

**SUBVERSION AND ESPIONAGE IN DEFENSE
ESTABLISHMENTS AND INDUSTRY**

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

SECOND SESSION

PURSUANT TO

S. Res. 189

PART 6

JULY 20 AND AUGUST 6, 1954

Printed for the use of the Committee on Government Operations



**UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1955**

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SUBVERSION AND ESPIONAGE IN DEFENSE ESTABLISHMENTS AND INDUSTRY

(On August 6, 1954, Diantha Hoag testified in executive session during hearings held by the Senate Permanent Subcommittee on Investigations on subversion and espionage in defense establishments and industry. This testimony was made public on January 3, 1955, by members of the subcommittee and follows below:)

FRIDAY, AUGUST 6, 1954

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

The subcommittee met (pursuant to S. Res. 189, agreed to February 2, 1954) at 10:30 a. m., in room 357, Senate Office Building, Senator Joseph R. McCarthy, chairman, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator John McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; Senator Stuart Symington, Democrat, Missouri.

Present also: Mr. Francis P. Carr, executive director; Mr. Robert F. Kennedy, chief counsel to the minority; Mr. James N. Juliana, investigator; Mrs. Ruth Young Watt, chief clerk.

TESTIMONY OF DIANTHA HOAG, ACCOMPANIED BY RICHARD LIPSITZ

The CHAIRMAN. I wonder if the witness would stand. Would you raise your right hand?

In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss HOAG. I do.

The CHAIRMAN. Mr. Carr.

Mr. CARR. Your name is Diantha Hoag?

Miss HOAG. That is right.

Mr. CARR. D-i-a-n-t-h-a?

Miss HOAG. Yes.

Mr. CARR. D. H-o-a-g?

Miss HOAG. Yes.

Mr. CARR. And your attorney's name?

Miss HOAG. Richard Lipsitz.

Mr. LIPSITZ. Richard Lipsitz, 605 Grisbane Building, Buffalo, N. Y.

Mr. CARR. Your address?

Miss HOAG. 106 Anderson Place, Buffalo.

Mr. CARR. And you are employed at the Westinghouse Co., Cheektowaga?

Miss HOAG. That is right.

The CHAIRMAN. How do you spell that?

Mr. CARR. C-h-e-e-k-t-o-w-a-g-a.

Miss HOAG. Before we get into this, if you don't mind, I would like to know why you people called me. I don't know.

The CHAIRMAN. I think you are entitled to that.

Miss HOAG. Isn't it true that the Westinghouse Co. asked you to call me?

The CHAIRMAN. No. The reason you were called—we are calling a great number of people who work in defense plants doing classified work. The reason we called you is that we have evidence that you belonged to the Communist Party. Now, we want you to understand the fact that you are called doesn't mean the Senators personally have any idea whether you did belong; merely that evidence is there. We have no choice but to call you. I have never seen you before. I know nothing except what the staff has received in regard to alleged Communist connections. We call you in executive session first before we call you in public session and give you an opportunity to explain any evidence that might be of derogatory nature.

Mr. Carr will go into all the questions on which he has information and give you a chance to answer.

Mr. CARR. Before we get to that, could we have a little background. Would you say where you were born and when?

Miss HOAG. Pleasantville, N. Y., April 20, 1908.

Mr. CARR. And you have lived in Pleasantville, Syracuse, Springville—what sections of the country have you lived in, briefly?

Miss HOAG. On that I am going to plead my rights guaranteed under the first and fifth amendments of the Constitution. Also, I think that the inquiry is beyond the jurisdiction of this committee.

The CHAIRMAN. I assume if the residence had anything to do with membership in the Communist Party, you would have a right to claim the fifth amendment.

Senator McCLELLAN. I don't think so. I think she ought to be made to tell where she lived. As an American citizen, there is no reason why she shouldn't. It is no crime to live anywhere in the United States. There can't be any possibility of self-incrimination by saying where she lived.

The CHAIRMAN. I think I will order you to answer that question. You can consult with your lawyer before you answer.

May I say, normally, the counsel cannot take part in the proceedings; in view of the fact that her refusal to answer the question might result in contempt proceedings, if you believe she has reason—

Mr. LIPSITZ. Senator, my first impression was to agree with your first reaction which you stated before asking Senator McClellan's opinion. I gather now, however, that you have since changed your mind and concurred with Senator McClellan.

The CHAIRMAN. I think John is right. It is a matter of record and it is no crime to live any place in this country.

Senator McCLELLAN. I'd like to test it out. I'd like one case to go to the Supreme Court and see if an American citizen can refuse to tell where he has lived in this country. Let's confine it to the United States.

The CHAIRMAN. This does not apply to any residence in a foreign country. I will repeat the question. Will you give us the names and the dates of the different places where you have resided in the United States, dates as nearly as you can?

Miss HOAG. Oneida, N. Y., 1917, 1918; Hyde Park, N. Y., 1919 or 1920; Rhinebeck, N. Y., 1922 to 1929; Binghamton, N. Y., 1929 to 1939; Rochester, N. Y., 1936 to 1943; Corning, N. Y., 1943; Syracuse, N. Y., 1943 and 1944; Utica, N. Y. 1944 and 1945. Part of 1946, Buffalo, N. Y. From 1946 to date——

The CHAIRMAN. Before the first place you gave, you were living at Pleasantville. Is that right?

Miss HOAG. That is right.

The CHAIRMAN. You have never met either Senator McClellan or me?

Miss HOAG. That is right.

The CHAIRMAN. You didn't know us until you saw us this morning?

Miss HOAG. No.

The CHAIRMAN. You had never met Frank Carr before?

Miss HOAG. No.

The CHAIRMAN. Nor Mr. Kennedy?

Miss HOAG. No.

The CHAIRMAN. Do you know a Michael Sam?

Miss HOAG. On that I will plead my rights under the first and fifth amendments of the Constitution and I might add this inquiry is beyond the jurisdiction and scope of this subcommittee.

The CHAIRMAN. Just for your own information and the information of your lawyer, the grand jury has indicted people for giving answers like that to this subcommittee. I am going to tell you that for your benefit.

Do you know Michael Sam to be a member of the Communist Party, an organizer for a number of plants in the Jamestown area?

Miss HOAG. Again I plead my rights under the first and fifth amendments of the Constitution.

The CHAIRMAN. Were you ever an organizer for the Communist Party?

Miss HOAG. I again plead my rights under the first and fifth amendments.

The CHAIRMAN. I notice you lived in a great number of places over the last few years. Were you being shifted from place to place by the Communist Party?

Miss HOAG. I again plead my rights under the first and fifth amendments.

The CHAIRMAN. I may say that we don't recognize the first amendment. I assume you are referring to the part of the fifth amendment which states a witness need not give evidence that would tend to incriminate him or herself?

Miss HOAG. That is right.

The CHAIRMAN. Are you a member of the Communist Party today?

Miss HOAG. I again plead my rights under the first and fifth amendments.

The CHAIRMAN. Do you recognize that the objective of the Communist Party is to destroy the Constitution of the United States?

Miss HOAG. I again plead my rights under the first and fifth amendments.

The CHAIRMAN. You understand that Westinghouse is doing work for the Government; do you?

Miss HOAG. Yes.

The CHAIRMAN. And do you know how highly classified any of that work is?

Miss HOAG. No.

The CHAIRMAN. What type of work do you do?

Miss HOAG. I am a coil winder.

The CHAIRMAN. And you know the other workers in the plant, I assume, rather well?

Miss HOAG. Some of them.

The CHAIRMAN. You know workers who are handling classified work?

Miss HOAG. That I plead my rights under the first and fifth amendments.

The CHAIRMAN. Have you gone to Communist Party meetings in the last month?

Miss HOAG. I again plead my rights under the first and fifth amendments.

The CHAIRMAN. If the Communist Party ordered you to sabotage the work you are doing, assuming we were at war with Communist Russia, would you obey those orders or would you refuse to obey them?

Miss HOAG. On that I will make a statement.

The CHAIRMAN. All right, you may.

Miss HOAG. I have never engaged in espionage nor sabotage. I am not so engaged. I will not so engage in the future. I am not a spy nor a saboteur and again I say this inquiry is beyond the scope of this committee.

The CHAIRMAN. The question is, if the Communist Party were to order you to sabotage the work in which you are engaged, in case we were at war with Communist Russia, would you refuse to obey that order?

Miss HOAG. I think my statement covered that.

The CHAIRMAN. I know that might get you in bad with the Communist Party but I am going to insist that you answer.

Miss HOAG. Would you repeat the question?

(The reporter read the question to the witness.)

The CHAIRMAN. Let the record show that the witness is rather—had a rather lengthy conference with her lawyer.

Miss HOAG. No.

The CHAIRMAN. The answer is "No"?

Miss HOAG. No; right.

The CHAIRMAN. No, you would not obey the orders?

Miss HOAG. Right. I said before I would not engage in sabotage or espionage.

The CHAIRMAN. Now, did you ever give Michael Sam any information about the work you were doing?

Miss HOAG. On that I plead my rights under the Constitution—the first and fifth amendments.

The CHAIRMAN. For your benefit, you have waived any right as far as espionage is concerned by your volunteering the information you have never engaged in espionage. Michael Sam is a member of the Communist Party, a top union organizer. If you gave information to a man known to you to be a member of the Communist Party, that would be in the field of espionage. For that reason, you will be ordered to answer the question.

For counsel's benefit and so he will understand the position of the Chair, I think the committee has discussed this often enough. I

believe the members of the committee substantially agree with me. My position is, just for counsel's benefit, when the witness says she never engaged in espionage, then she waived the fifth amendment, not merely as to that question but the entire field of espionage. Giving out information about Government work would be in that field. Therefore the witness is ordered to answer.

Miss HOAG. I reassert my rights under the first and fifth amendments.

The CHAIRMAN. Did you ever give any classified information to anyone known to you to be a member of the Communist Party or an espionage agent?

Miss HOAG. I assert my rights under the first and fifth amendments of the Constitution.

The CHAIRMAN. You are ordered to answer.

Miss HOAG. I reassert my rights.

The CHAIRMAN. Did you ever engage in a conspiracy to commit espionage?

Miss HOAG. Again I assert my rights.

The CHAIRMAN. You are ordered to answer.

Miss HOAG. I reassert my rights.

(Off record discussion.)

The CHAIRMAN. Are you at this time engaged in a conspiracy to commit espionage?

Miss HOAG. No. I said that before.

The CHAIRMAN. Were you a year ago?

Miss HOAG. I said in my statement I never have been. That is still my answer.

The CHAIRMAN. You just refused to answer that question. Is it now your answer that you never had been engaged in a conspiracy to commit espionage?

Miss HOAG. Right.

The CHAIRMAN. Have you ever discussed or heard discussed at a Communist Party meeting classified Government work?

Miss HOAG. On that I assert my rights under the first and fifth amendments.

The CHAIRMAN. You will be ordered to answer that question.

Miss HOAG. I reassert my rights.

The CHAIRMAN. You are working as of today at Westinghouse?

Miss HOAG. Right.

The CHAIRMAN. What salary do you get?

Miss HOAG. \$1.71½ an hour.

The CHAIRMAN. How many hours a week do you work?

Miss HOAG. Forty hours.

The CHAIRMAN. I don't think I have anything further, Senator McClellan.

Senator McCLELLAN. You stated that you have never engaged in espionage or entered into any conspiracy to engage in espionage. Have you given to an agent of the Communist Party or to any foreign agents any information that you gained from your work with respect to the operations of the plant or any of its products?

(Witness consults with counsel.)

Miss HOAG. No.

Senator McCLELLAN. You state you have not.

Miss HOAG. I state I have not, definitely.

Senator McCLELLAN. All right, let me ask you another question. You have refused to answer a number of questions on the ground of the fifth amendment; that if you answered, they might tend to incriminate you. Is that correct?

Miss HOAG. That is right.

Senator McCLELLAN. With respect to each of these questions, I ask you if you had answered and answered truthfully, do you honestly believe that the answer might tend to incriminate you?

Miss HOAG. I assert my rights.

Senator McCLELLAN. I didn't ask you that. I asked you the question and I respectfully ask that you answer. If you had answered the questions asked you which you refused to answer on the grounds of the fifth amendment, if you had answered them truthfully under oath, do you think your answer might tend to incriminate you?

Miss HOAG. I reassert my rights under the first and fifth amendments.

Senator McCLELLAN. Do you refuse to answer that question?

Miss HOAG. I assert my rights.

Senator McCLELLAN. I know you are asserting your rights. Are you asserting your rights against stating under oath that if you answered these other questions truthfully, the answer might tend to incriminate you? Are you refusing to answer that as to whether you honestly believe they might tend to incriminate you?

Miss HOAG. I am refusing to answer your question on the basis of the first and fifth amendments.

Senator McCLELLAN. I am going to ask you again. We are going to find out whether you can or not.

I ask you the specific question again. You have refused a number of times to answer questions, invoking the fifth amendment, which provides that you have a right to refuse to answer on the grounds that if you answered truthfully, your answer might tend to incriminate you. Now, I ask you to state under oath whether if you had answered them truthfully under oath, you honestly believe that the answer you would give might tend to incriminate you?

Miss HOAG. Yes, I am afraid my answer might tend to incriminate me.

Senator McCLELLAN. Why hesitate to answer, then? That is all I asked you.

(No answer.)

Senator SYMINGTON. I would like to ask a couple of questions. Do you believe that the Communist Party is dedicated to the destruction of the United States by force and violence?

Miss HOAG. On that I will assert my rights under the fifth amendment.

Senator SYMINGTON. If you believed that they were, would you still want to be a member of the Communist Party?

Miss HOAG. Again I assert my rights under the first and fifth amendments.

Senator SYMINGTON. So you feel that you have the right to be an American citizen and at the same time take the fifth amendment with respect to whether or not you are in the Communist Party. Is that right?

Miss HOAG. I think I have the right to assume my rights under the first and fifth amendments.

Senator SYMINGTON. No further questions.

Mr. CARR. Miss Hoag, is it Miss or Mrs.?

Miss HOAG. Miss.

Mr. CARR. Do you know a man named Jack Davis?

Miss HOAG. I again assert my rights under the first and fifth amendments.

Mr. CARR. Did you attend Communist Party meetings with Jack Davis?

Miss HOAG. I assert my rights under the first and fifth amendments.

Mr. CARR. Did you attend such meetings in the 1930's, particularly 1936 to 1938?

Miss HOAG. I assert my rights under the first and fifth amendments.

The CHAIRMAN. You are working on work classified as confidential; is that right?

Miss HOAG. I don't know.

The CHAIRMAN. You don't know the classification?

Miss HOAG. No.

The CHAIRMAN. You know it is classified work?

Miss HOAG. I don't know whether the work I am doing is classified.

The CHAIRMAN. You have to have security clearance to work on your particular work?

Miss HOAG. (No answer.)

The CHAIRMAN. You don't have clearance?

Miss HOAG. (No answer.)

The CHAIRMAN. You don't have a badge which allows you to get in the plant?

Miss HOAG. Yes.

The CHAIRMAN. There are guards at the gate of the plant?

Miss HOAG. Yes.

The CHAIRMAN. And you have to display that badge to get by them?

Miss HOAG. Yes; I guess you could say yes.

The CHAIRMAN. What color is that badge? Is it blue or red across the top, the stripe, is that blue or red stripe? Don't you know?

Miss HOAG. There is no stripe on it.

The CHAIRMAN. Isn't the color to show that it is confidential, secret, or top secret?

Miss HOAG. It is just a badge with my picture on it. Different colors for different parts of the plant. What colors mean or designate, I don't know.

The CHAIRMAN. What color is yours?

Miss HOAG. Blue.

The CHAIRMAN. Are you an official of any union at this time?

Miss HOAG. I am steward.

The CHAIRMAN. You are a shop steward. If you are a shop steward, if anyone has a grievance, he comes to you to present his grievance?

Miss HOAG. (No answer.)

The CHAIRMAN. You of necessity must know the type of work they are doing in order to present their grievance?

Miss HOAG. Yeh.

The CHAIRMAN. What union is it?

Miss HOAG. International Union of Electrical and Machine Workers, CIO.

The CHAIRMAN. I am sort of curious to know how you members of the Communist Party so easily get to be shop stewards, which means

you have access to information from practically all parts of the plant. You must have that in order to present any grievance. We so often hear the answer he or she is not doing secret work, then we find they are shop stewards with access to all confidential information.

How did you get to be a shop steward?

Miss HOAG. I was elected by the people.

The CHAIRMAN. How many people do you represent as shop steward?

Miss HOAG. About thirty.

The CHAIRMAN. They elected you?

Miss HOAG. That is right.

The 30 people I represent elected me.

The CHAIRMAN. Did the Communist Party tell you to run for that position?

Miss HOAG. On that I shall assert my rights.

The CHAIRMAN. Do you hand over to the Communist Party information which you receive as shop steward?

Miss HOAG. On that I assert my rights.

The CHAIRMAN. You will be ordered to answer that.

Miss HOAG. I reassert my rights.

The CHAIRMAN. I have nothing further. John, have you finished?

Mr. KENNEDY. How long have you worked at Westinghouse?

Miss HOAG. 7½ years.

Mr. KENNEDY. Where did you work before that?

Miss HOAG. That I think I refuse to answer under the first and fifth amendments.

Mr. KENNEDY. That was during the war that you refuse to answer?

Miss HOAG. That is right.

Mr. KENNEDY. Can she refuse to answer that?

The CHAIRMAN. If working for the Communist Party.

Were you doing any work of an illegal nature before that 7½ years?

Miss HOAG. I assert my rights on that.

The CHAIRMAN. In other words, you refuse to tell us whether you engaged in illegal activities before you worked for Westinghouse?

Miss HOAG. I assert my rights.

The CHAIRMAN. Now, I am going to ask you the question Senator McClellan asked you. Do you feel if you were to truthfully tell us whether or not you were engaged in illegal activities that that truthful answer might tend to incriminate you?

Miss HOAG. Yes; I am afraid my answer might tend to incriminate me.

Mr. KENNEDY. Prior to 1947 were you doing any work on Government contracts?

Miss HOAG. I assert my rights under the first and fifth amendments.

The CHAIRMAN. You will be ordered to answer. It is no crime to work on Government contracts.

Miss HOAG. I will reassert my rights on that.

The CHAIRMAN. Did you receive any clearance from the Government to work on classified work before 1947?

Miss HOAG. I assert my rights under the first and fifth amendments.

The CHAIRMAN. You will be ordered to answer if you received clearance.

Miss HOAG. I reassert my rights.

Mr. KENNEDY. And where did you work before this job you worked on 7½ years?

Miss HOAG. I assert my rights under the first and fifth amendments.

Mr. KENNEDY. What city?

Miss HOAG. I assert my rights under the first and fifth amendments.

The CHAIRMAN. You are ordered to answer that question.

Miss HOAG. I reassert my rights.

The CHAIRMAN. Were you engaged in illegal or criminal activity at that time?

Miss HOAG. I assert my rights.

Mr. KENNEDY. Were you doing espionage for the Communist Party at that time?

Miss HOAG. I assert my rights.

The CHAIRMAN. You will be ordered to answer that.

Miss HOAG. I reassert my rights.

The CHAIRMAN. Your client will consider herself under subpoena. She will be recalled in public session. In the meantime, we are getting an opinion from the Attorney General as to whether or not her case will be presented to the grand jury for contempt.

Mr. LIPSITZ. Senator McCarthy, is there any possibility of knowing now when the public session will be?

The CHAIRMAN. The staff is always instructed to give counsel sufficient notice. Is it all right to contact you instead of your client?

Mr. LIPSITZ. Yes.

The CHAIRMAN. We always try to accommodate counsel. If he is tied up with courtwork, we try not to follow a hard and fast schedule.

Mr. LIPSITZ. I was wondering if we may leave to go home to Buffalo?

The CHAIRMAN. It won't be for several weeks. We can't get permission for public sessions until after the session is over, I believe.

Miss HOAG. Before I leave, how about the witness fee that I am supposed to receive?

The CHAIRMAN. Ruth will take care of that.

Mr. LIPSITZ. Will copies of the transcript be made available to the witness now or in the future?

The CHAIRMAN. The rule is to come to the committee room, 101, and examine the transcript as carefully as you care to. We do not hand out transcripts of executive sessions or they would no longer be executive sessions.

Mr. LIPSITZ. However, it may be examined by me in room 101?

The CHAIRMAN. Yes.

Mr. LIPSITZ. And notes may be taken from it?

The CHAIRMAN. Yes.

May I say, you are not bound as everyone else is bound to secrecy about an executive session. If you think you have been mistreated or anything at all, you are quite free to tell the press or anyone else; is that right, John?

Senator McCLELLAN. That is right; yes.

The CHAIRMAN. Incidentally, we hear so much about witnesses being browbeaten and mistreated here, do you feel that you have been browbeaten today?

Miss HOAG. It depends on your point of view.

The CHAIRMAN. What do you think? From your point of view?
Miss HOAG. Well, I don't know.

(Witness excused.)

The CHAIRMAN. Insert this letter in the record, Nina.

WESTINGHOUSE ELECTRIC CORP.,
Buffalo, N. Y., August 3, 1954.

Mr. FRANCIS P. CARR,
United States Senate,
Senate Permanent Subcommittee on Investigations,
Washington, D. C.

DEAR MR. CARR: This is in reply to your letter of July 28, 1954. We have \$793,767 of United States Government contracts and subcontracts which have a security classification. In all cases, the classification is "Confidential" and the equipment is for the United States Navy.

The equipment consists of electrical motors and controls for various United States Navy applications. As stated in my telegram of July 26, 1954, we have had and expect to have in the future, work classified "Secret." The dollar volume of classified work also varies considerably from time to time.

All foregoing information applies only to the plant of the Westinghouse Electric Corp., 4454 Genesee Street, Buffalo, N. Y.

Very truly yours,

J. B. PICKELS,
Motor Order Service Manager.

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