

**SPECIAL SENATE INVESTIGATION ON CHARGES
AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUYE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR**

HEARING
BEFORE THE
SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
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Mr. WELCH. And you didn't tug at his lapel and say, "Mr. Secretary, I know something about Monmouth that won't let me sleep nights"! You didn't do it, did you?

Mr. COHN. I don't—as I testified, Mr. Welch, I don't know whether I talked to Mr. Stevens about it then or not. I know that on the 16th I did. Whether I talked to him on the 7th or not, is something I don't know.

Mr. WELCH. Don't you know that if you had really told him what your fears were, and substantiated them to any extent, he could have jumped in the next day with suspensions?

Mr. COHN. No, sir.

Mr. WELCH. Did you then have any reason to doubt his fidelity?

Mr. COHN. No, sir.

Mr. WELCH. Or his honor?

Mr. COHN. No.

Mr. WELCH. Or his patriotism?

Mr. COHN. No.

Mr. WELCH. And yet, Mr. Cohn, you didn't tell him what you knew?

Mr. COHN. I don't know whether I did or not. I told him some of the things I knew, sir. I don't think I told him everything I knew on the first occasion. After the first 2 or 3 occasions, I think he had a pretty good idea of what we were working on.

Mr. WELCH. Mr. Cohn, tell me once more: Every time you learn of a Communist or a spy anywhere, is it your policy to get them out as fast as possible?

Mr. COHN. Surely, we want them out as fast as possible, sir.

Mr. WELCH. And whenever you learn of one from now on, Mr. Cohn, I beg of you, will you tell somebody about them quick?

Mr. COHN. Mr. Welch, with great respect, I work for the committee here. They know how we go about handling situations of Communist infiltration and failure to act on FBI information about Communist infiltration. If they are displeased with the speed with which I and the group of men who work with me proceed, if they are displeased with the order in which we move, I am sure they will give me appropriate instructions along those lines, and I will follow any which they give me.

Mr. WELCH. May I add my small voice, sir, and say whenever you know about a subversive or a Communist or a spy, please hurry. Will you remember those words?

Senator McCARTHY. Mr. Chairman.

Mr. COHN. Mr. Welch, I can assure you, sir, as far as I am concerned, and certainly as far as the chairman of this committee and the members, and the members of the staff, are concerned, we are a small group, but we proceed as expeditiously as is humanly possible to get out Communists and traitors and to bring to light the mechanism by which they have been permitted to remain where they were for so long a period of time.

Senator McCARTHY. Mr. Chairman, in view of that question——

Senator MUNDT. Have you a point of order?

Senator McCARTHY. Not exactly, Mr. Chairman, but in view of Mr. Welch's request that the information be given once we know of anyone who might be performing any work for the Communist Party, I think we should tell him that he has in his law firm a young man named

Fisher whom he recommended, incidentally, to do work on this committee, who has been for a number of years a member of an organization which was named, oh, years and years ago, as the legal bulwark of the Communist Party, an organization which always swings to the defense of anyone who dares to expose Communists. I certainly assume that Mr. Welch did not know of this young man at the time he recommended him as the assistant counsel for this committee, but he has such terror and such a great desire to know where anyone is located who may be serving the Communist cause, Mr. Welch, that I thought we should just call to your attention the fact that your Mr. Fisher, who is still in your law firm today, whom you asked to have down here looking over the secret and classified material, is a member of an organization, not named by me but named by various committees, named by the Attorney General, as I recall, and I think I quote this verbatim, as "the legal bulwark of the Communist Party." He belonged to that for a sizable number of years, according to his own admission, and he belonged to it long after it had been exposed as the legal arm of the Communist Party.

Knowing that, Mr. Welch, I just felt that I had a duty to respond to your urgent request that before sundown, when we know of anyone serving the Communist cause, we let the agency know. We are now letting you know that your man did belong to this organization for either 3 or 4 years, belonged to it long after he was out of law school.

I don't think you can find anyplace, anywhere, an organization which has done more to defend Communists—I am again quoting the report—to defend Communists, to defend espionage agents, and to aid the Communist cause, than the man whom you originally wanted down here at your right hand instead of Mr. St. Clair.

I have hesitated bringing that up, but I have been rather bored with your phony requests to Mr. Cohn here that he personally get every Communist out of government before sundown. Therefore, we will give you information about the young man in your own organization.

I am not asking you at this time to explain why you tried to foist him on this committee. Whether you knew he was a member of that Communist organization or not, I don't know. I assume you did not, Mr. Welch, because I get the impression that, while you are quite an actor, you play for a laugh, I don't think you have any conception of the danger of the Communist Party. I don't think you yourself would ever knowingly aid the Communist cause. I think you are unknowingly aiding it when you try to burlesque this hearing in which we are attempting to bring out the facts, however.

MR. WELCH. Mr. Chairman.

SENATOR MUNDT. Mr. Welch, the Chair should say he has no recognition or no memory of Mr. Welch's recommending either Mr. Fisher or anybody else as counsel for this committee.

I will recognize Mr. Welch.

SENATOR MCCARTHY. Mr. Chairman, I will give you the news story on that.

MR. WELCH. Mr. Chairman, under these circumstances I must have something approaching a personal privilege.

SENATOR MUNDT. You may have it, sir. It will not be taken out of your time.

MR. WELCH. Senator McCarthy, I did not know—Senator, sometimes you say "May I have your attention?"

Senator McCARTHY. I am listening to you. I can listen with one ear.

Mr. WELCH. This time I want you to listen with both.

Senator McCARTHY. Yes.

Mr. WELCH. Senator McCarthy, I think until this moment—

Senator McCARTHY. Jim, will you get the news story to the effect that this man belonged to this Communist-front organization? Will you get the citations showing that this was the legal arm of the Communist Party, and the length of time that he belonged, and the fact that he was recommended by Mr. Welch? I think that should be in the record.

Mr. WELCH. You won't need anything in the record when I have finished telling you this.

Until this moment, Senator, I think I never really gaged your cruelty or your recklessness. Fred Fisher is a young man who went to the Harvard Law School and came into my firm and is starting what looks to be a brilliant career with us.

When I decided to work for this committee I asked Jim St. Clair, who sits on my right, to be my first assistant. I said to Jim, "Pick somebody in the firm who works under you that you would like." He chose Fred Fisher and they came down on an afternoon plane. That night, when he had taken a little stab at trying to see what the case was about, Fred Fisher and Jim St. Clair and I went to dinner together. I then said to these two young men, "Boys, I don't know anything about you except I have always liked you, but if there is anything funny in the life of either one of you that would hurt anybody in this case you speak up quick."

Fred Fisher said, "Mr. Welch, when I was in law school and for a period of months after, I belonged to the Lawyers Guild," as you have suggested, Senator. He went on to say, "I am secretary of the Young Republicans League in Newton with the son of Massachusetts' Governor, and I have the respect and admiration of my community and I am sure I have the respect and admiration of the 25 lawyers or so in Hale & Dorr."

I said, "Fred, I just don't think I am going to ask you to work on the case. If I do, one of these days that will come out and go over national television and it will just hurt like the dickens."

So, Senator, I asked him to go back to Boston.

Little did I dream you could be so reckless and so cruel as to do an injury to that lad. It is true he is still with Hale & Dorr. It is true that he will continue to be with Hale & Dorr. It is, I regret to say, equally true that I fear he shall always bear a scar needlessly inflicted by you. If it were in my power to forgive you for your reckless cruelty, I will do so. I like to think I am a gentleman, but your forgiveness will have to come from someone other than me.

Senator McCARTHY. Mr. Chairman.

Senator MUNDT. Senator McCarthy?

Senator McCARTHY. May I say that Mr. Welch talks about this being cruel and reckless. He was just baiting; he has been baiting Mr. Cohn here for hours, requesting that Mr. Cohn, before sundown, get out of any department of Government anyone who is serving the Communist cause.

I just give this man's record, and I want to say, Mr. Welch, that it has been labeled long before he became a member, as early as 1944—

Mr. WELCH. Senator, may we not drop this? We know he belonged to the Lawyers Guild, and Mr. Cohn nods his head at me. I did you, I think, no personal injury, Mr. Cohn.

Mr. COHN. No, sir.

Mr. WELCH. I meant to do you no personal injury, and if I did, I beg your pardon.

Let us not assassinate this lad further, Senator. You have done enough. Have you no sense of decency, sir, at long last? Have you left no sense of decency?

Senator McCARTHY. I know this hurts you, Mr. Welch. But I may say, Mr. Chairman, on a point of personal privilege, and I would like to finish it—

Mr. WELCH. Senator, I think it hurts you, too, sir.

Senator McCARTHY. I would like to finish this.

Mr. Welch has been filibustering this hearing, he has been talking day after day about how he wants to get anyone tainted with communism out before sundown. I know Mr. Cohn would rather not have me go into this. I intend to, however, Mr. Welch talks about any sense of decency. If I say anything which is not the truth, then I would like to know about it.

The foremost legal bulwark of the Communist Party, its front organizations, and controlled unions, and which, since its inception, has never failed to rally to the legal defense of the Communist Party, and individual members thereof, including known espionage agents.

Now, that is not the language of Senator McCarthy. That is the language of the Un-American Activities Committee. And I can go on with many more citations. It seems that Mr. Welch is pained so deeply he thinks it is improper for me to give the record, the Communist-front record, of the man whom he wanted to foist upon this committee. But it doesn't pain him at all—there is no pain in his chest about the unfounded charges against Mr. Frank Carr; there is no pain there about the attempt to destroy the reputation and take the jobs away from the young men who were working in my committee.

And, Mr. Welch, if I have said anything here which is untrue, then tell me. I have heard you and every one else talk so much about laying the truth upon the table that when I hear—and it is completely phony, Mr. Welch, I have listened to you for a long time—when you say "Now, before sundown, you must get these people out of Government," I want to have it very clear, very clear that you were not so serious about that when you tried to recommend this man for this committee.

And may I say, Mr. Welch, in fairness to you, I have reason to believe that you did not know about his Communist-front record at the time you recommended him. I don't think you would have recommended him to the committee if you knew that.

I think it is entirely possible you learned that after you recommended him.

Senator MUNDT. The Chair would like to say again that he does not believe that Mr. Welch recommended Mr. Fisher as counsel for this committee, because he has through his office all the recommendations that were made. He does not recall any that came from Mr. Welch, and that would include Mr. Fisher.

Senator McCARTHY. Let me ask Mr. Welch. You brought him down, did you not, to act as your assistant?

Mr. WELCH. Mr. McCarthy, I will not discuss this with you further. You have sat within 6 feet of me, and could have asked me about Fred Fisher. You have brought it out. If there is a God in heaven, it will do neither you nor your cause any good. I will not discuss it further. I will not ask Mr. Cohn any more questions. You, Mr. Chairman, may, if you will, call the next witness.

Senator MUNDT. Are there any questions?

Mr. JENKINS. No further questions, Mr. Chairman.

Senator MUNDT. Senator McClellan?

Senator McCLELLAN. I just want to ask 1 or 2 questions, Mr. Chairman.

Senator MUNDT. The Chair's attention has been called to the fact that it is a quarter to four. Shall we have our recess before that, Senator McClellan.

Senator McCLELLAN. That will be all right.

Senator MUNDT. We will have a recess for 5 minutes.

(Brief recess.)

Senator MUNDT. The committee will resume activities.

Senator McClellan had the first 10 minutes which we interrupted for the customary afternoon recess.

Mr. Cohn, take the stand.

Senator McCLELLAN. Mr. Chairman, I may say this. In view of the climax that occurred just before we recessed and in view of the fact that I could not possibly conclude any questioning of Mr. Cohn until I have had the opportunity to check the files of documents that Mr. Schine is supposed to have worked on, I cannot conclude my questioning of Mr. Cohn until then. So I withhold any questions for the moment until such time as I can get prepared to question about the other matters.

Senator MUNDT. The Chair would suggest, then, that Mr. Cohn step down temporarily and we call the next witness. We will recall Mr. Cohn when members will have had an opportunity to read the document.

Senator Symington?

Senator SYMINGTON. Mr. Chairman, I was not here. Unfortunately, I was in my office. Based on some of the calls that I have received, I would respectfully move that the Chair recess this hearing now until tomorrow morning.

Senator MUNDT. The Chair believes we have had enough delays without adding another delay of that kind now. We will agree to call Mr. Cohn back for any questions that you would like to have, or any other member, but I do think Senator McClellan's point is well taken. I have not had an opportunity either to read the documents, and I would like to read them. Mr. Cohn is not being dismissed. We will recall him tomorrow. He will still be in town tomorrow.

Mr. Jenkins, you may begin the direct examination of the next witness after he has been sworn.

Will you stand and be sworn. 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?

Senator MCCARTHY. I do.