY WELLS FARGO BANK AMERICAN TRUST COMPANY

SAN FRANCISCO, CALIFORNIA

UNIVERSITY 138

DECEMBER 7, 1965

OFFICE

INTERNATIONAL COMMITTEE OF RED CROSS U.S. \$250.00

PAYEE

UNITED STATES DOLLARS TWO HUNDRED FIFTY AND NO/100

DRAWN

UNION BANK OF SWITZERLAND
GENEVA, SWITZERLAND

AUTHORIZED SIGNATURE

ORIGINATOR

OFFICE COPY

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

Mr. NITTLE. Were you aware that the Medical Aid Committee of Berkeley, California, was also a group of the May 2nd Movement?

Mr. McRAE. I was aware that May 2nd was involved, not the sole membership of the Medical Aid Committee. Because it—the May 2nd agrees with some activity I undertake. I am not going to run and hide.

Mr. NITTLE. Did you, following December 7, 1965, make any other payments to the International Red Cross?

Mr. McRAE. I relayed a check for \$50 to the International Red Cross that was made out directly to them.

Mr. NITTLE. When was that?

Mr. McRAE. I don't know the date.

Mr. NITTLE. Approximately how long after December 7, 1965?

Mr. McRAE. A week or two.

Mr. NITTLE. Mr. McRae, are you a member of the Young Socialist Alliance?

Mr. McRAE. No, I am not.

Mr. NITTLE. Have you ever been a member of the Young Socialist Alliance?

Mr. McRAE. No, I have not.

Mr. NITTLE. I have before me, Mr. McRae, the Constitution of the Stanford Young Socialist Alliance as filed with the Office of the Dean of Students on December 15, 1965. Attached thereto is a membership list of the group.

Mr. McRAE. Excuse me. This is not to be construed as a membership list. The conditions under which I signed this were to enable some friends of mine to register as a group on campus so that they could present materials and speeches.

This was in the interests of free speech. I am not aligned to this group. I am not opposed to this group. But I am not a member.

(At this point Mr. Ashbrook returned to the hearing room.)

Mr. POOL. Would you identify this document?

Mr. NITTLE. I hand you this document and direct your attention to the last page of it, which is captioned "Stanford YSA members." It appears to be a continuation of the prior page on that subject: your name, "Stuart McRae," appears thereon.

Mr. McRAE. In view of the fact that the YSA has a rather rigorous membership procedure, they keep records nationally, I am not on those records. I signed this—see it is written in pencil "members." I was not aware even at the time that this meant membership. I am not a member of this group. I don't care whether you wish to call me that or not.

Mr. POOL. But you are identifying that signature?

Mr. McRAE. This is my signature.

Mr. POOL. We understand your explanation. I just wanted to identify it.

Are you offering that in evidence?

His statements are in the record, of course.

Mr. NITTLE. Yes, sir.

(Document marked "McRae Exhibit No. 2" follows:)

McRAE EXHIBIT NO. 2

ASSOC. DEAN OF STUDENTS

DEC 15 1965

O & A, STANFORD

CONSTITUTION OF THE STANFORD YOUNG SOCIALIST ALLIANCE

ARTICLE I: NAME

The name of this organization shall be the Young Socialist Alliance.

ARTICLE II: PURPOSE

The Young Socialist Alliance is formed in response to the need for a youth organization capable of bringing revolutionary socialist ideas to a new generation. Socialism means that for the first time in history man will control his own creation--society--rather than be controlled by it. The dynamic of socialism is a continual expansion of human freedom in all spheres: in politics, economics, culture, and every aspect of human life.

ARTICLE III: MEMBERSHIP

1. Members of the Stanford community are eligible for membership in the Young Socialist Alliance.
2. Membership in the Young Socialist Alliance does not in any way imply membership in or affiliation with any other group, local, national, or international, whatsoever.
3. Membership in the Young Socialist Alliance may be obtained upon application to the organization by a vote of the majority of the membership.

ARTICLE IV: OFFICERS

1. There shall be elected an Organizer by majority vote, who shall represent the Young Socialist Alliance to the public.
2. The Organizer shall appoint a Finance Chairman, who shall collect and disburse all funds and shall keep an accurate financial record at all times and shall fulfill all requirements of that office set forth under Stanford and ASSU regulations. The Organizer may appoint himself or herself.

ARTICLE V: MEETINGS

1. The Young Socialist Alliance shall meet at least once each quarter. Special meetings may be called by the Organizer or by a majority of the members of the Young Socialist Alliance.
2. Meetings other than special meetings shall be called by the Organizer.

ARTICLE VI: ELECTIONS

Elections for all elective offices shall be held in Spring Quarter of each year. Newly elected officers shall take office immediately and serve until the election of their successors the following Spring Quarter. Officers will be elected by a majority of members present at a meeting called for the purpose at least one week in advance.

ARTICLE VII: FINANCES

All funds of this organization shall be deposited with the Students' Organization Fund and shall be handled by the Finance Chairman in the manner prescribed by the rules and regulations of the Fund and of the ASSU.

ARTICLE VIII: PARLIAMENTARY AUTHORITY

There shall be no second required for motions to be placed in consideration. A Quorum shall consist of the Organizer and a majority of the membership. All decisions shall be taken by simple majority vote except when otherwise specified in this constitution. The chairman of all meetings and committees has a right to voice and vote. The nay vote shall be taken first in calling the question. Roberts' Rules of Order (Revised) shall govern proceedings except where in

McRAE EXHIBIT NO. 2—Continued

-2-

conflict with this constitution.

ARTICLE IX: BY-LAWS

By-laws may be adopted supplemental to and not in conflict with this constitution by a two-thirds vote at a meeting called for the purpose at least one week in advance.

ASSOC. DEAN OF STUDENTS

DEC 15 1965

O & A, STANFORD

McRAE EXHIBIT No. 2—Continued

MEMBERSHIP LIST—STANFORD YOUNG SOCIALIST ALLIANCE

- 1. ~~Fred Safier~~ Fred Safier - 321-9635
- 2. John Zerzan - John Zerzan
- 3. Mike Pincus - Mike Pincus
- 4. ~~Richard Lemon~~ Richard Lemon
- 5. or Lemon
- 6.
- 7.
- 8.
- 9.

Officers

Organizer - Fred Safier
 Finance Chairman - Fred Safier

Faculty Advisor -

Kenneth I. Mills - Ken Mills
 Philosophy

ASSOC. DEAN OF STUDENTS

DEC 15 1965

O & A, STANFORD

^{LIAI}
STANFORD YSA MEMBERS

S. Stuart McKee - Stuart McKee

ASSOC. DEAN OF STUDENTS

DEC 15 1965

O & A, STANFORD

Mr. McRAE. May I ask how you got these records?

Mr. POOL. We don't answer questions like that.

Mr. McRAE. I think there is a basic question of freedom involved and I want to know whether these records were subpoenaed or whether the Stanford administration turned these records over.

Mr. POOL. The witness is excused.

Mr. McRAE. Thank you.

I might add this has been a very educational experience.

Mr. POOL. The witness is excused permanently.

We will have to vacate this room at 3:30 and it is now 3:30. The committee is recessed until 9:30 tomorrow morning.

(Subcommittee members present at time of recess: Representatives Pool, Ichord, Ashbrook, and Buchanan; also Representative Clawson, alternate member.)

(Whereupon, at 3:30 p.m., Thursday, August 18, 1966, the subcommittee recessed, to reconvene at 9:30 a.m., Friday, August 19, 1966.)

HEARINGS ON H.R. 12047, H.R. 14925, H.R. 16175, H.R. 17140, AND H.R. 17194—BILLS TO MAKE PUNISHABLE ASSISTANCE TO ENEMIES OF U.S. IN TIME OF UNDECLARED WAR

Part 1

FRIDAY, AUGUST 19, 1966

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

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:30 a.m., in the Caucus Room, Cannon House Office Building, Washington D.C., Hon. Joe R. Pool (Chairman of the subcommittee) presiding.

(Subcommittee members: Representatives Joe R. Pool, of Texas, chairman; Richard H. Ichord, of Missouri; George F. Senner, Jr., of Arizona; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama. Alternate member: Representative Del Clawson, of California.)

Subcommittee members present: Representatives Pool, Ichord, and Buchanan.

House Member also present: Representative James B. Utt, of California.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Ray McConnon, Jr., Herbert Romerstein, and Philip R. Manuel, investigators.

Mr. POOL. The hearing will come to order.

Believing that the investigative phase of the hearings would have been completed yesterday, the committee contemplated starting the legislative hearings on the bills before us this morning. As is known, we still have a few more subpoenaed witnesses to hear. They will be called shortly.

The first witness this morning will be Brig. Gen. James D. Hittle (Ret.), U.S. Marine Corps, who is director of national security and foreign affairs of the Veterans of Foreign Wars.

The VFW convention starts today in New York City, and General Hittle must catch a plane at 11:30. Because the VFW is anxious to express its views on H.R. 12047 through General Hittle, we have de-

cided to hear his testimony first so that there will be no problem in his making his scheduled plane connection.

Go ahead with General Hittle.

* * * * *

Mr. POOL. Call the next witness.

Mr. NITTLE. Would Steven C. Hamilton please come forward.

TESTIMONY OF STEVEN CHARLES HAMILTON

Mr. HAMILTON. Will you wait until the press comes back again?

Mr. NITTLE. Mr. Hamilton, did you take the opportunity afforded you to obtain counsel?

Mr. HAMILTON. I want to make it clear in the beginning that I wish to testify today. However, for the purposes of the record I would like to make a very brief statement about the question of having a lawyer. I want to make a statement about having a lawyer.

You have deprived me of the lawyer of my choice, and I do not wish to be represented by any other lawyer. I do not have confidence in any lawyer who would appear at this time. I must, therefore, proceed alone before this committee of yellow-bellied racists, cowards, war criminals, and traitors.

Mr. NITTLE. Do you wish to testify?

Mr. HAMILTON. Yes. I said I did.

Mr. ICHORD. Has he testified?

Mr. NITTLE. No, sir, he has not testified, Mr. Ichord.

Mr. ICHORD. Do you wish to testify at this time without the benefit of counsel?

Mr. HAMILTON. I said that twice. I wish to testify.

Mr. ICHORD. Do you, or do you not?

Mr. HAMILTON. For the fourth time I wish to testify today.

Mr. ICHORD. I would suggest, Mr. Chairman, that you swear the witness if he wishes to testify.

Mr. POOL. Raise your hand.

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

Mr. HAMILTON. I intend to tell the truth before this committee, Tex, unlike the committee.

Mr. POOL. Do you solemnly swear—

Mr. HAMILTON. I intend to tell the truth before this committee.

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

Mr. HAMILTON. I solemnly swear, affirm, and promise to tell the truth before this committee.

Mr. POOL. Have a seat.

¹ General Hittle's testimony appears in part 2, the legislative phase of the hearings.

Mr. NITTLE. Mr. Hamilton, is your residence 2701 Benvenue Avenue, Berkeley—

Mr. POOL. Hold up that question.

Mr. NITTLE. Mr. Hamilton, do you live at 2701 Benvenue Avenue, Berkeley, California?

Mr. HAMILTON. No, I live at 2721 Haste, Berkeley, California.

Mr. POOL. Get his name first, Counsel.

Mr. NITTLE. Would you state your full name for the record, please?

Mr. HAMILTON. Steven Charles Hamilton.

Mr. NITTLE. Mr. Hamilton, you are aware of the privilege to invoke the fifth amendment if you believe any inquiry may incriminate you?

Mr. HAMILTON. That's right.

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

Mr. HAMILTON. I would like to make certain—I want to make certain objections to this committee. I would like to make a statement of my objections.

Mr. POOL. Limit your objections.

Go ahead.

Mr. HAMILTON. All right. I object to answering any questions of this committee on the ground that Public Law 601, 79th Congress, 60 Statutes 812, Part 2, Rule XI, authorizing the Committee on Un-American Activities to make investigations of the extent, character, and objects of Un-American propagandist activities in the U.S., violates the constitution in that the statute is ambiguous and vague, the term "Un-American propagandist activities" being nowhere defined, and being in fact incapable of precise definition, and obscuring the fact that there are not one, but two kinds of Un-American activities; first, those that the vast majority of the American people deem un-American, such as the undemocratic activities of this committee; secondly, those deemed un-American by a small minority of the wealthy and privileged that are now escalating the Vietnam war and by the political spokesmen, such as members of this committee.

I further object to answering any questions of this committee on the ground that the statute on its face, and as applied by the House Un-American Activities Committee during the past 20 years, and especially today in its harassment of those appearing opposing the Vietnam war, is repugnant to freedom of speech, assembly, association, and the privacy guaranteed to the people by the Bill of Rights and suppresses and inhibits dissent and infringes not only the rights of dissenters, but, above all, the right of the American people as a whole, to be informed of the opinions of dissenters, as a basis for the American people correctly making decisions concerning their welfare and very survival. And this results in the further establishment of Fascist methods of suppression, further resulting in discarding democratic processes and exposes the Government as master and not the servant of the American people, a Government not of the people, but over the people, in the interest of the very wealthy few.

I further object on the grounds that this committee is at present illegally constituted and that certain of its members, Watson of South Carolina, Pool of Texas, Buchanan of Alabama, and Willis of Louisiana, have denied the right to vote to a considerable number of Negro and poor white citizens of those States, but whose representation has

not been proportionately reduced as required by section 2 of the 14th amendment of the Constitution of the United States.

I further object to these hearings for the Fascist and illegal methods, like the ejection of Mr. Kinoy from this hearing room, which the committee uses when it is no longer able to achieve the aims under the cloak of constitutional legality. The people who live in the ghettos in this country are daily subjected to this side of American so-called democracy and so are the people in Vietnam.

I further object to a closed hearings. We would be willing to bring debate over the war in Vietnam before the American people. Obviously the committee doesn't want to bring the debate over the war before the American people by keeping out TV and press cameras and refusing to allow any ordinary citizen to attend these hearings through the white-card process.

I also want to identify with the injunction pending before the courts filed against this committee.

Thank you.

Mr. POOL. The objections are all overruled. Do you have any further objections?

All right, I direct you to answer the question. Did you ask a question, Mr. Nittle? Maybe I am premature on that.

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

Mr. HAMILTON. I was born April 21, 1944, in a ghetto which last year became a showcase of poverty and racial oppression, which are basic elements—

Mr. POOL. You have answered that. Ask the next question.

Mr. NITTLE. Were you born in Los Angeles on April 21, 1944?

Mr. HAMILTON. I am describing the place I was born, a ghetto which—

Mr. NITTLE. You can answer that "yes" or "no."

Mr. HAMILTON. A ghetto that saw a reign of terror last summer when 39 of its people were murdered by police and hundreds were wounded and arrested, and of those arrested some have not yet been released and charged.

Mr. POOL. You have answered the question.

Mr. HAMILTON. I was born in Watts.

Mr. NITTLE. Did you attend Wheaton College for the period from 1962 to 1963 and thereafter enter the University of California in September of 1963? Did you or did you not?

Mr. HAMILTON. I am answering that.

Mr. NITTLE. You can answer that "yes" or "no."

Mr. HAMILTON. Yes; I attended Wheaton College from September 1962 to June 1963. I entered the University of California in September 1963. I was there in the fall of 1963, when the university regents' straw corporation bosses, together with the Oakland power structure and the University administration, decided to put an end to civil rights action—

Mr. NITTLE. And were you there in the year 1965?

Mr. HAMILTON. And I am telling you about my first—

Mr. NITTLE. I say will you answer that question. Were you at the University of California from 1963 until May of 1966, at which time you were suspended?

Mr. HAMILTON. I am really surprised that this committee isn't concerned with the kind of education that Americans——

Mr. NITTLE. Would you answer the question, please?

Mr. POOL. Answer the question.

Mr. HAMILTON. As I was saying, my education began——

Mr. NITTLE. As we were saying, were you in attendance at the University of California for the period from September 1963 until May of 1966?

Mr. HAMILTON. I was there at the University of California, as I was explaining, during the time——

Mr. NITTLE. You have answered the question.

Mr. HAMILTON. Well, I haven't. I haven't answered the question because, you see, I was kicked out of the University of California, dismissed on April 1, 1966, for opposing or fighting for first amendment rights for antiwar political organizations on the university campus.

Mr. NITTLE. And at the time you were fighting for such rights were you chairman of the campus Progressive Labor Party Club at the University of California?

Mr. HAMILTON. Yes.

Mr. NITTLE. And were you, also, at that time president of the May 2nd Movement chapter at the University of California?

Mr. HAMILTON. Yes. If you would like to know something about me——

Mr. NITTLE. Did you in November 1965 help form a student organization at the University of California known as the Medical Aid for Vietnam Committee?

Mr. HAMILTON. I am not sure that the committee understands what these organizations are. I would like to read some of a statement from the May 2nd Movement:

We, as students in the richest but most brutally confused country in the world, cannot understand that world and our part in it with the a-historical education we receive in our universities. In order to make ourselves into effective social beings, and in order to discover, sharpen, and use the power of our knowledge, we should organize ourselves in the broadest possible way to combat that lack of education. For it is a lack, a vacuum, that leads to political degeneration and default. The May 2nd Movement was formed to fight against a politics of default, specifically by organizing student protest and revolt against our government's savage war on the people of Vietnam.

Mr. NITTLE. I don't know whether you responded to the question whether you helped form a student organization at the University of California known as the Medical Aid for Vietnam Committee.

Mr. HAMILTON. There were several people at the University of California interested in forming an organization to aid victims of United States aggression in Vietnam. We felt that this was the least that we could do in terms of making a protest against what our Government was doing to the people of Vietnam and in order to show the American people and people across the world that all Americans do not, that the American people do not back this Government's vicious, criminal war in Vietnam.

Mr. NITTLE. Did you on November 1965 register this organization with the Office of the Dean of Students at the University, giving the mailing address of the organization as 2732 Haste Street, Berkeley?

Mr. HAMILTON. Could I ask what relevance this question has to the legislative purpose of this committee, the stated legislative purpose, which is passing of the Johnson-Pool suppression of peace bill?

Mr. POOL. Answer the question.

Mr. NITTLE. The address 2732 Haste Street given by Mr. Hamilton as the mailing address of the organization which he formed is the address and rooming house of Steven Cherkoss, the West Coast organizer of the Progressive Labor Movement.

Mr. HAMILTON. Could I ask the counsel if this is going to be an amendment to the Pool bill, that Steven Cherkoss lives at 2732 Haste? Is that the point?

Mr. NITTLE. Mr. Chairman, the witness was engaged in the formation of the medical committee.

Mr. POOL. The Chair rules the question is relevant.

Answer the question.

Mr. HAMILTON. I haven't been told how that question is relevant. I simply want, you know, the question repeated.

Mr. POOL. I suppose that you were stating that in the form of an objection, so I overrule your objection.

He stated the relevancy of it, and I am satisfied it is relevant and I instruct you to answer the question.

Mr. HAMILTON. I decline to answer on the ground that the question violates the constitutional division of powers provided by articles 1, 2, 3 of the Constitution in that the question inquires into matters within the sphere of the executive and judicial branches of Government and is unrelated to legislative power, competence, and therefore not pertinent to assisting Congress to legislate.

I decline to answer on the ground that the question inquires into my political beliefs and associations, in violation of the guarantee of freedom of speech and assembly provided by the first amendment to the Constitution.

This committee cannot inquire as to matters on which Congress cannot legislate. Is that sufficient ground for not refusing to answer?

Mr. POOL. I overrule your objections and direct you to answer the question.

Mr. HAMILTON. In all criminal prosecutions, the accused shall enjoy the right of a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which districts shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense, sixth amendment.

And the ninth amendment to the Constitution I think is also relevant. Its enumeration of the Constitution is that certain rights shall not be construed to deny or disparage others retained by the people.

I quote to you the tenth amendment to the Constitution: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Mr. POOL. The courts have taken these grounds up at various times and have said that these are not sufficient grounds for your refusal to answer, and I overrule your objections and direct you to answer the question.

Mr. HAMILTON. The fifth amendment to the Constitution states that: "No person shall be held to answer for a capital or other in-

famous crime unless on a presentment or indictment of a Grand Jury * * * ; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law * * *."

Mr. POOL. You take the fifth amendment.

Go ahead and ask the next question.

Mr. NITTLE. Did the organization also use a mailing address at Post Office Box 1128, Berkeley, California?

Mr. HAMILTON. I decline to answer that question on the grounds that it is completely irrelevant to the legislative purpose of this hearing and I decline on all the other previously stated grounds.

Mr. POOL. Your objections are overruled.

You take the fifth amendment on this?

Mr. HAMILTON. I said I refuse on the grounds that I previously stated to the last question.

Mr. POOL. Take the fifth amendment. Go ahead to the next question.

Mr. NITTLE. Was a bank account opened for the Medical Aid for Vietnam Committee at the Wells Fargo Bank?

Mr. HAMILTON. I refuse on the same grounds.

Mr. Counsel, let me say—I think this will save time—that, you know, I am proud to say before this committee that myself and others participated in collecting funds to provide medical supplies for the people in Vietnam who were the victims of the United States aggressive war in that country against those people and, you know, I am proud to say that we were able to convey those funds for medical supplies to the International Red Cross, the North Vietnam and the International Red Cross, to the National Liberation Front areas.

Beyond that, you know, I don't—

Mr. NITTLE. Let us ask you this question.

Did you open a bank account at the Wells Fargo Bank on November 23, 1965?

Mr. HAMILTON. See, what I was just starting to say, I think this will save time if you will pay attention.

Mr. NITTLE. Pay attention to what I am starting to say. Will you answer the question please?

Mr. HAMILTON. What I was just beginning to say is that any question beyond that, beyond the fact that yes, we did supply, we did provide, carry out a campaign to provide, medical supplies for the people of Vietnam, beyond that I don't consider that these questions, questions as to funds, as to other people involved in this organization, as to the details of how the money was sent, as to who was involved, I do not consider these questions in any way relevant to the legislative purpose of this committee.

Mr. NITTLE. Do you say that because the group was organized at the University of California by you as a member of the Progressive Labor Party pursuant to the orders and instructions of an off-campus student organizer for the Progressive Labor Movement?

Mr. HAMILTON. You know, the question you shot back with is completely irrelevant to what I just said.

Mr. POOL. Let me ask you a question. We might save a lot of time. Are you a member of the Communist Party?

Mr. HAMILTON. No.

Mr. POOL. Are you a member of the Progressive Labor Party?

Mr. HAMILTON. As I was starting to say before, because of my experiences with the regents of the University of California and with the local Oakland-Berkeley power structure and the university administration and their attempt to stop civil rights activity in the Berkeley area, Berkeley students, and because, you know, of my experience with the war, with looking at the war in Vietnam and seeing that this is not a war which is in any sense in the interests of the American people, you know, I tried to figure out whose interest this war is; and it became very clear to me that it was in the interests of the corporation bosses who make the profits from this war.

Because of those experiences and my experiences in Los Angeles, seeing the daily police terror which the people of the ghetto of Watts and the people in the ghettos across this country are familiar with—

Mr. NITTLE. Mr. Chairman, I must object to this witness departing from the matters that are relevant and material to this inquiry and I ask leave to proceed with the questioning.

Mr. HAMILTON. Okay, I will proceed to answer the question. So you see—

Mr. NITTLE. I have before me, Mr. Chairman—

Mr. POOL. Mr. Nittle—

Mr. HAMILTON. I wish to answer that question. I will do it while you are conferring with the Texan.

Mr. POOL. Just a minute. Counsel wants to confer, and I want to confer with him.

Mr. HAMILTON. The people in the room are probably interested in the answer to the question. The thing is, that having realized that the basic changes in this society could not be made—

Mr. NITTLE. Mr. Chairman—

Mr. HAMILTON. —within the terms of the people who have the power in this society, that the people themselves would have to take power, I joined with other people who are fighting for a just and socialist society and I became a member of the Progressive Labor Party and became a Marxist-Leninist.

Mr. POOL. That is fine. That is what I wanted to find out, what your situation was.

Mr. NITTLE, to save time here, why don't you go ahead now.

Mr. NITTLE. Yes. Mr. Chairman, I have certain documentary evidence I would like to offer for the record. The first document is a copy of the signature card filed with the Wells Fargo Bank under the signature of Steven Hamilton.

Mr. POOL. You offer that in evidence?

Mr. NITTLE. I will offer this as a group, Mr. Chairman.

Mr. POOL. All right.

Mr. NITTLE. The first exhibit to which I refer is a signature card of the opening of the account of the Medical Aid Committee. The second exhibit is a statement of account with the Wells Fargo Bank by the Medical Aid Committee, P.O. Box 1128, Berkeley, California—

Mr. HAMILTON. Perhaps the fat Congressman from Texas will refresh your memory, Mr. Counsel—

Mr. POOL. You are interrupting counsel. You haven't been asked a question.

Mr. NITTLE. —by the witness and another. The account reveals that it was opened on November 23, 1965, with an initial deposit of \$40. The bank statement further shows that for the period from November 23, 1965, to May 23, 1966, a total amount of \$3,322.50 was received into this account.

The records further indicate that there was drawn upon this account three drafts purchased from the Wells Fargo Bank, the first dated December 7, 1965, payable to the International Committee of the Red Cross in the sum of \$250. The drawee bank is named as the Union Bank of Switzerland, Geneva, Switzerland.

A second draft, dated January 24, 1966, purchased from the Wells Fargo Bank, is made payable to the Liberation Red Cross in the sum of \$500. This draft is drawn upon the Ceskoslovenska Obchodni Banka at Prague, Czechoslovakia.

A third draft dated February 24, 1966, made payable to the Liberation Red Cross, purchased from the Wells Fargo Bank, and drawn upon the Ceskoslovenska Obchodni Banka at Prague, Czechoslovakia—

Mr. HAMILTON. Mr. Counsel, this is very boring.

Mr. NITTLE. —in the amount of \$1,000.

Mr. HAMILTON. Mr. Counsel, can I make a procedural suggestion?

Mr. POOL. Stop. We will ask you a question in a minute, and then you can answer.

Mr. NITTLE. I ask you whether I have correctly stated those facts with regard to the opening of the account at the Wells Fargo Bank by you, the filing of the signature card, and the—

Mr. POOL. Hand him the exhibits and see if he recognizes them.

Mr. NITTLE. —and the statements and drafts referred to.

(Documents handed to witness.)

Mr. HAMILTON. You know, as I started to say before you had gone through all that, I wish that the—

Mr. NITTLE. I say, Have I correctly stated the facts?

Mr. HAMILTON. I am answering the question. I am answering it in a way that applies to more than this question. You know, I requested before you began that the racist from Texas would inform you that, you know, I refuse to answer any questions as to funds.

Mr. NITTLE. Will you answer that question, please?

Mr. HAMILTON. I refuse to answer this question and any question regarding to funds, regarding to other people involved in the organization—

Mr. NITTLE. I have not asked you a question about other people. I have asked you about your own activity in this organization.

Mr. HAMILTON. And I have told you further that we did, yes, we did send funds to provide medical supplies to the people of Vietnam.

Mr. POOL. All right. You are offering this as an exhibit now?

Mr. NITTLE. I offer the exhibits, Mr. Chairman, in evidence.

Mr. POOL. If there is no objection, it is so ordered.

(Documents marked "Hamilton Exhibits Nos. 1 and 2-A through 2-G," respectively. Exhibit 2-G retained in committee files. Exhibits 1 and 2-A through 2-F follow:)

1186 ASSISTANCE TO ENEMIES OF U.S. IN UNDECLARED WAR

HAMILTON EXHIBIT No. 1

RESOLUTION AUTHORIZING SIGNING AND ENDORSING CHECKS AND OTHER INSTRUMENTS

RESOLVED, that WELLS FARGO BANK be, and it is hereby selected as a Depository of the funds of this Organization, and that CHAIRMAN and CO-CHAIRMAN of this Organization be and they are authorized to establish such account, and that checks or drafts withdrawing said funds may be signed by any TWO of the following:

(INDICATE NUMBER REQUIRED)

	NAME	TITLE
1.	<u>STEPHEN FOX</u>	<u>CHAIRMAN</u>
PLEASE TYPE OR PRINT NAMES AND TITLES	<u>STEVEN HAMILTON</u>	<u>CO-CHAIRMAN</u>
2.	<u>DIANNE ESTRIN</u>	<u>Secretary</u>
3.		
4.		
5.		

FURTHER RESOLVED, that WELLS FARGO BANK is authorized to honor and pay any and all checks and drafts of this Organization signed as provided herein, whether or not payable to the person or persons signing them; and that checks, drafts, bills of exchange, and other evidences of indebtedness may be endorsed for deposit to the account of this Organization by any of the foregoing or by any other employee or agent of this Organization, and may be endorsed in writing or by stamp and with or without the designation of the person so endorsing.

FURTHER RESOLVED, that the authority hereby conferred shall remain in force until written notice of the revocation thereof by the Board of this Organization shall have been received by said depository at the office at which the account is kept; and that the certification of the secretary or an assistant secretary as to the continuing authority of this resolution and the persons authorized to sign and their signatures, shall be binding upon this Organization.

I HEREBY certify that the foregoing is a true and correct copy of a resolution adopted by the governing Board of this organization at a meeting of said Board regularly held on the 25 day of NOVEMBER, 1965 and that said resolution is still in full force and effect.

I FURTHER certify that the signatures appearing on the reverse side of this card are the signatures of the persons authorized to sign for and on behalf of this organization.

WITNESS my hand and the seal of this organization this 23 day of NOVEMBER, 1965

SEAL

Dianne Estrin
SECRETARY

MEDICAL AID COMMITTEE
NAME OF ORGANIZATION

(FOR LODGE OR ASSOCIATION ONLY)

WE CERTIFY TO THE CORRECTNESS OF THE FOREGOING INFORMATION.

RETIRING OFFICER

TITLE

RETIRING OFFICER

TITLE

HAMILTON EXHIBIT No. 2-A

PURCHASER **MEDICAL AID COMMITTEE
P.O. BOX 1128
BERKELEY, CALIFORNIA**

U.S. 250.00
COMMISSION 1.00
AIR MAIL .15
251.15

WELLS FARGO BANK
FORMERLY WELLS FARGO BANK AMERICAN TRUST COMPANY
SAN FRANCISCO, CALIFORNIA

No. 118996

OFFICE: UNIVERSITY 138 DECEMBER 7, 1965
PAYEE: ••INTERNATIONAL COMMITTEE OF RED CROSS••••U.S. \$250.00

UNITED STATES DOLLARS TWO HUNDRED FIFTY AND NO/100•••••

DRAWEE
UNION BANK OF SWITZERLAND
GENEVA, SWITZERLAND

AUTHORIZED SIGNATURE

ORIGINATOR

OFFICE COPY

(5314)

HAMILTON EXHIBIT No. 2-B

PURCHASER MEDIC L AND CGM MITTEE
P O BOX 1128
Berkeley, California

RATE U.S. \$500.00
COMMISSION 1.00
AIR MAIL .15
\$501.15

WELLS FARGO BANK
FORMERLY WELLS FARGO BANK AMERICAN TRUST COMPANY
SAN FRANCISCO, CALIFORNIA

No. 119119

OFFICE COPY

UNIVERSITY 40130

JANUARY 24, 1954

OFFICE:

PAYEE * FIVE HUNDRED AND NO/100 * * * * * \$500.00

~~PAID TO ORDER OF FIVE HUNDRED AND NO/100 * * * * *~~

DRAWEE

OSCAR SLOVEN KA OBECHOWI BANKA
COR/CHILICANIA
CRAIG

AUTHORIZED SIGNATURE

ORIGINATOR

HAMILTON EXHIBIT No. 2-C

PURCHASER STEPHEN FOX
P.O. BOX 1123, BERKELEY, CALIF.

RATE US \$1,000.00
COMMISSION 2.50
AIR MAIL .25
\$1,002.75

WELLS FARGO BANK
FORMERLY WELLS FARGO BANK AMERICAN TRUST COMPANY
SAN FRANCISCO, CALIFORNIA

No. 119172

UNIVERSITY CITY 0138

February 24, 1966

OFFICE: * * * * *
PAYEE * * * * * LIBERATION AND CROSS * * * * * \$51,000.00

UNITED STATES DOLLARS ONE OF THOUSAND AND NO/100 * * * * *

DRAWEE
OSKROSLAVENSKA OSCHLODI
BANKA AT PRAGUE, CZECHOSLOVAKIA

AUTHORIZED SIGNATURE
Harper

ORIGINATOR

67-852 00 & 7

~~85~~

OFFICE COPY

HAMILTON EXHIBIT No. 2-D

June 20, 1966

Ceskoslovenska obchodni banka
Prague
Czechoslovakia

Gentlemen:

This refers to the following drafts drawn on you by our University Office, in favor of Liberation Red Cross:

<u>No.</u>	<u>DATE</u>	<u>AMOUNT</u>
119119	Jan. 24, 1966	\$ 500.00
119172	Feb. 24, 1966	1000.00

If payment of these drafts has not been made, we will appreciate your recording a stop payment thereon and arranging with the Union Bank of Switzerland, Zurich, to whom we remitted settlement, to refund the amounts to us.

Should payment have been made, please endeavor to recover the payments from the payee and advise us of the results of your efforts.

We look forward to your report.

Sincerely,

(Geo. W. Schmitz)

GJS:sk

cc: Mr. Archer
Cashiers Dept.

HAMILTON EXHIBIT No. 2-E

ČESKOSLOVENSKÁ OBCHODNÍ BANKA

PI 6

Via air mail

Wells Fargo Bank
San Francisco, Cal. 94120
U.S.A.

PRAGA, June 29, 1966

Gentlemen:

Draft No. 119119 of January 24/66 for \$ 500.00
Draft No. 119172 " February 24/66 " \$ 1,000.00
drawn on us by your University Office in favour of
Liberation Red Cross.

we acknowledge receipt of your letter dated June 20 concerning the above mentioned drafts, and wish to inform you that they were already cashed at our counters: draft 119119 on February 10 and draft No. 119172 on March 17, 1966.

As to your request that we endeavour to recover the payments from the payees we inform you that we have contacted the latter transmitting your request to them.

We remain,

Very truly yours,
ČESKOSLOVENSKÁ OBCHODNÍ BANKA
A.S.

HAMILTON EXHIBIT No. 2-F

CEKOSLOVENSKÁ OBCHODNÍ BANKA

7-15-66
7-15

PRAMA July 4, 1966

No. přílohy 14

02/DrP1-zd/Na

2 Drafts
K. J. J. J.

By airmail

Wells Fargo Bank

San Francisco, Cal. 9420
U.S.A.

Gentlemen:

Draft No. 119119 of Jan. 24/66 for \$ 500.-
Draft No. 119172 of Feb. 24/66 for \$1000.-
drawn on us by your University Office in
favour of Liberation Red Cross.

We wish to refer to our letter of the 29th ult. informing you that the above drafts were cashed at our counters in February and March, resp., 1966, and that your request to refund the funds concerned has been transmitted to the payees.

After having contacted the latter, we regret to inform you that they have declined to repay the amounts in question.

We remain,

Very truly yours,

CEKOSLOVENSKÁ OBCHODNÍ BANKA

AmS.

Mr. NITTLE. I have one final question, Mr. Chairman.

Mr. HAMILTON. Mr. Counsel, before you go ahead—

Mr. POOL. Just a minute.

Mr. NITTLE. I have one final question of the witness. There remains a question—

Mr. HAMILTON. Mr. Counsel, before you ask the last question—

Mr. POOL. Just a minute.

Mr. HAMILTON. Before you ask the last question it seems to me that the—

Mr. POOL. The witness will be silent and listen to the question.

Mr. HAMILTON. It seems to me the questions you are certainly assuming that we should go into in this hearing—you know, the point I am raising, bringing up, is for the purpose of clarity, for the people in this hearing room—

Mr. POOL. Just a minute.

Mr. HAMILTON. To present medical—

Mr. POOL. You are not recognized to make a statement at this time. Would you please be quiet, and Mr. Nittle will ask a question.

Mr. HAMILTON. All I want to talk about, and I think it is very relevant to this committee—it shows interest in this war in Vietnam. I have some exhibits to offer to the committee. I could offer People's Exhibit A. 1964 to 1965—

Mr. NITTLE. I have no question.

Mr. HAMILTON. —corporation profits increased 30 percent from \$60 billion, Exhibit A.

Mr. POOL. You are excused.

I am going to order you for the last time to desist your diatribe and be quiet.

Mr. HAMILTON. I have further evidence on food crises.

Mr. POOL. If you keep on talking, I am going to have you removed from the room. You are excused.

Step down.

Mr. HAMILTON. Mr. Chairman, there is one other thing I would like to say. I would like to quote.

Mr. POOL. Remove the witness from the witness chair. Lead him to the door. Just lead him to the door. If there are any further demonstrations, the demonstrators will be removed by the officers in this room.

Let us have order.

Counsel, call the next witness.

Mr. NITTLE. Would George Ewart, Jr., come forward please.

Mr. POOL. Call his name.

Mr. NITTLE. Would George Ewart, Jr., come forward please?

TESTIMONY OF GEORGE HAMILTON EWART, JR.

Mr. NITTLE. Did you take the opportunity afforded you by this committee to obtain counsel?

Mr. EWART. I wish to testify today, but seeing that you have deprived me of a lawyer, by not guaranteeing the security in this room you have deprived me of a lawyer of my choice, and I do not wish to be represented by any other lawyer. I could not have confidence in any

lawyer who would appear at this time under the circumstances you have created.

I must, therefore, proceed alone and I am willing to confront this kangaroo court with the crimes of the U.S. Government against the American people.

Mr. NITTLE. Will you desist please.

Do you wish to testify without the benefit of counsel?

Mr. EWART. I so stated in the record.

Mr. NITTLE. If you desire counsel the committee will offer to obtain one for you.

Mr. EWART. I wish my testimony to show that I do not desire counsel because of the conditions created by this committee in this room.

Mr. ICHORD. Mr. Chairman, I suggest then that you swear the witness and proceed with questions.

Mr. POOL. Will you rise and be sworn?

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

Mr. EWART. I so affirm.

Mr. POOL. So you affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EWART. It will be truth to confront this committee, yes, and this Government of the United States for aggressive war in Vietnam. I so affirm.

Mr. POOL. Sit down.

All right. Go ahead, Counsel.

Mr. NITTLE. Will you state your full name for the record, please?

Mr. EWART. Just a minute please.

My name is George Hamilton Ewart, Jr., and I was named George because it is a tradition in my family and St. George was the one who stood up to the dragon.

Mr. NITTLE. Will you tell us please whether you reside at 2508 Ridge Road, No. 5, Berkeley, California?

Mr. EWART. At present I do not.

Mr. NITTLE. Where do you presently reside?

Mr. EWART. I presently reside in Room 522 of the Congressional Hotel.

Mr. POOL. Go ahead.

Mr. NITTLE. Were you born on September 14, 1943, at Oakland, California?

Mr. EWART. That's right. That was in the 10th year of Hitler's war of fascism in Europe.

Mr. NITTLE. Did you attend Merritt Junior College in Oakland for a period until 1964 and thereafter attend the University of California as an extension student?

Mr. EWART. You left out a couple schools. I attended Oakland City College in the spring of 1963. I attended Oakland City College in the spring of 1964. I attended San Francisco State College as a student in "Social Change in Latin America" in the summer of 1964 in which I learned the actual workings of U.S. imperialism.

That's the economic and political domination of foreign countries by a foreign power. I mean the United States a foreign power.

Mr. NITTLE. You mean by Communist agents; isn't that right?

Mr. EWART. No; that is the first contact I ever had in being exposed to the actual workings of the United States, internationally, as dominating the economic and political interests of other people.

Mr. NITTLE. Don't you rather mean that you were first exposed to the paid agents of the Progressive Labor Movement?

Mr. EWART. No; that is not where I was first exposed to the so-called paid agents of the Progressive Labor Movement, because I don't believe I have ever met a so-called agent. The only paid agent I know of is Phillip Abbott Luce.

Mr. NITTLE. Are you a member of the——

Mr. EWART. And those who work for the FBI as agents who infiltrate movements.

Mr. NITTLE. Are you a member of the Progressive Labor Party?

Mr. EWART. What's the matter with being a member of any party? I mean there are members of the Democrat and Republic Parties.

Mr. NITTLE. I say, are you a member of the Progressive Labor Party?

Mr. EWART. Because of my understandings of the workings of the U.S. imperialism internationally and because of the workings of the United States Government and because of the workings right here in this courtroom, in this committee hearing room of the so-called Representatives of the United States people, yes, I am a Communist and I am proud to say that I am a member of the Progressive Labor Movement.

Mr. POOL. Next question.

Mr. NITTLE. Are you not a little more than that?

Are you not the West Coast coordinator for that organization?

Mr. EWART. No. I don't think we ever got finished with my education. Please, I would like to finish that. I would like to make it clear where I have been educated.

You have been brought evidence that I was educated a certain time and that isn't complete. I want to complete the record. Obviously your paid agents haven't gotten all the information. I wish to complete it.

Mr. POOL. Let him state his further education.

Mr. EWART. Thank you very much, Mr. Pool.

I attended San Francisco State College in the summer of 1964. Then I went to San Francisco Art Institute in the spring of 1965, where I was expelled for showing films of the National Liberation Front to other students at that school.

I attended San Francisco State College in the summer of 1965 and then I attended Merritt College, which was formerly Oakland City College, but under I believe it was the November ballot in the last election it was consolidated into a three-county school district and it was renamed Merritt College.

Mr. NITTLE. Just state the places you attended.

Mr. EWART. It was during the spring of 1966 in which I took courses in American history and Negro history in America in which I better understand the actual racism that has dominated this culture since its inception.

And I am presently enrolled as a student at Merritt College.

Mr. NITTLE. Were you the West Coast coordinator for the May 2nd Movement?

Mr. EWART. Is there a time when I was a West Coast—

Mr. NITTLE. Would you tell us, please, the period during which you served as the West Coast coordinator of the May 2nd Movement? Perhaps it will help you refresh your recollection if I offer you a copy of the masthead of the M2M publication *Free Student*, in its issue No. 4—

Mr. EWART. I am looking at—

Mr. NITTLE. —which was published in 1965.

Mr. EWART. What was the date you said it was published?

Mr. NITTLE. In 1965.

Mr. EWART. I believe it was in July of 1965 that I started as the West Coast coordinator for the May 2nd Movement.

Mr. NITTLE. Did you also assist in organizing the Medical Aid to Vietnam Committee at the University of California at Berkeley?

Mr. EWART. Well, how do you mean "assist"?

Mr. NITTLE. If you ask me what I mean, I really meant this. It is the committee's information that Steven Cherkoss, the West Coast student organizer of the Progressive Labor Party, has appointed you as the West Coast coordinator for the PLM's front group, the May 2nd Movement, and that in accordance with the instruction of Steve Cherkoss you approached and met with Steven C. Hamilton, the prior witness, to form an on-campus group at the University of California at Berkeley known as the Medical Aid for Vietnam Committee.

Mr. EWART. See, I object to this line of questioning.

Mr. NITTLE. Is it true?

Mr. EWART. No; it is a flagrant lie. It is a flagrant lie because I was never appointed to any committee.

Unlike this House of Representatives, which has appointed committees, I work for the position of West Coast coordinator of the May 2 group.

Mr. POOL. You have answered the question.

Go ahead.

Mr. EWART. And I was never appointed by any of the individuals which you so named.

Mr. NITTLE. Mr. Ewart, I hand you a copy of the U.S. Post Office application filed by Steve Cherkoss on November 4, 1965. In this application for a postal box for the Medical Aid to Vietnam Committee, he lists in the application the names of persons that will be entitled to receive mail at the box for which application is made.

He names Steve Cherkoss, Steve Hamilton, Steve Fox, and George Ewart. Did Mr. Cherkoss ask your consent for the use of your name? (Document handed to witness.)

Mr. NITTLE. Note for the record that the postal application has been exhibited to the witness.

Mr. EWART. May I state my objections now to answering this line of questions?

Mr. POOL. Yes, go ahead.

Mr. EWART. First of all, I would like to object to these hearings which I forgot to do in the beginning of my inquisition.

I object to these hearings on the grounds that the purposes of this hearing were not made known to me until the morning of August 16,

1966, and therefore this hearing is in violation of the due process of law, and I object to the hearing on that ground.

However, in the mimeographed three-page statement given to me by the House Un-American Activities Committee or the Un-American Committee of the House of Representatives of the U.S. Government, the chairman's opening statement says on page 3 that "In endeavoring to protect our security we must deal with the realities. The Korean conflict was not a war in the legal or technical sense."

And also in paragraph No. 3 of section 401 of the Pool bill, or maybe that is the cesspool bill:

The conduct of wars by such powers, groups and organizations has taken unconventional forms, in that armed hostilities are undertaken and initiated by them without prior declaration of such formalities as are recognized in international law as constituting a legal or political status of war.

It seems to me that Mr. Pool is rather a fool in this matter, in that he has taken the facts——

Mr. NITTLE. We have similar language spewed forth from the Chinese Communists and from the Soviet Union. Are you repeating that Communist——

Mr. EWART. When did you talk to——

Mr. NITTLE. Are you spouting——

Mr. EWART. I don't know Chinese Communists. I don't think there are any Chinese Communists in this Nation.

Mr. POOL. You have to state your objections.

Mr. EWART. Listen, I am trying to complete my objections.

Mr. Hittle or Biddle or Sittle, or whatever his name was, the general who testified before me, wasn't even asked a question and he was allowed to testify.

Now, he talked about the Pool bill. Now I would like to talk about the Pool bill and I think that it is my right to talk about the Pool bill, unless Mr. Pool feels that his bill cannot withstand the exposing, you know, of the actual findings of fact which are in his bill, are incorrect because he has stood truth on its head and turned it into its opposite. Because, actually, the only people who have undertaken undeclared wars, who have initiated, you know, without prior declaration or consulting anyone, is the United States Government, which is true not only of the Korean war, but of the Vietnamese war, in which the United States has consistently violated not only the 1954 Geneva agreements, which ended the war against the French, but they also violate international law, the U.N. Charter, and indeed the Constitution of the United States, which says that only the Congress can declare war. And so far nobody has declared war and yet, as you blackguards have said, there is an actual war going on there that has never been declared, so who is the actual aggressor now?

Who has over 750,000 troops involved in holding actions in Vietnam on the coasts and in one main city? Who has over 40 new bases in Thailand and who has over 4,000 bases——

Mr. NITTLE. We well know that this is a great source of annoyance to the Communists, who wish to dominate the world.

Mr. EWART. It has been source of Communist annoyance ever since 1917 when the United States invaded Siberia to put down the Russian revolution for socialism.

Mr. POOL. All right.

Mr. ICHORD. Let him proceed, Mr. Counsel.

Mr. POOL. Go ahead. Get it all out of your system.

Mr. EWART. You have systematically packed the audience, thereby violating the principles of democracy and fair play by allowing two lines to form instead of one, one for staff members and one for the general public.

I object to this in that this hearing is no longer a public hearing of the Un-American Activities of this House Committee. I decline to answer all questions—well, is there an objection to that one? I didn't hear an objection. I can stop it there.

Mr. POOL. I overrule your objection if that is what you are making.

Mr. EWART. I am not making an objection. Yes, I am making an objection to this Un-American Committee. Excuse me. You have me a little nervous.

Mr. POOL. Go ahead.

Mr. EWART. First time I have ever been summoned before the United States Government and now I realize that they are not as formidable as I formerly thought.

I decline to answer all questions on the grounds that there is a suit proceeding in the Federal court in Washington, D.C., to stay all proceedings in this matter, and I fully associate myself with this injunction which is proceeding.

Mr. POOL. Objections are overruled.

Mr. EWART. I object to answering any question of this committee on the ground that Public Law 601 of the 79th Congress, 60 Statutes 812, Part 2, and Rule XI, authorizing the Committee on Un-American Activities to make investigations into the extent, character, and objects of Un-American propaganda activities in the U.S., violates the Constitution in that the statute is ambiguous and vague, the term "Un-American propaganda activities" nowhere being defined, and being in fact incapable of a precise definition, and obscuring the fact that it is this committee which conducts Un-American propaganda activities within and without these United States of America; that there are actually two kinds of Un-American activities, those that have the vast majority, rather those which the vast majority of American people deem un-American, such as the undemocratic propaganda activities which this committee helps in; and, secondly, those deemed un-American by a small minority of the wealthy and privileged who are now escalating and profiting from the war in Vietnam, and by their political spokesmen, such as Johnson, McNamara, Bundy, and members of this committee, the Democratic and Republican Parties, and what Dwight D. Eisenhower called military and industrial complex.

Mr. POOL. The objection is overruled.

Mr. EWART. I further object to answering any questions of this committee on the grounds that the statute on its face, and as applied by the House Un-American Committee during the past 20 years, and especially today in its harassment of those opposing the Vietnam war, is repugnant to the freedom of speech, assembly, and association, and of privacy guaranteed to the people by the Bill of Rights and suppresses and inhibits dissent. It thus infringes not only on the rights of the dissenters, but, above all, on the right of the American

people as a whole, to be informed of the opinions of dissenters, as a basis for the American people correctly making decisions concerning their welfare and very survival. And this results in undermining and subverting the character of the U.S. Government as based on the consent of the governed and further results in discarding the democratic processes, openly unmasking the Government as the master and not the servant of the American people, a Government not of the people, but over the people, and in the interest of a wealthy few.

Mr. POOL. Your objection is overruled.

Mr. EWART. I further decline to state on the grounds that this committee at present is illegally constituted in that several of its members, who I believe are not present at this time, were elected in States—

Mr. POOL. There is a quorum present.

Mr. EWART. What was that?

Mr. POOL. There is a quorum of the subcommittee present.

Mr. EWART. Yes, great—that several of the members of this committee were elected in States which deny the right of vote to a considerable number of Negro and poor white citizens in these States, but whose representation is not being proportionately reduced as is required by section 2 of the 14th amendment of the Constitution of the United States of America.

Mr. POOL. Your objection is overruled. Are you through with your objections?

Mr. EWART. I am through with my objections to this question.

Mr. POOL. What was the question, Mr. Nittle?

Mr. NITTLE. I asked whether Steve Cherkoss had asked Mr. Ewart for his permission to use his name in the postal application filed on November 4, 1965, the application being exhibited to Mr. Ewart.

Mr. POOL. I direct the witness to answer the question.

Mr. EWART. Well, I will object to that question on the grounds that I refuse to testify, to be an informant or a fink on my fellow Americans, and that this committee does not have the power to inquire into my associations or personal relationships with other people.

Mr. POOL. Your objection is overruled, and I direct you to answer the question.

Mr. EWART. I decline to answer on the ground that the question violates the constitutional division of powers provided by articles 1, 2, and 3 of the Constitution in that the question inquires into matters within the sphere of the executive and judicial branches of the Government and is unrelated to legislative power and competence and therefore absolutely not pertinent to assisting Congress to legislate.

Mr. POOL. I overrule your objection. Answer the question.

Mr. EWART. I decline to answer on the ground that the question inquires into my political beliefs and associations, in violation of the guarantee of freedom of speech and assembly provided by the first amendment to the Constitution.

This committee cannot inquire as to matters on which Congress cannot legislate. I think that one is very valid. Maybe you don't agree.

Mr. POOL. Your objection is overruled, and I direct you to answer the question.

Mr. EWART. I would like to stand on the first amendment there and take my right as an American citizen.

Mr. POOL. Your objection is overruled. I will direct you to answer the question.

Mr. EWART. I object on the grounds that in all criminal prosecutions, the accused—that means me— shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed.

See, I have not committed any crime.

Mr. POOL. Your objection is overruled.

Mr. EWART. And this is not an impartial jury and you are accusers, and I don't have the right to cross-examine any of you, any of the witnesses.

Mr. POOL. I direct you to answer the question.

Mr. EWART. Anyway, that in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which districts shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Now, see, this also goes back to the beginning when I was not given a statement. I was handed a subpoena with nothing on it as to the reasons for testifying before this committee, which I think is a violation of due process, as I stated before.

Mr. POOL. You are at an investigative hearing, and your objection is overruled.

Mr. EWART. I want to state my views—and to discredit the activities of the antiwar movement in the United States of America not only in the eyes of the American people, but also—it's more discredit in the eyes of the Government.

It seems as though we don't have too much control over them because they are not by the consent of the governed any longer, but it also attempts to discredit the antiwar movement in the eyes of the American people and also in the eyes of the international people of the world.

Mr. POOL. Your objections is overruled. Answer the question.

Mr. EWART. I also refuse to answer that question on the grounds of the ninth amendment that enumerates in the Constitution of certain rights which shall not be construed to deny or disparage others retained by the people, that is, that it guarantees certain privileges to the United States Government, to the executive branch and to the Congress, and that all other rights are reserved either to the States or the rest of them going to the people, and this is my right.

Mr. POOL. Your objection is overruled.

Now Mr. Nittle, I am going to instruct the witness to answer the question one more time. Your dilatory tactics—

Mr. EWART. I am stating objections.

Mr. POOL. I know it. If you have any valid objections, I would advise you to state them now.

Mr. EWART. I think these are all very valid objections. It seems most of them are contained in the Constitution of the United States of America. I am stating objections. You ask me to answer a question

after every time I state an objection. You have to overrule my objection before I can go on to my next objection.

Mr. POOL. You take the fifth amendment, self-incrimination part of the fifth amendment?

Mr. EWART. I don't believe that the amendment covers self-incrimination, but it protects against false accusation by this committee.

Mr. POOL. Are you taking that objection also?

Mr. EWART. I am getting to it, if you wish to hear my other objections to this committee which I think, I consider, unconstitutional.

Mr. POOL. You go ahead and state your objections if you are going to object.

Mr. EWART. You guys are paying for it. I am staying here. I wish to state my objections for the record.

Mr. POOL. You have stated them pretty well. I have ruled on all of them.

Mr. EWART. I am not finished.

Mr. POOL. Well, do you take the fifth amendment?

Mr. EWART. I don't wish to take the fifth amendment at this time. I am stating my objections and I wish to go through all my objections.

Mr. POOL. State your objections. I will rule on them. I will stay here a little while if you insist. I am trying to be fair with you.

Mr. EWART. Thank you very much, Mr. Pool. I wish to decline to answer that question on the grounds of the tenth amendment, which says that powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Mr. POOL. Objection is overruled.

Mr. EWART. And I further wish to invoke all the privileges of the amendment, so called, which says that: "No person shall be held to answer for a capital or other infamous crime unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case," which this isn't, "to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation."

Mr. POOL. Mr. Counsel, I understand him to take the fifth amendment. State what part.

Mr. EWART. I take the fifth amendment on the ground of false accusation.

Mr. POOL. Do you have questions?

Mr. ICHORD. Yes, Mr. Chairman, I have one question to ask——

Mr. POOL. All right.

Mr. ICHORD. —Mr. Hamilton?

Mr. POOL. Ewart.

Mr. EWART. Get the name straight.

Mr. ICHORD. I would not ask the Chair to direct an answer to this question, Mr. Hamilton, because I am really not interested——

Mr. EWART. Who are you talking about?

Mr. ICHORD. Mr. Ewart.

Mr. EWART. Mr. Ichord, what did you say? Could you please restate, repeat the statement, because I don't know whether you are directing the Chair to direct me to answer the question or whether I am not directed to answer the question, or what.

Mr. POOL. The Chair recognizes Mr. Ichord and he is going to ask you a question.

Mr. ICHORD. I am really not interested in your philosophy. You have given a lot of your philosophy, and for that reason I would not ask the Chair to direct you to answer this question, but I am rather curious as to how you arrive at your frame of mind.

You have expressed your utter contempt for this Government and for your country, but yet you have enumerated the very sacred rights that are guaranteed you as an American citizen by that Government, and they are sacred rights, the rights under the 1st, the 4th, the 5th, the 6th, 7th, 8th, 9th, 10th, all of the amendments to the Constitution.

How do you harmonize your views?

Mr. EWART. You see, I believe in the Constitution of the United States, but I believe that it is ineffective because of certain ruling circles in this United States.

Mr. ICHORD. You stated you are a Communist. Do you believe that those rights would be given to you if you were a citizen of a Communist nation?

Mr. EWART. If given the destruction of the United States Government as presently constituted, I think it would remove many obstacles to freedom of the American people.

Now, you see, I believe that this committee are actually the traitors, that this Government is actually the traitors to the interest of the Constitution and to the people of the United States Government and I wish to change that. And I think that it has been clearly stated by Abraham Lincoln, by the Declaration of Independence of 1776, that the people of the United States have that right to alter, or in any way change, the Government as it is constituted when it outlives its day, and I think that this Government has outlived its day, its usefulness, in that it is no longer carrying on the interest of the American people, but only a small corporate elite of the U.S. businessmen, of the military industrial complex, as Dwight Eisenhower called it.

Mr. ICHORD. Mr. Ewart, I would suggest by your answer that the question and your answer might give you some food for thought.

Thank you very much.

Mr. EWART. Well, you guys don't seem to be thinking too much either.

Mr. POOL. The witness is excused.

Call your next witness.

Mr. NITTLE. Would Steven Cherkoss come forward?

TESTIMONY OF STEVEN CHERKOSS

Mr. NITTLE. Did you take the opportunity afforded to you to obtain counsel?

Mr. CHERKOSS. Let us face it. This system has got to go.

Now I will answer the question. I want to make a statement about not having counsel. You have deprived me of the lawyer of my choice, and I do not wish to be represented by any other lawyer.

I could not have confidence in any lawyer who would appear at this time under the circumstances which you as Representatives of a Government that is committing war crimes have created in this kangaroo court.

Therefore, I will proceed alone to confront and take on this racist committee of cowardly, yellow-bellied reactionaries as Representatives of the U.S. Government, not of the people, that is conducting a genocidal war in Vietnam that is against the best interests of the American and Vietnamese people.

Mr. NITTLE. Do you desire to testify—

Mr. CHERKOSS. Yes.

Mr. NITTLE. —in the absence of counsel?

Mr. CHERKOSS. Yes. I am not going to let you guys get off the hook.

Mr. POOL. Raise your right hand.

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

Mr. CHERKOSS. I am here to tell the truth, but I know the American people would rise up and demolish this committee when they learn the truth about this committee and the U.S. Government that is conducting a war and acting against their interests.

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

Mr. CHERKOSS. I am, as I have told you, yes, but this committee isn't interested in hearing the truth.

Mr. POOL. Go ahead.

Mr. CHERKOSS. I want to make a statement, state objections.

Mr. NITTLE. Would you state your name for the record please?

Mr. CHERKOSS. You fellows know my name. You have been investigating me long enough.

Mr. NITTLE. Is your name Steven Cherkoss and do you reside at 2732 Haste Street, Berkeley, California?

Mr. CHERKOSS. I identify myself as an American Revolutionary in the tradition of others who have fought against and defeated the British imperialists in a Revolutionary War of Independence in 1776, with those who fought against slavery, with those who organized the CIO, with the working men and women who built this country, and with the millions of Americans from East to West who are fighting today for civil rights, black liberation, and to get the U.S. out of Vietnam now.

Yes, I am Steve Cherkoss. I don't reside at 2732. I reside at 2929 16th Street.

Mr. NITTLE. Today.

Mr. CHERKOSS. And I have a statement to make, state objections to this committee's proceeding.

Mr. NITTLE. Have you resided at 2732 Haste Street, Berkeley, California?

Mr. CHERKOSS. I would like to make my objections.

Mr. NITTLE. Before you answer that question?

Mr. CHERKOSS. That's right.

Mr. POOL. Let him answer the question.

Mr. CHERKOSS. Opposition in America to the Johnson administration's war of genocide in Vietnam is enormous and still growing. In Vietnam the people parochially continue that fight for self-determination and revolution in the face of militant opposition at home and revolutionary action in Vietnam.

Johnson resorts to escalation in Vietnam. His method is kill all, burn all. In our country it is increased political repression. The Johnson administration has called on a discredited, racist HUAC, a circus committee, of coward yellow bellies to launch the first official attack on the antiwar movement. HUAC in a blaze of redbaiting has attempted to divide and silence militants and revolutionaries.

HUAC and Johnson hope this witch hunt will frighten the massive antiwar movement into pacificity or convert it into a loyal opposition. This inquisition also has been used to help ram through Congress the Joe Fool bill, the suppression of peace bill, H.R. 12047, and to amend the Internal Security Act, title IV, section 401-3.

The essence of the legislation, of this Fascist legislation, is to stop the anti-Vietnam war activity. Millions of Americans are learning that the U.S. war of aggression in Vietnam is opposed to their interests.

Because of the war and a war budget, wages and working conditions are declining. Prices of food, rent, clothes, and homes are rising. Local taxes are rising because present taxes are used for war.

Federal taxes will be increased to meet the \$21 billion-a-year war cost in Vietnam. Ghetto conditions are worsening daily, and the only jobs for black youth today are in the Army. Black youth and young white workers are being used as cannon fodder to kill and be killed in Vietnam.

Students and intellectuals recognize the university system as a marketplace to buy and sell minds and that the universities are merely a training ground, service centers, for big business or their Government in Washington. Students and intellectuals—solid, honest intellectuals, that is—realize that their abilities are not used for social creativity, but are used to apologize, to be technicians for this ruthless, the degenerate, U.S. Government, or to produce for it.

Our people also see huge profiteering made from this war. Many realize that the U.S. is not in Vietnam to free the people, but that it is there to prevent the revolution from triumphing. They see the U.S. needs of Vietnam for its natural resources as a political and military base to dominate Southeast Asia and to attack China.

The U.S. has billions invested in Asia. It makes millions in profits from these investments. If the people of Southeast Asia win their freedom, the U.S. will lose its ability to exploit them. The future of U.S. political aspirations for world domination, for world homogeneity, depends on controlling Asia.

The U.S. is not in Vietnam because of any accident. It is there to secure its profit and power situation. Because of these evils of U.S. imperialism, and as it stands today, its end justifies the means.

In its own words the U.S. ruling class and the Johnson group do not care about how many die in pursuing their profit drive.

They will murder and kill as much as they can to hold and enlarge its base in Asia. It is the Johnson gang that is disloyal and subversive

to the American people, and by all means this committee. They are the enemies of the people of the world. They are the most hated and isolated force in the history of international politics.

They must be defeated. They will be stopped. The American people is the Achilles of the U.S. Government and the American people will raise up and liberate themselves in this country. They will stop the U.S. Government and its criminal actions throughout the world.

Because of the deteriorating conditions as a result of the war, Americans are fighting back. Strikes increase. And this committee knows full well about strikes, because this committee has been used time and time again to break the back of militant strikes from the ILWU to many other organizations.

They defy the bosses, Government, and union stooges. Rebellion increases in ghettos; black people organize for political power, black power. They know the fight is here and now, right here at home, not in Vietnam.

Black people and Vietnam people have the same enemy—U.S. rulers. The antiwar movement snowballs in the U.S. as young Americans and Vietnamese die while profits soar. PLP members have been dragged to Washington, and I am a PLP member and proud to say that, proud to say I am a Marxist-Leninist, a revolutionary Communist, because that has the full aspirations of the American people, and that is expressing the full aspirations of the American people. We have been dragged here to Washington in this repressive act to stifle the antiwar movement.

We believe that counterrevolutionary wars like that the U.S. Government is fighting in Vietnam is a product of the system called U.S. imperialism and will only end with defeat of the imperialism.

The U.S. Government today is following the pattern of Adolf Hitler. To follow this path or not to resist is unpatriotic. We identify with the real America, and Mark Twain very ably said there are two Americas and that one America represents the U.S. rulers and one the people of this country.

We identify with the real America, the people's America, the America which has always fought for social progress at home and abroad. We believe it is necessary to have socialism in our country to achieve the flowering of real America, to end war, oppression, insecurity, and the cultural and moral decay that is choking our people.

We are Communists and we are proud of it. We act in accordance with the aspirations of the overwhelming majority of our people, the American people.

Mr. POOL. Just a moment.

Mr. CHERKOSS. We believe that the working people, aided by students; honest, solid intellectuals; and others, must hold political power.

Mr. POOL. May I interrupt you just there?

Mr. CHERKOSS. By all means.

Mr. POOL. Are you a Communist?

Mr. CHERKOSS. I am going to finish this statement, one more paragraph, and then I will answer the questions.

Mr. POOL. All right.

Mr. CHERKOSS. We seek this goal, political power by the working people of this country created by students and solid intellectuals.

HUAC, Johnson, and their ilk are opposed to the interests of most Americans. Their attack on PLP and the antiwar movement will serve, and has served, to unite forces of progress more than ever. Those called to the hearings like ourselves have fought back and will continue to fight back. We have nothing to hide. We will use this forum, and have used this forum, to expose the reactionary nature of the administration.

We have pointed out their ruthlessness because of their basic stage in Vietnam. And we are using this to show that the U.S. imperialism is there prepared for a long fight and pressed for a desperate win in Vietnam.

We must be prepared, too, for a long and hard effort if we want to win. Despite this attack, the antiwar movement will grow and gain more solidity. Our people can defeat the war machine. We hail the efforts of the Vietnamese people. They are winning. We welcome their triumph. We say to U.S. rulers, "Get out of Vietnam now." The Vietnamese people are fighting for liberation in the interest of the American people, the people of this country that we identify with.

I have some other objections. I am not finished.

Mr. POOL. Your objection is overruled, if you made one there.

Mr. CHERKOSS. That was an objection to this committee and its hearings.

Mr. POOL. All right.

Mr. CHERKOSS. I associate myself with the suit against HUAC, declaring HUAC illegal, that is now pending in the Washington courts. I fully associate with that suit. I object to answering any questions of this committee on the ground that Public Law 601, 79th Congress, 60 Statutes 812, Part 2, Rule XI, authorizing the committee on Un-American Activities, and Un-American Committees, to investigate certain activities, to make investigations of the extent, character, and objects of Un-American propaganda activities in the U.S., violates the U.S. Constitution in that the statute is ambiguous and vague, the term "un-American propaganda activities" being nowhere defined, and being in fact incapable of one precise definition, and obscuring the fact that there is not one, but two kinds of un-American activities, as Mr. Ewart and Mr. Hamilton ably pointed out this morning; first, those that the vast majority of American people deem un-American, such as the undemocratic activities, including those of this committee; and, secondly, those deemed un-American by a small minority of the wealthy, privileged, the ruling class, who are now escalating the Vietnam war, and by their political spokesmen, such as members of this committee and the U.S. power machine.

I further object to answering any questions of this committee on the grounds that the statute on its face, as applied by the House Un-American Activities Committee during the past 20 years, for more than 20 years, and especially today in its harassment of those opposing the Vietnam war, is repugnant to freedom of speech, assembly, associa-

tion, and privacy guaranteed to the people by the Bill of Rights and suppresses and inhibits dissent, and thus infringes not only the rights of dissenters, but, above all, the rights of the American people as a whole, to be informed of the opinion of the dissenters, as a basis for the American people correctly to make decisions concerning their welfare and very survival, and results of this committee further us along the American road to fascism, and further results in discarding democratic processes, openly making the Government the master over the people and not the servant of the people, a Government not of the people, but against the people, that rules in the interest of the elite ruling class.

Mr. POOL. Your objection is overruled.

Mr. CHERKOSS. I am not finished yet. Okay, I have plenty of time here. You guys are paying the bill. You are defrauding the American people on that.

I decline to answer on the grounds that this committee is at present illegally constituted in that four or more—I am not too sure—four or more of its members, Congressman Watson of South Carolina, and Joe Pool of Texas, and Willis of Louisiana, who were elected in States which have denied the right to vote to a considerable number of Negro and poor white citizens of the State, but whose representation has not been proportionately reduced as required by section 2 of the 14th amendment to the Constitution of the U.S., and, finally, you have subpoenaed us in an attempt to scare, intimidate, and thus split the growing American sentiment and movement against the war and the U.S. Government that bears sole responsibility for that war.

We have come here with clean hands, and you cannot say the same. It is you, not us, that are acting against the interests of the American people. And let us face it, gentlemen, your Government days are numbered.

Mr. POOL. Are you finished?

Mr. CHERKOSS. Well, just as my opener. Gentlemen, I am finished with the opener.

Mr. POOL. Your objection is overruled.

Would you want to answer the question whether or not you are a Communist? I think I asked you that a while ago.

Mr. CHERKOSS. As I stated in the opening statement, the U.S. Government is acting against the needs, the real needs, and aspirations of the American people not only in Vietnam, but in Dominican—Angola, in Asia, Africa, Latin America, and in this country.

Black people are systematically murdered on the streets of this country every day. And this country and this Government that does not represent the interests of the American people or the country and cannot be reformed, and we have seen that it cannot be reformed. But the Government must be destroyed by the people, in the interest of the people, and this committee will be demolished like the U.S. Government by the American people, but the American working people, solid intellectuals, and solid students. And, yes, I am proud to say I

am a Communist, a Marxist-Leninist, a revolutionary, and acting in accordance with the full aspirations of the American and world peoples.

Mr. POOL. Does that include using violence to overthrow the Government if necessary?

Mr. CHERKOSS. That sounds like a loaded question. Let us face it. The violence that was used here to get out the lawyers was all too apparent to the people here in this room. The violence that the U.S. Government uses to suppress peoples throughout the world is all too apparent to all of us. Let us face it. The violence is on the hands of the ruling class, and that has been historically true.

So you are the guys that are committing the violence throughout the world, who are dehumanizing, and brutally dehumanizing, and depressing people throughout this country and throughout the world. You are the fellows that use violence.

Mr. POOL. If necessary, would you use violence to overthrow this Government?

Mr. CHERKOSS. The American working people, as I said before, along with their allied forces, are going to take power, and how they do that, they'll do that any way they deem necessary at that time.

Mr. POOL. Including violence if necessary?

Mr. CHERKOSS. Well, my friend, that has been shown. You know we can look at history and say no ruling class has ever surrendered power voluntarily. That is a fact in history.

Mr. POOL. And that might be a fact in the future? Is that what you are saying?

Mr. CHERKOSS. Well, not in the future, but today this Government brutally suppresses the peoples of the world and the people of this country. They use force and violence every single day.

Black people throughout this country know all about the force and violence that the U.S. Government and their lackeys use against them.

Mr. POOL. So you refuse to say that you would use violence if necessary? Is that what you mean?

Mr. CHERKOSS. Will you repeat the question? I can't understand this fellow's accent. Is there someone speaking that isn't a racist that speaks with a more American accent?

Mr. POOL. I think the American people understand what I am saying regardless of my accent.

Mr. CHERKOSS. Now, Joe.

Mr. POOL. I ask you, one more time, if you want to answer. You have been very cooperative and maybe you want to answer this.

Would you use violence, if necessary, to overthrow this Government if you disagreed with it?

Mr. CHERKOSS. I told you the people of this country will take power as they deem necessary at this time and the force and violence—

Mr. POOL. Is always initiated by the ruling class?

Mr. CHERKOSS. That is my answer.

Mr. POOL. All right. All right, Mr. Nittle.

Wait just a second. I haven't ruled on the—what was the previous question?

Mr. NITTLE. The question, Mr. Pool, the outstanding question, is whether or not this witness has resided at 2732 Haste Street.

Mr. CHERKOSS. Oh, yes, that's right. That's the question.

Mr. POOL. Do you care to answer the question, or do you want me to listen to some more objections on that?

Mr. CHERKOSS. State the relevancy of that question.

Mr. NITTLE. Yes, I shall.

Mr. Cherkoss, it is the committee's information that you are a West Coast student organizer for the Progressive Labor Party and that you also served as a West Coast spokesman of its front organization, the May 2nd Movement—

Mr. CHERKOSS. The only front I know of here is the front of the CIA for U.S. imperialism. Let us talk about fronts. Let us talk about what kind of fronts this Government has set up internationally to suppress the people throughout the world.

Mr. POOL. Just a minute.

Mr. NITTLE. And that pursuant to the program of the Progressive Labor Party you caused to be formed a Medical Aid to Vietnam Committee, later established on the Stanford University campus and at the University of California in Berkeley.

I have before me a copy of a postal application dated November 4, 1965, for Post Office Box 1128 for the Medical Aid to Vietnam Committee, filed under the signature of Steve Cherkoss, indicating a business address for the organization at 3382 18th Street, San Francisco, an address which was then, according to the information of the committee, in published documents—

Mr. CHERKOSS. Where does the committee get its information?

Mr. NITTLE. —the headquarters of the Progressive Labor Party; and that in addition to the business address of the Progressive Labor Party, you gave your home address as 2732 Haste Street.

I hand you a copy of that postal application as a portion of my statement of the relevancy of the question.

(Document handed to witness.)

Mr. CHERKOSS. Look, you have subpoenaed us, forced us to be subjected to a harassment and public condemnation and calling us 3,000 miles from Berkeley, and you will not succeed in that condemnation. You have already in your fist considerable satisfactory answers to all the essential questions you are asking.

Yes, sir, that was my address, 2732 Haste. I resided at that address in this past year and I gave my business address at—what is it? Let us see. What did you say? 3382 18th Street, San Francisco. Very good. Yes, correct, essentially correct.

Mr. NITTLE. Your business address?

Mr. CHERKOSS. I state this is in the files; yes.

Mr. NITTLE. And that is your signature on the application?

Mr. CHERKOSS. Yes, by all means.

Mr. POOL. Do you offer that in evidence now?

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

Mr. POOL. Without objection it is so ordered.

(Document marked "Cherkoss Exhibit No. 1" follows:)

1210 ASSISTANCE TO ENEMIES OF U.S. IN UNDECLARED WAR

CHERKOSS EXHIBIT No. 1

FOR POST OFFICE USE ONLY	POSTMASTER	DATE BOX OPENED	DATE BOX CLOSED	BOX NO.
		11-8-65		1128

APPLICANT PLEASE NOTE: Completion of this application signifies your willingness to comply with all postal rules relative to the renting and use of Post Office boxes.

NAME OF APPLICANT (Print or type)	TYPE OF IDENTIFICATION
STEVE CHERKOSS	Calif. Drivers Lic.

NAME OF FIRM OR CORPORATION (If box is rented for use of either)
MEDICAL AID TO VIETNAM COMMITTEE

KIND OF BUSINESS
SOCIAL ACTION - Non Profit

BUSINESS ADDRESS (No., street, and ZIP code)	TELEPHONE NO.
3382 18 th St. SAN FRANCISCO, CALIF. 94115	4315300

HOME ADDRESS (No., street, and ZIP code)	TELEPHONE NO.
2732 HASTE ST. OBERKEY CALIF	845 8362

SIGNATURE OF APPLICANT	DATE OF APPLICATION
X Steve Cherkoss	NOV 4 - 1965 NOV 4, 1965

ADDRESSES VERIFIED BY	TELEPHONE NUMBERS VERIFIED BY

For Post Office Use Only ENTERED IN DIRECTORY	INITIALS OF CLERK	INITIALS OF CARRIER	BOX NO.
			1128

THE FOLLOWING MUST BE COMPLETED AND SIGNED BEFORE P O BOX IS ASSIGNED

DELIVER MAIL IN ACCORDANCE WITH INSTRUCTIONS CHECKED BELOW		
<input type="checkbox"/> ALL EXCEPT SPECIAL DELIVERY IN BOX	<input checked="" type="checkbox"/> ALL INCLUDING SPECIAL DELIVERY IN BOX	<input type="checkbox"/> ONLY MAIL ADDRESSED TO BOX IS TO BE PLACED IN IT. ALL OTHER MAIL TO BE DELIVERED AS ADDRESSED.
<input type="checkbox"/> OTHER INSTRUCTIONS (Explain)		

SPECIAL DELIVERY MAIL ONLY (Deliver as checked below)	
<input type="checkbox"/> DELIVER TO LOCAL RESIDENCE AT	<input type="checkbox"/> DELIVER TO LOCAL BUSINESS ADDRESS AT

(No., street, and ZIP code)	(No., street, and ZIP code)

NAMES OF PERSONS ENTITLED TO RECEIVE MAIL THROUGH BOX (If box is rented to a firm, include the full name of each of the members whose mail is to be placed in box.)

STEVE CHERKOSS STEVE FOX
STEVE HAMILTON GEORGE EWART

<input type="checkbox"/> HAVE READ ITEMS 1 THROUGH 5, ABOVE AND WILL COMPLY WITH THEM	X Steve Cherkoss (Signature of applicant)
---	--

POD FORM 1093
Dec 1963

APPLICATION FOR POST OFFICE BOX

Mr. POOL. Counsel, I think we have had sufficient testimony from this witness, and at this time the witness is excused.

Mr. CHERKOSS. I have a few statements to make——

Mr. POOL. You are excused.

Step down.

Mr. CHERKOSS. —about the illegality of this Government. In the words of John Quincy Adams——

Mr. POOL. The witness will step down. He has been excused. I am going to direct you to step down for the last time. You are not a witness here now. You are excused.

Will you step down quietly? Will you go to the door or sit down in the room, either one.

Mr. CHERKOSS. I have just a few statements to make.

Mr. POOL. You will not make any statements. You have been excused.

Mr. CHERKOSS. The blood of Americans——

Mr. POOL. The officer will escort him to the door. Take the papers and give them back to him when you get outside.

The committee will take a 5-minute recess.

(Whereupon, a brief recess was taken. Subcommittee members present at time of recess and when hearings resumed: Representatives Pool, Ichord, and Buchanan.)

Mr. POOL. The committee will come to order.

* * * * *

Mr. ICHORD. Mr. Chairman, at this point I think it would be appropriate to offer for inclusion in the record a telegram received by the chairman of the full committee, Chairman Willis, and I read the telegram:

Chairman E. E. Willis, House Committee on Un-American Activities, Washington, D.C. We, the students and teachers of the Free University of New York (20 East 14th St.) condemn the action of President Johnson's House Committee on Un-American Activities in subpoenaing our president, Dr. Allen Krebs, and other important activists in the movement resisting America's brutal war against the people of Vietnam. This is clearly an effort to stifle protest in our country.

We hereby summons [sic] and subpoena Chairman Willis to appear before us at a Free University general meeting to explain the actions of his committee.

The committee will remember that Dr. Allen Krebs is the witness who left about 5 minutes after his attorney had withdrawn from the case, ostensibly on the ground because he had no attorney, and at the same time left a mimeographed statement in which he said that he was leaving the room at that time.

The committee will remember that I commented upon the fast mimeographing service that Dr. Krebs had access to. I think it should also be noted at this time that this telegram is signed by 97 students and teachers of the Free University.

¹ Congressman Olin E. Teague's statement can be found in part 2, the legislative phase of the hearings.

[The signers to the telegram are :

Rochelle Altstein	Ronald Myles	Pamela E. Boslet
Penny Rosenberg	Paul Gruyell	Vikki Power
W. A. McGirt, Jr.	Salim E. Tamari	Sotere Torregian
Daniel Shafarman	Eva Conrad	Maureen Tuoky
Susan Hoegland	James P. OBrien	Susan Rubenstein
Susan Sherman	Jane A. Dunn	Samuel H. Gross
C. Long	Hal Cronkite	Dick Guindon
G. Long	Levi Laub	Gerald Cohen
Michele Ann Falik	Martin Glass	Roberta Plitt
Toby Mussman	Basil D. Vuyandovich	Roy G. Kidwell
Will Inman	Judy Weinstein	Allan Stupp
Marilyn Dworkin	Larry Rothfeder	Anton Chaitkin
Howard Kheel	William J. Therway	Janice Chaitkin
Maureen Stoehr	Marta Kusic	Robert Dillon
Paul S. Blutter	Marie Kelbert	Lyn Marcus
Hilla Shakovitzky	Carolyn W. Lieber	Joe Cerini
Sharon L. Krebs	Edward Stanley	Sandra Ferdinand
Paul Krassner	Shian Maclean	Allan Whiteman
Marcia Steinbrecker	Robert Lynn, Jr.	Emily Kessler
Richard M. Bayer	Jerry Woloz	Robert Rohr
Kathryn Mulligan	Truman Nelson	Marvin Slotoroff
Paul Buhle	Leonard Rubenstein	Allan A. Shapiro
James Weinstein	Vera James	Ricky Blake
Bernard Greenberg	Betty Butler	David Group
Aaron Frishberg	Francine Derman	Barbara Goodridge
A. Douglas Weller, 3d	Paul Travis	John Cerve
Leonard Ragozin	Roseanne Leto	Lynn Hesselbart
Manny Frishberg	Robert Greenstein	George Knowles
Emmett L. Dupont	Martin Timins	Jon Shaughnessy
Conrad Lynn	Wendy Hortenstine	Elaine La Ron
Frederick West	R. Nelson Beardon	Phillis Dillon
Helen Howard	Gordon Switzer	David Kieurbe]
Robertoh Faber		

The Free University is the one of which we have had evidence in the record. We have the summer catalog showing that it is teaching such courses as "Mao for Beginners," "Marxism and American Decadence." "The Russian Revolution in Literature," "History of the Left in the United States," "Perspectives for Revolutionary Change," "Psychoanalysis and Marxism," "Introduction to Marxism," "Elementary Course in Marxist Economics." And then they get into the more sophisticated subjects such as "Vietnam National Liberation Fronts" and "Theatre against the War in Vietnam."

I would ask that this catalog, Mr. Chairman, be inserted in the record because I think it does support the testimony of Mr. McCombs, who attended the Free University and said that there was considerable teaching of Marxism and organized activity against this Government occurring at that so-called university.

Mr. POOL. If there is no objection it is so ordered. This will be included in the record.

(Catalog marked "Committee Exhibit No. 1." See p. 1217.)

Mr. POOL. The subcommittee has held 3½ days of hearings. Those hearings have fully revealed the nature and affiliations of the individuals and groups which have played leading roles in organizing the activities which would be encompassed by the bills before us.

It is clear that the key leadership of these groups is made up of hard-core, revolutionary Communists who are acting in behalf of foreign interests.

We have the information we set out to obtain. The need for the enactment of the bill is clear. We see no need to continue the investigative phase of this hearing.

All witnesses against whom subpoenas are still outstanding are hereby excused from their subpoenas.

Mr. RUBIN. I object.

Mr. POOL. Let us have order.

Mr. RUBIN. I object.

Mr. POOL. Let us have order.

Mr. RUBIN. I want to—

Mr. POOL. You are not recognized. You are excused from the hearing.

Mr. RUBIN. I object. I want to discuss the war in Vietnam.

Mr. POOL. Escort the man from the room.

Mr. RUBIN. I object.

Mr. POOL. Let us have order. Let him take the papers and start him to the door.

Mr. RUBIN. I would like—

Mr. POOL. All right. The Chair recognizes Mr. Ichord.

Mr. ICHORD. Mr. Chairman, as I understand, you are dismissing all of the witnesses that have been subpoenaed by this committee from their subpoenas. Is that correct?

Mr. POOL. That is correct.

Mr. ICHORD. I would concur in the decision of the Chair and I would like to make this statement, Mr. Chairman.

I would not condemn any sincere pacifist for demonstrating against war in any form. Our Nation is a peace-loving nation. We have the traditions of a peace-loving nation, and I think we have shown that by our actions throughout our history. I know of no Government official in Washington who is in favor of war. But what has been shown during the course of these hearings poses quite a dilemma for genuine pacifists.

Many of these witnesses have freely admitted that they are Communists—they have nothing but utter contempt for their country—that they are in sympathy with the Viet Cong, the North Vietnamese and the aims and objectives of the Communist world.

They have freely admitted, Mr. Chairman, that they are raising medical supplies and other supplies for the Viet Cong, trying to interfere with troop efforts, movements, agitating and inspiring demonstration after demonstration.

This, Mr. Chairman, is not legitimate dissent. This indeed makes legitimate dissent difficult, and I do not condemn legitimate dissent in any form. Legitimate dissent is particularly difficult in view of the fact that propaganda in the war in Vietnam plays a very important part. I would like to state, Mr. Chairman, that I do not feel that this group, as such, constitutes any serious threat to the United States of America.

I do feel, however, that these witnesses, and particularly the testimony of Mr. Meese, show the highly and well-organized operation this group is conducting, the large resources involved, the great expense to national, state and local governments.

Mr. Meese estimated that the activity of the Vietnam Day Committee alone had cost the county of Alameda in excess of \$100,000 for merely providing police protection for them.

I believe, Mr. Chairman, that these hearings have shown that there is an immediate need for the passage of legislation such as you have introduced and I concur in the decision of the Chair.

We should proceed immediately with the legislative aspects of the hearing and work out a good bill and report the same to the House. And I predict that this bill is going to move through both the House and the Senate very quickly.

Thank you, Mr. Chairman.

Mr. POOL. Thank you, Mr. Ichord.

Mr. BUCHANAN, do you care to make a statement?

Mr. BUCHANAN. Mr. Chairman, before we close the investigative phase of this hearing, I think one aspect of the anti-Vietnam or pro-Viet Cong activity which ought to be a part of this record and that has not been touched upon yet is the hate calls and letters which have been received by various families whose loved sons or husbands have been killed in Vietnam.

This is without precedent in American history and has been widely reported in the press and is, I think, perhaps the most ugly and vicious aspect of the pro-Viet Cong activity. I cite one case history, that of Second Lieutenant Felix King, Jr., of my district.

Shortly after his graduation from Florence State College in January of 1965 as a 4-year ROTC graduate, he entered the service in February, completed his officer training, volunteered for ranger training, volunteered for airborne paratroopers, and 10 days later was sent to Vietnam on August 20, 1966.

He was the father of two boys, ages 1 year and 3 years. He and his wife believed very deeply in the rightness of what he was doing and in a letter home to his wife he stated he hated being separated from his family but they both knew what he was fighting for.

On November 9, 1965, Lt. Felix King was killed in action in South Vietnam. He was awarded the Silver Star by our Government and received an award from the Vietnamese Government also. Shortly after his funeral in November his parents received an anonymous letter.

The letter began: "Now how does it feel, now that the tide has turned and you are the one being persecuted?" The letter went on to say, "If your boy had been where he was supposed to be, he wouldn't have been killed," and to state that the soldiers in Vietnam like their son were murderers, to state that "You are getting what you deserve," and to close with the observation that "The Viet Cong will destroy you."

I have seen this letter. It is one case of a number of similar cases and one very ugly aspect of pro-Viet Cong activity which I think

ought to be a part of this record and many other cases have been reported in the press.

Mr. Chairman, before we began these investigative hearings, I already supported this legislation; indeed, had joined you much earlier in introducing this legislation. I feel that it fills a gap in the law and is needed legislation, and yet these hearings have doubly convinced me that not only do we need this bill for the sake of our fighting men in Vietnam and for their families, but also perhaps for another group of people.

As one of our witnesses, Phillip Luce, has ably pointed out, the New Left structure, and particularly the Progressive Labor Party structure, is as a pyramid. And I think we have established that there are hard-core, revolutionary Marxist-Leninists at the top of this structure; that at the base, however, there are many young people, some of whom are simply pacifists and some idealists who are not Communists of any kind, but who are nevertheless in sympathy with this basic position and who are participating in these actions.

Now, it seems to me that by circumscribing these activities and establishing what is in fact unlawful, in distinguishing between the right to speak and hold a rally and freely assemble and the right of aiding and abetting a force which is engaged in armed conflict with our own troops and which is killing our own soldiers, in establishing this distinction and in circumscribing such aid to the enemy in a war like the undeclared war in Vietnam, it seems to me we are not only doing a needed service and a necessary service to the servicemen and to their families, but perhaps to a group of young people who some day will have homes in the suburbs and be raising their children in the greatest and best and freest Republic this world has even seen and who may, some day, change their minds and come to feel that these activities in which they may now participate or which they may encourage or approve are in fact wrong, and they may live to deeply regret them.

It seems to me, therefore, that we do a service not only to the country and to our military men, but perhaps the young people who at this moment are participating in this and may some day come to see that it was a very wrong-headed way of conduct and one that they deeply regret.

So, Mr. Chairman, I concur in the decision that we should end these investigative hearings and proceed with the necessary legislative hearings to pass this bill at the earliest possible time.

Mr. POOL. Thank you, Mr. Buchanan. I think Mr. Ichord had one other thing.

Mr. ICHORD. Mr. Chairman, I have two items here which I believe should be inserted in the record, particularly in view of the fact that Mr. Pemberton, an executive of ACLU, and some of the other attorneys objected to these hearings on the grounds that the committee or members of the staff of the committee released the names of witnesses prior to the time that they were served. This, of course, is an objection that is often made.

I would point out that the chairman of the full committee has given the members of the staff strict orders that the names of these witnesses are not to be released and I am certain—and I have asked questions of the staff members myself—that no staff member has released any of the names of these witnesses prior to the time that they were subpoenaed.

We find, however, that the witnesses which we do subpoena often run to the press themselves with the names of the witnesses that have been subpoenaed and release them themselves and then accuse the members of the staff of the committee of releasing the names. And I have one document here, which is a transcript of the tape of interview with Steve Cherkoss, Steve Hamilton, and George Ewart, Jr., on the campus of the University of California, by a representative of station KEWB in California on August 5, 1966, and this is very important, Mr. Chairman, because Steve Cherkoss was not served with his subpoena until August 5, 1966. It does show that the witnesses released the names themselves.

And also a pamphlet headed, "HUAC Attacks Peace Movement," in which it states that the witnesses have been subpoenaed, and this was distributed on the Berkeley campus on August the 5th 1966.

I would ask unanimous consent that these two documents be included in the record of the hearings.

Mr. POOL. If there is no objection, these documents are included in the record of the hearings.

(Documents marked "Committee Exhibits Nos. 2 and 3," respectively. Committee Exhibits 1, 2, and 3 follow:)

*School **
Free University
of New York

SUMMER CATALOG 1966

20 east 14 street : new york, n.y. 10003

or.5-7424

** State law forbids use of term "university" without proof of \$500,000 in assets.

The Free University of New York has been forged in response to the intellectual bankruptcy and spiritual emptiness of the American educational establishment. It seeks to develop the concepts necessary to comprehend the events of this century and the meaning of one's own life within it, to examine artistic expression beyond the scope of the usual academy and to promote the social integrity and commitment from which scholars usually stand aloof.

Passionate involvement, intellectual confrontation and clash of ideas are particularly encouraged because we believe a de-
continued inside front cover

continued from front cover

tached search for ideas and a dispassionate, objective position do not and never have existed.

The Free University consists of its intellectual participants. Students and teachers meet on common ground to discuss the direction of the school and to develop curricula, course content, symposia, forums, etc.

The Free University of New York is necessary because, in our conception, American universities have been reduced to institutions of intellectual servitude. Students have been systematically dehumanized, deemed incompetent to regulate their own lives, sexually, politically and academically. They are treated like raw material to be processed for the university's clients—business, government and military bureaucracies. Teachers, underpaid and constantly subject to investigation and purge, have been relegated to the position of servant-intellectuals, required, for regular promotion, to propagate points of view in harmony with the military and industrial leadership of our society.

The American university has been emasculated. Its intellectual vigor, exuberance and excitement have been destroyed. What remains is a dispassionate and studied dullness, a facade of scholarly activity concealing an internal emptiness and cynicism, a dusty-dry search for permissible truth which pleases none but the administrator and the ambitious.

In the very face of these circumstances and in recognition of the events of the last decade, protest has once again emerged on the college campuses of America. We welcome the protest: we feel the foundation of the Free University is part of it.

REGISTRATION

Since free trial attendance at classes of the Free University is not possible, students are advised to take advantage of the week of consultation and registration. During the week of June 27-July 1, faculty members will each be available at the Free University one evening from 7:30 to 9:30. For classes scheduled to meet on Mondays, the instructor will be present for consultation on Monday, June 27. For classes scheduled for Tuesdays, Tuesday, June 28, and so forth. Consultation for classes scheduled for Sundays will take place on Friday, July 1.

The Free University gives no credits and grants no degrees. There are no admission requirements nor restrictions on age.

CALENDAR

Monday, June 27-Friday, July 1

Registration

Tuesday, July 5

First Class Meets

FEES

In order to avoid reliance upon any trust fund, foundation or private benefactor, the Free University seeks to sustain itself by means of low student fees, low expenses and minimal administrative costs. The first nine-week course in which a student enrolls in a single quarter will cost \$24. Each additional course will cost \$8. Hence, two courses will cost \$32, three \$40, etc. Five-week courses are half-price. Refunds will not normally be available, but students may usually transfer to other courses. Welfare recipients and other special cases will be enrolled free of charge. Registered students are admitted without charge to Free University Forums and Cinema.

Students are encouraged to bring their criticism and evaluation of courses to the Coordinating Committee which meets every Sunday evening at 8:00.

The annual membership meeting at which time the Coordinating Committee is elected, will be held on Sunday, July 31 at 8:00.

COURSE OFFERINGS FOR THE SUMMER QUARTER

The following courses have been selected in consultation, dialogue and discussion between the students and the faculty of the Free University. Classes will normally meet one evening each week for a 2 1/2 hour period, for nine weeks. The duration of the course and the length of class meetings may be altered by a decision taken jointly by the students and the instructor.

Courses are listed by instructor's surname—alphabetically.

THE COLD WAR IN TRANSITION—FROM EUROPE TO ASIA

The course includes analysis of the genesis and purposes of the Cold war; a review of its history through various international conflicts; the Soviet-American detente; the Sino-Soviet split; the Sino-Indian conflict; the Vietnam War; quo vadis America.

Mondays at 6:00

M. S. Arnoni

PERSPECTIVES FOR AMERICAN RADICALS

Problems of social change in advanced industrial society will be examined in the light of the theories of Marx, Mills, Marcuse and the American pluralists. Strategies and techniques for building political radical movements will be delineated. Students will be expected to read extensively in the field. Limited to 15 students.

Tuesdays at 8:30

Stanley Aronowitz

STUDIO WORKSHOP IN ART

Instruction in painting, drawing and collage. Life drawing. Individual and group criticism. Discussion of current trends in modern painting. A study of the revolutionary implications of 20th century art. Radical vision and contemporary perception.

Mondays at 6:00

Nancy Colin

ADVANCED CINEMA DIRECTORS WORKSHOP

The purpose of this advanced workshop is to continue providing the student with an esthetic and philosophic foundation as well as a technical and professional basis toward the production of films that will fulfill a redeeming function in the society of men: "not merely to render, but originally to create, through a living metaphor, the essence of contemporary reality, and project it into the future." The workshop will accordingly combine theoretical and practical training in the following disciplines: script-writing; directing; screen-acting; camera; sound and editing. Craftsmanship will be emphasized, so as to ensure that content seeks justice in form, which alone can raise experimentation to a truly creative act. The integrated training will be directed toward actual location work and the production of a 35 mm. film. Limited enrollment upon consultation. Extra lab fee \$10.

Tuesdays at 6:00

Yves de Laurot

ALTERNATIVE MAN

The purpose of this course will be to begin sketching an image of the potential post-Revolutionary man, an image drawn from implications in the western tradition and based on the possibilities inherent in advanced industrial society. The method will be to conduct a preliminary examination of significant negations and affirmations of man in European history, in theory and practice, from the early myths and the Greek and Judeo-Christian roots of our culture to 20th century bourgeois systems and revolutionary perspectives. The basic assumptions are: 1. Marxism and Revolution propose the creation of a new society and a new Man; 2. the potential for concrete realization of a new Man is contained in the present stage of technological development in America; 3. the conception of this new Man, as an alternative to prevailing conceptions and realities, should provide an important critical notion with which we can confront the existing capitalist system, clarify our ideas about the goal of Revolution and sharpen our theories of social change.

Mondays at 8:30.

Martin Glass

ACTING CLASS WORKSHOP

Exercises in the basic work of the actor: improvisation, sensory observation and scene study; the Stanislavsky technique. This course will be offered again in the fall. Class is limited to 12 maximum. It will meet for five weeks, beginning August 14.

Sundays 11:00 a. m.

Harold Herbstman

COMMUNITY ORGANIZATION, WHO, WHAT AND WHY?

This course will cover the relationship between theory, day-to-day problems, power structure and various elements within it such as public media, schools, religion and "culture." The course will try to deal with how one utilizes and overcomes these elements in order to promote viable community organization, particularly among minority peoples. A portion of the course will be spent actually working in the Negro and Puerto Rican ghettos, and will be of especial interest to Negro and Puerto Rican organizers.

Mondays at 6:00

Calvin Hicks

A QUEST FOR SELF

A search for integrity without dogma in a time of relative values, exploring the turns of one individual's life toward building a synthesis between spiritual awareness and revolutionary social vision, with Walt Whitman's writings as counterpoint; Martin Buber, Jung, Fromm, Merton, Tagore--as background reading. No answers promised; painful questions guaranteed.

Fridays at 9:00

Will Inman

MAO FOR BEGINNERS

A dialogue on the many facets of Mao Tse-tung : military thinker, politician, Marxist theorist and poet. Reading materials will be from The Selected Works of Mao Tse-tung and non-Chinese commentaries on Mao and the Chinese Revolution.

Mondays at 8:30

Charles Johnson

MODERN DANCE TECHNIQUES

Basic experiences in movement; understanding the mechanics and motivation of movement, movement as a means of communication, movement as an art form. Modern Dance in the modern world. Modern dance for street pageants.

Basic - Sundays at 7:30

Intermediate - Sundays at 6:00

Stefanie Kaplan

6

FROM MICKEY MOUSE TO THE GREEN BERETS: PAUL KRASSNER AND DICK GUINDON VIEW THE PRESS

A seminar on the satirical and propagandistic implications of text and cartoons in the mass and minor media.

Wednesdays at 8:30

Paul Krassner and Dick Guindon

MARXISM AND AMERICAN DECADENCE

A general examination of American society and its decadence from a Marxist perspective. Topics to be covered include Marx and Marxism, American imperialism, militarism, alienation, isolation, homosexuality, drug cults, and intellectual emasculation.

Wednesdays at 8:30

Allen Krebs

THE RUSSIAN REVOLUTION IN LITERATURE

At the beginning of the nineteenth century, Russian writers exploded onto the world's literary stage expressing the most radical ideas of their time. This course will cover the growth of Russian realism from Pushkin and Gogol through Turgenev, Dostoevsky and Tolstoy and ending with the revolutionary writings of Gorky, Blok and Mayakovsky.

Wednesdays at 8:30

Sharon Krebs

HISTORY OF THE LEFT IN THE UNITED STATES

The history of the socialist, communist, anarchist and Trotskyist political movements in the United States. The relation of their social theories to practice, and their significance for the New Left.

Thursdays at 6:00

George Kruger

PERSPECTIVES FOR REVOLUTIONARY CHANGE

This course will attempt to define a political orientation for Revolutionary Socialism. It will cover, among other things, the question of state power--its present character under imperialism and socialism, the need for and what is a revolutionary party, an analysis of and outlook for labor, Black liberation, student and peace movements.

Thursdays at 8:30

Levi Laub

WESTERN EXPANSIONISM: HISTORY AND THEORY

The origins of modern imperialism: mercantilism, monopoly and expansionism. The impasse of liberalism and the role of the West in Asia, Africa and Latin America. United States neo-colonialism under the rhetoric of the liberal establishment. The final phase: Wars of Liberation and the international crisis.

Thursdays at 8:30

Leonard Liggió

CURRENT PERSPECTIVES

Discussion of major events with visiting experts and Free University teachers. This course will be open to students already registered for other courses at the Free University. There is no charge.

Thursdays at 6:30

Leonard Liggio and others

PSYCHOANALYSIS AND MARXISM

Post-Freudian psychoanalytic theory (Reich, Fromm, Horney, etc.) will be discussed and criticized from a Marxist perspective. Emphasis will be placed on the role such socio-psychology plays in contemporary America: its premises and consequences. Alternative approaches to "personal" problems will be discussed. Readings here will include Frantz Fanon, Doris Lessing and William Pomeroy.

Thursdays at 8:30

Constance Long

INTRODUCTION TO MARXISM

A thorough discussion of the fundamental concepts of Marxist philosophy: dialectical and historical materialism. Extensive readings in the theoretical and historical works of Marx and Engels, such as German Ideology, Anti-Dühring, 18th Brumaire, etc. The final class will be an exercise in using these intellectual tools in understanding our contemporary reality.

Thursdays at 8:30

Gerald Long

THE GHETTO: LAW AND SOCIAL CHANGE

The ghetto: origin and development in contemporary America. The control of the ghetto by traditional internal disciplines and the increasing role of external force. The growth of indigenous social, economic and political factors. Revolutionary potential.

Wednesdays at 6:00

Conrad Lynn

FILMAKING

The course will review the complete technical process of making films from script to final print. So as to acquire practical knowledge of camera, sound, and editing processes, the class will make a short film (5-10min.). No experience necessary. Limited enrollment upon consultation. Extra lab fee \$15, covering film, printing and cutting-room costs.

Thursdays at 8:30

Bob Machover

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ELEMENTARY COURSE IN MARXIST ECONOMICS

This course is designed to equip the beginner, with or without previous economic training, with working mastery of the basic method, concepts and practical applications of Marxist economics. The latter part of the course includes a research project by the student on the main features of U. S. economic history, with treatment of the interrelationship between economics and politics in recent U. S. history, including "Negro Question" and "New Left." Tuesdays at 8:30 L. Marcus

CIVIL LIBERTIES IN THE U. S. TODAY

The relationship of Constitutional guarantees of freedom of expression to current political struggles in the U. S. Among the topics will be the McCarthyist heritage, the F. B. I., Congressional investigations, the Smith and McCarran Acts, loyalty oaths, academic freedom, the courts and free speech, and issues of free expression raised by the civil-rights and anti-war movements. There will be several guest appearances by people involved in recent civil liberties battles. Tuesdays at 8:30 James O'Brien

VIETNAM NATIONAL LIBERATION FRONTS

From the Democratic Front of 1936 to the National Liberation Front of today, the Vietnamese have been the geniuses of the United Front. The U. S. is waging war in Vietnam to prevent all peoples from learning the revolutionary tactics and strategies the Vietnamese have perfected, and with which this course will deal. The transcendent contributions made by the NLF and the Democratic Republic of Vietnam to the practice of democracy, Socialism and to the most advanced form of government will be covered. The student will also learn about the traditions and remarkable humanism of the NLF and DRV. The life of Ho Chi Minh and the brilliant writings of Ho and eminent DRV statesmen Le Duan, Vo Nguyen Giap and Truong Chinh will be studied. The current course of the war, with emphasis on the bombings of the DRV will also be analyzed.

Mondays at 8:30

Charlotte Polin

CREATIVE MATERIALISM

Real men in the real world--these are the concern of the significant artists and social activists of our time. The foundations of this materialist outlook are secured by the Marxist classics, but creative materialism must build beyond these foundations, must

accept modern man in all his complexity, economic and emotional. What if one is asked, as a materialist: What is Love? Beauty? Liberty? Truth? Life? Heroism? Pacifism? Religion? The Psyche? The Universe? The course will explore these often overlooked areas of Marxism. Studies in a Dying Culture, by Christopher Caudwell, brilliant young Englishman who began to view modern man through a challenging and creative Marxist perspective shortly before his death as a volunteer in Spain, will be the chief text.

Wednesdays at 6:00

Len Ragozin

BLACK AFRICA

The revolutionary developments in contemporary Sub-Saharan Africa in the light of centuries of imperialist oppression and the newly emerging forces of the world. This course will meet for five weeks beginning July 10 on a provisional basis depending upon international events and consultation between teacher and students.

Sundays at 6:00

A representative of the Revolutionary
Government of Tanzania

DOCUMENTARY FILM: ART AND SOCIETY

An attempt to examine specific documentaries as art and as social expression, and to perhaps get at the nature and limitations of the documentary film. Films will be selected from the works of the British documentarists of the 30's, the National Film Board of Canada, the British Free Cinema of the 50's and directors such as Eisenstein, Flaherty, Lorentz, Buñuel and Resnais.

Tuesdays at 6:00

Mike Robinson

THEATRE AGAINST THE WAR IN VIETNAM

A drama workshop of the theatre of protest. This workshop will construct an actual demonstration based on war issues current in the press using life puppets, masks and home-made sound.

Sundays at 6:00

Peter Schumann

WRITING WORKSHOP

A workshop for the writing of poetry, plays and short fiction; discussion of students' work as well as a study of relevant contemporary literature from Beckett to the New York Underground. Emphasis on writing as expression and communication. The revolution in language. The role of the artist in contemporary society.

Thursdays at 6:00

Susan Sherman

10

POETRY AND REVOLUTION

A never-ending continuum: poetry as a universal criterion of truth. The poet as leader in the revolution of life-consciousness, forays which parallel world revolutionary liberation movements. The Poet, Anti-war: poetry as seen by the poet, reformer of consciousness, liberated from Academy's forensic taxidermy, and expose of the dreams inflicted during the adolescent sleep of 1941-60's malcontents. The poets of Now read their work: Ted Berrigan; Allen Ginsberg; the Poem Machine; Quetzlcoatl; Africa; others. Requirements: world-pain (undefinable), some knowledge of poetical achievements, America (1950-1966), France (Rimbaud, etc.). Wednesdays at 6:30 Sotere Torregian

THE AMERICAN RADICAL TRADITION: 1900 TO PRESENT

The course will examine and evaluate the Socialist movement in the United States from 1900 to the present. Topics will include: The Socialist Party of Debs, 1900-1919. The First World War and its impact on the Third International. The fracturing of American Socialism and the rise of the farmer-labor parties, 1919-1924. The collapse of the old Socialist tradition in 1924. The revival of American Socialism during the Great Depression. The concept of the united front in Europe and America. Socialist attitudes towards the Second World War. American Socialism and the Cold War.

Tuesdays at 8:30

James Weinstein

FREE UNIVERSITY FORUM AND FREE UNIVERSITY CINEMA

The Free University holds Saturday night forums and screenings on subjects of social relevance and artistic merit. Forum themes have included thermonuclear war, Marxism and existentialism, the draft, the New Left and contemporary poetry. Speakers have included Christopher Koch, Herman Kahn, Eugene Genovese and others in addition to Free University teachers. Films have included Triumph of the Will, Night and Fog, Ten Days that Shook the World, Joyless Street, and films by the New Left, all followed by discussion. Subjects are announced in the National Guardian and the last page of the Village Voice.

FACULTY

M. S. ARNONI*

Editor of Minority of One, Political scientist and author.

STANLEY ARONOWITZ*

Trade Unionist and an editor of Studies on the Left.

LEE BAXANDALL

An editor of Studies on the Left and Chalk Circle. To have two plays performed in New York this year.

JOSEPH BERKE, M. D.

Psychotherapist and poet.

NANCY COLIN*

Painter, graduate Cooper Union, BFA. San Francisco Art Institute.

YVES DE LAUROT*

Film director, script writer, co-founder of Cinema Engagé.

MORRIS FORKOSCH, J.S.D., Ph.D.

Professor of law, Chairman, Department of Public Law, Brooklyn Law School, author of books and articles on legal subjects.

PAUL GERSHOWITZ

Artist, instructor at Community Cultural Center in Brooklyn.

MARTIN GLASS*

Instructor of literature, Yeshiva University.

DICK GUINDON*

Free-lance cartoonist, on the staff of the Realist.

HAROLD HERBSTMAN*

Actor, director; recently produced and directed "A Play for the General" off-off Broadway.

CALVIN HICKS*

Community organizer--Independent Action Committee.

WILL INMAN*

Editor: KAURI, poetry-newsletter.

CHARLES JOHNSON*

Economics student, Black Marxist-Leninist, visited Cuba, 1964.

STEFANIE KAPLAN*

B. A. in Modern Dance, Brooklyn College, now teaching modern dance at Educational Alliance.

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PAUL KRASSNER*

Editor of the Realist.

ALLEN KREBS, Ph.D.*

Director of the Free University of New York; ex-assistant Professor of Sociology, Adelphi University, fired after traveling to Cuba, summer, 1964.

SHARON KREBS*

M.A. in Russian literature, University of Michigan, translator.

GEORGE KRUGER*

Editor of the publication, The Internationalist.

TULI KUPFERBERG

Author of Sex & War, Grace & Beauty of the Human Form, Christine Keeler Coloring Book, Fug.

LEVI LAUB*

Organizer for Progressive Labor Party.

LEONARD LIGGIO*

Research historian and former college instructor.

CONSTANCE LONG*

B.A. in psychology, researcher trade union mental health project.

GERALD LONG*

Coordinator of American Liberation League; Editor: Liberation USA.

CONRAD LYNN*

New York civil rights attorney.

BOB MACHOVER*

Free lance film editor. Currently working on feature length documentary on SDS-inspired Newark Community Union Project.

SHANE MAGE, Ph.D.

Assistant Professor of Economics, Polytechnic Institute of Brooklyn.

L. MARCUS*

Professional economist and Marxist.

JOHN McDERMOTT

Instructor of philosophy, Long Island University; Associate Editor: Viet-Report.

JAMES MELLEN

Ex-instructor of Political Science, Drew University, fired after public statements on Vietnam.

TRUMAN NELSON

Author of Passion at the Brook, the Sin of the Prophet, The Surveyor, The Torture of Mothers and The Documents of Upheaval.

JAMES O'BRIEN*

M.A. in American history, University of Wisconsin.

CHARLOTTE POLIN*

Researcher, U. S. Committee to Aid the National Liberation Front of South Vietnam, author of books and articles on Vietnam.

LEN RAGOZIN*

B.S. Harvard, member of Progressive Labor Party philosophy group. Free University Coordinating Committee member.

REPRESENTATIVE OF THE REVOLUTIONARY GOVERNMENT OF TANZANIA*

MIKE ROBINSON*

New York film maker.

ED SANDERS

Poet, editor and Fug.

PETER SCHUMANN*

Director of the Bread and Puppet Theatre.

SUSAN SHERMAN*

Poet, playwright. Published in Poetry Magazine, The Nation, El Corno Emplumado, Village Voice. Plays produced off-off Broadway.

A. B. SPELLMAN

Poet, ex-commentator, WBAI.

RUSSELL STETLER, Jr.

An originator of campus protest against the Vietnam War, co-author (with Bertrand Russell) War and Atrocity in Vietnam, coordinator of American Liberation League.

ROGER TAUS

Poet and editor of Weapon and Free Student.

SOTERE TORREGIAN*

Poet.

JAMES WEINSTEIN*

Historian and an editor of Studies on the Left.

* indicates summer quarter faculty.

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COMMITTEE EXHIBIT No. 2

Transcript of Tape of an interview with Steve Cherkoss, Steve Hamilton and George Ewart, Jr., on the campus of the University of California by a representative of Station KEWB in California, on August 5, 1966.

COMMENTATOR: The subpoena process is continuing in Berkeley where six members of the Vietnam Day Committee have been directed to appear before the House Un-American Activities Committee. Mike Forrest, KEWB News, was in front of Sproul Hall today and asked Steve Cherkoss if he thought he might be subpoenaed.

Cherkoss: Yes, to my knowledge they have tried to find me and serve me with a subpoena, but as of yet they haven't been capable or able to do so.

Forrest: Are you hiding from them?

Cherkoss: No, of course not, we're standing out here on Sproul Hall steps with 200 people, 300 people right in front of us--if they consider that hiding, well then I guess I am, you know, it may be.

Forrest: Why are they looking for you?

Cherkoss: I don't know exactly why, probably harassing tactics because I was one of the leaders of VDC and the Medical Aid Committee and West Coast Student Organizer for the Progressive Labor Party.

COMMENTATOR: Just as this conversation ended a plainclothes officer walked up to Cherkoss and handed him a subpoena. Then he asked:

Officer: What is your home address Please, just in case we have to get in touch with you for plane fare and stuff?

Cherkoss: I don't care to make a statement about my home address at this time----

Forrest: Yes sir, what did you serve him with?

Officer: A subpoena.

Forrest: Constituting what?

Officer: That he was to appear before the House Un-American Activities Committee in Washington.

Cherkoss: I got a subpoena which states, you know, the information that I have to appear on August 16, in Washington, D. C., before the House Un-American Activities Committee.

Forrest: Will you?

Cherkoss: The organization that I belong to, Progressive Labor, is purely opposed to a committee such as HUAC, however if we're summoned, and it seems we are, we'll be there.

COMMENTATOR: Our Mike Forrest then asked another of the Vietnam Day Committee members why he thinks he and the rest were summoned to Washington.

Answer: They try to get us because we are Communists, we work as Communists in the Peace Movement, we have played a leading role in organizing High Schools and Junior High Schools in this area and they are trying to intimidate the Peace Movement by saying there are Commies in the Peace Movement, everybody else get out, you know. And we aren't going to fall for it.

COMMENTATOR: The House Committee has also subpoenaed some University records pertaining to registration of student organizations on the Berkeley campus.

COMMITTEE EXHIBIT No. 3

HUAC ATTACKS PEACE MOVEMENT

America is retooling its war machine. Wage ceilings have been fixed; anti-strike policies have been adopted; credit-ratings have been cut. And most important, the government attempts to split and destroy political protest at home.

THE BERKELEY PEACE MOVEMENT HAS BEEN ATTACKED.

Using HUAC as their weapon, the government is seeking to intimidate and suppress an anti-war movement which has been unique in its ability to articulate and mobilize dissent.

The following were subpoenaed and must be in Washington DC. on August 16.

Anatole Anton, Stanford anti-war movement, Cuba Trip '63
Steve Cherkoss, VDC Anti-draft Committee; PLP Organizer
George Ewart, VDC, and PLP Student Club
Steve Hamilton, VDC, PLP, PROC expelled student
Stewart McRae, Stanford Anti-war Movement
Jerry Rubin, VDC Leader, Cuba '64, Scheer Campaign
Steven Smale, Cal Math Professor, VDC Leader
Windy Smith, VDC Steering Committee, DuBois Club

HELP RETURN THE ATTACK

Come to a PUBLIC MEETING, SUN, NIGHT, Aug. 7, 7:00,
WHEELER AUDITORIUM
Discuss plans and strategy for DEFENSE of our friends.

Mr. POOL. The Chair wishes to make this statement.

It is my understanding that in the preparation for this hearing, the staff has collected documents which state the position of world communism generally on the subject of U.S. policy and action in Vietnam. These documents include official statements of the Progressive Labor Party, the Communist Party, and the Socialist Workers Party in the United States. It also contains statements in official publications of Red China and of Moscow—magazines such as the *Peking Review*, the *World Marxist Review* and *International Affairs*. Also included are official declarations of the 23d Congress of the Communist Party of the Soviet Union and of the 18th National Convention of the U.S. Communist Party.

If there are no objections, I direct that pertinent excerpts from these documents be made a part of this hearing record.

Are there objections?

There are none, and it is so ordered.

(See Appendix No. I, part 2, pp. 1355–1380.) ¹

Mr. POOL. I wish to make another short and sweet comment, and then we will adjourn for lunch. I think that the best thing I can say sitting up here as chairman—and most of you here in the audience have been here and have seen the things that went on and you realize the dilatory tactics and provocations that this committee had to contend with—that it is a pretty tough job to sit through one of these hearings. Some people have asked me why we put up with it. Well, the main reason for it is we try to be as fair as we can and try to observe the rights given to the American citizens by their Constitution, so we have put up with a lot of things that possibly wouldn't get to first base in a courtroom, but this is a little different.

However, the most pertinent thing about this is that these hearings themselves have shown and substantiated the arguments and the decisions of the courts throughout the years for the Congress to have the investigative power to look into the facts surrounding legislation, and I think that this hearing has been very revealing to the American public.

I have taken a lot of personal abuse. Members of the committee have taken a lot of personal abuse. But I will do that and keep my sense of good humor as much as I can, because I feel that I have done a job and conducted myself in a responsible manner as a Member of the House of Representatives.

I want to at this time thank the staff for doing a tremendous job in this investigative hearing. That includes investigators, as well as the counsel and the other members of the staff. The members of the committee, of course, you have all seen perform, and I don't have to make a lot of remarks about them. They have done a tremendous job. I am real proud to be an American and I am real proud to be a Member of the House of Representatives. I am real proud to have been a member of this subcommittee and done my little part to try to expose what is going on and try to pass these bills, which I think the House and the Senate will pass speedily as soon as we can get them out.

¹ Subsequent to the hearings, the subcommittee voted that additional documentation containing a statement of FBI Director J. Edgar Hoover be made a part of the record. This material may be found in Appendix II, part 2, p. 1381.

We are going to try to get these bills out next week, out of the committee.

I want to at this time thank the Capitol Police, the Metropolitan Police, and the U.S. marshals. They have done a tremendous job in keeping order in this hearing room, and I will say this about them: That they, in my opinion, from what I could see, used only that force that was necessary to carry out their orders, and I want to compliment them. They have done a tremendous job. I have been on these hearings in many cities in the United States. We have had some rough ones. But they have done a tremendous job here in Washington this week.

Those are all the remarks I have. We will meet again at 2 o'clock to go into the legislative phase on these bills.

The meeting is adjourned.

(Subcommittee members present at time of recess: Representatives Pool, Ichord, and Buchanan.)

(Whereupon, at 12:10 p.m. Friday, August 19, 1966, the subcommittee recessed, to reconvene at 2 p.m., the same day.)¹

¹The record of the afternoon session appears in part 2, the legislative phase of the hearings.

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¹ Appears as Loughlin.

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