

313 H Street, N  
Washington, DC  
October 9, 1939

Mr. Drew Pearson  
2820 Dumbarton Avenue, NW  
Washington, D. C.

Dear Mr. Pearson:

From September 28, 1936, until my dismissal, I was the editor of the Senate Civil Liberties Committee. As such, I was custodian of the Committee's record and it was my duly assigned responsibility to make it available to all who requested it. During the past three years, it has been my regular assignment to provide information from the record to newspapermen, Government Departments, trade unionists and others.

The Committee's record consists of 49 volumes, of which 15 are exhibits entered into the record outside of hearings. These volumes are referred to by members of the Committee's staff as "dumps". In 14 of these 15 cases, witnesses and other interested parties were not informed that documents collected by the Committee in the course of its investigation were going to be printed in these volumes and in these cases, witnesses were not provided with copies of the volumes for comment prior to publication. The exception is a volume devoted to the Special Conference Committee, designated as Part 45 of the Committee's record. The Special Conference Committee was given a copy of the volume and allowed to comment on it.

Committee practice and my specific instructions in connection with these dumps, none of which were ever accompanied by press releases, were to make them available upon request once they were part of the record.

Part 45 is the last of a series of eleven dumps issued within a period of about six weeks. The only instructions I was given with reference to Part 45 were to get it printed and distributed as rapidly as possible and to send proofs to five specified persons employed by the National Labor Relations Board and elsewhere. I did both of these things. Two or three weeks prior to the return of Part 45 by the Government Printing Office, while I was eating supper with Benjamin Allen (my duly designated superior and "Dean" of the Committee's staff) and during the discussion of mistakes made by the Committee which should be rectified if the Committee were continued, I told him of the failure of the Committee to accompany these volumes of dumps with press releases and specifically cited the case of Part 45 which I thought had considerable news value. Mr. Allen regretted this deficiency and told me that because this volume was already part of the record, I ought to get in touch with the Committee's "friends" on the press and make it available to them. Specifically, I recall that he mentioned Henry Zon and Leon Pearson, and I believe he also mentioned Al Jenkins of Labor and Nathan Goldberg of the Guild Reporter. Leon Pearson will remember that in a period of about two weeks, I made several appointments for him to meet Mr. Allen and discuss this information with him--appointments which, because of the condition of Mr. Allen's health, were not kept. Finally, on the Thursday prior to the demand for my resignation, at about 2 o'clock, Mr. Pearson, Mr. Allen and I, following Mr. Pearson's call on Mr. Allen, spent approximately

an hour together, during which time, at Mr. Allen's instructions, I explained the organization and activity of the Special Conference Committee. Mr. Allen promised Mr. Pearson to read this volume himself and prepare a memorandum that would guide Mr. Pearson in the writing of a story.

Before I could communicate with Mr. Zon, he appeared in my office, having heard of the volume from a responsible official of the National Labor Relations Board, and upon his request, I gave him a set of proofs and discussed it with him. When he left, I told him that I had no power to keep him from using the material I gave him if he so desired because it was part of the public record, but I requested him to hold it until the second Friday, by which time I was certain the printed book would be returned by the Government Printing Office. Mr. Pearson will probably remember that I made the same request of him. Unfortunately, Mr. Zon confused his Fridays and distributed his story a week earlier than I expected,

I also provided Mr. Goldberg with a copy of the proofs. He did not contemplate writing a story until after he saw how the press handled it, but he was anxious to read the proofs because he thought the Special Conference Committee worthy of a book. He also was going to inform me (this was also pursuant to an earlier conversation with Mr. Allen) if he knew of any unemployed financial writers in New York whom he thought competent to index this volume (staff assignments and the files of the Civil Service Commission will show that I was responsible for the index). Following the appearance of Mr. Zon's story two days before the volume was returned by the Government Printing Office, David Lloyd, of Committee Counsel, also my superior, asked me a few questions about the story and left while I was talking to him. Mr. Daniel Driessen, Legislative Representative of the American Communications Association, was with me at the time and will remember his observations on Mr. Lloyd's boorishness. He will also recall that as Lloyd was leaving, I complained that I was not being heard. This was on Monday, I believe June 26th. The following morning I met Mr. Lloyd, Mr. Allen and one other member of the Committee's "administrative" staff in the breakfast shop and informed them that the Printing Office had returned the book printed. Without indicating to me that they were going to complain to the Senator of my conduct, they left me. Several hours later, I was informed by Lloyd that my resignation was demanded because of violation of staff instructions. I told Lloyd that I refused to believe Senator LaFollette would fire me without a hearing and pointed out that no one would expect such an act by the Chairman of the Civil Liberties Committee and I demanded that Lloyd make an appointment for me with Senator LaFollette. He failed to do so and several days later, I made the same request of Norman Clapp, <sup>of the Senator's office</sup> who likewise made no appointment for me, although I know he tried. It was not until two weeks after the demand for my resignation that I finally got to see Senator LaFollette. In this interview, it became abundantly clear to me that he was seeing me, not so much to give me a chance to present my case as to confront me with a story by Mr. Goldberg in the Guild Reporter containing an inaccuracy (a quotation from the proofs subsequently deleted and not appearing in the printed volume). My interview was exceedingly unsuccessful in that David Lloyd consistently denied true statements that I made and in other ways behaved as a prosecutor. Senator LaFollette also argued a case rather than listening to one.

Because I refused to resign, I was dismissed and in the letter of dismissal I was told it was for violation of staff instructions. Subsequently, Senator

LaFollette told Gardner Jackson that the real reason was that he felt he could no longer trust me. Benjamin Allen has since indicated to me that a belief that I had failed to issue the Committee's record within the period he expected was in part responsible for the Senator's action.

It is true that in April, following a leak of confidential information, the Senator issued instructions covering confidential information and reports but not mentioning the public record. By specific assignment and by general interpretation of the Committee's administrators, I had no reason to believe that this memorandum clamped down a censorship on the public record. When I saw Senator LaFollette on August 5, he denied that he questioned my integrity and when I pointed out that I had handled every confidential document the Committee has issued without a leak; that I had as good a general knowledge of the Committee's files as anyone else; and that I had never been involved in any of the many unauthorized newspaper stories, Senator LaFollette took the position that he questioned my judgment in the case of the Special Conference Committee material which he insisted on describing entirely inaccurately as a stipulation. Last week, Benjamin Allen presented to Senator LaFollette a production schedule showing first that the record has not been slow in appearing (officials of the Government Printing Office will tell you that during the Committee's history, its record has appeared faster than that of any other special Congressional Committee), and that, were it not for administrative faults, I would have issued the record much sooner. Mr. Allen accompanied this information with a personal letter going into other things, such as the personal mistreatment I was forced to accept from David Lloyd and others, etc. Mr. Allen informed me late last week that Senator LaFollette refused to discuss my case any further.

At the present time I am making of Mr. Allen, as the Senator's duly designated agent, two demands: First, that because my dismissal was unjust, I be taken back on the Committee's staff; and second, that in any event, I be given what leave is due me.

I haven't the slightest idea of Senator LaFollette's real reason in refusing to alter his position--a position he was really jockeyed into by David Lloyd. (Lloyd, incidentally, had previously threatened to get me fired because of personal differences. I resigned and came back on the staff only after a request that I do so by Mr. Allen. Mr. Allen at that time, in the presence of three witnesses, assured me that I would not be responsible to Lloyd alone, but jointly to Lloyd and himself.) However, I am certain that it is none of the three reasons thus far advanced by the Senator.

If there is any further information I can provide you, please let me know. I may be reached at District 2108 in the morning and at night. Also, every statement made above can be substantiated, in most cases by documents in the Committee's files, and in all other cases by persons who now are or shortly will be in Washington. I will be very glad to substantiate for you any of these statements you might question.

Thank you very much for your interest and anything you might accomplish.

Yours truly,