

As far as the FBI is concerned, and that was definitely included in the message because it is the intelligence and security arm of the Department of Justice, I would like to state for the record that FBI Director J. Edgar Hoover has testified before an Appropriations Subcommittee of the House every year since the act was passed in 1950, a period of nearly 18 years. And in the course of his testimony he has made numerous references to the Internal Security Act and he has not once hinted, Mr. Chairman, intimated, or even suggested that the act has in any way hampered, hurt, or interfered with the FBI's security operation.

Mr. Yeagley, I know, the FBI being under the jurisdiction of the Department of Justice, that Mr. Hoover has never made any reference to that. Has he, or have any of his subordinates, ever brought any instance to your attention of this act seriously impairing or damaging their security operations?

Mr. YEAGLEY. I think only in the context that I mentioned in my earlier testimony, that whether it's a proceeding under this act or whether it's an espionage case, we always have the problem of whom are we going to use as witnesses and, if they come from the FBI, will it reduce their coverage in a certain area or will it be detrimental so as to raise a serious problem as to the advisability of using that witness. That problem does exist.

I suppose some people may have thought at the time the Internal Security Act was pending that, with the Communist Party having then many thousands of members, if they gave the Attorney General the authority to file many thousands of petitions, it would require the testimony of many thousands of informants of the FBI whose services thereafter would be lost.

Mr. WATSON. I appreciate your answer, Mr. Yeagley, but would not the same criticism apply to any action under the Smith Act, our espionage statutes, or all other security laws, none of which can be implemented without the use of either defected Communists or espionage agents or FBI informants? Would not the same criticism apply to all of our security acts?

Mr. YEAGLEY. In every case that we have that comes from the FBI we have to consider the nature of the witnesses and what effect it will have on the Bureau. Where we have a question as to whether there may be an adverse effect, we discussed it with Bureau representatives to determine what the problems are and what the decision should be.

Mr. WATSON. Yes, sir; but the same criticism, if there be any, or the same danger, if there be any, would apply to the Smith Act and all other security measures as it relates to the disclosure of informants?

Mr. YEAGLEY. The problem is the same, Mr. Congressman. I was merely supposing that when the bill was being considered some people may have thought it opened up the area to bring maybe hundreds or even thousands of cases, which has not happened.

Mr. WATSON. Mr. Yeagley, I would like to ask you about another allegation which was made in the veto message:

"It would deprive us of the great assistance of many aliens in intelligence matters," and again, "The bill would deprive our Government and our intelligence agencies of the valuable services of aliens in security operations."