

Mr. CULVER. I would like to hear his response to that.

Mr. TUCK. What did you ask? He has already answered and said that it not only has not helped the Communist Party, but hurt the Communist Party.

Mr. CULVER. He said that?

Mr. TUCK. He has answered the question and given the committee his opinion.

Mr. CULVER. I don't think that is exactly the sequence of events.

He has suggested that this has hurt the Communist Party more than it has helped it, without a great deal of elaboration other than the suggestion you made 2 weeks ago that there was a disclosure value in the Subversive Activities Control Board hearings. I have tried to suggest that possibly this assessment is not a valid one. And I would be interested in his response to my suggestion.

Mr. YEAGLEY. It is obviously a matter of personal opinion and judgment as to what the effect has been. I don't have any hesitancy at all in my own view that the disclosure that resulted from the evidence and the testimony at these proceedings was very useful. In reference to the constitutional problems, I might reiterate that the basic disclosure requirement of the law was upheld by the Supreme Court in its 1961 opinion.

It was our enforcement efforts in the face of fifth amendment claims later on in which we encountered the bulk of the trouble.

Mr. WATSON. In fact, Mr. Yeagley, if I may interject here, you have had a lot of constitutional problems to arise and difficulties to arise over the past few years, not only in relation to this, but as to many other acts; haven't you?

Mr. YEAGLEY. We have constitutional issues raised in practically all of the areas of security enforcement, whether criminal or civil, because we are of necessity in an area involving the first amendment and very frequently in an area involving the fifth amendment.

Mr. TUCK. As a matter of fact, the plan of the Communists is to raise a constitutional question wherever they can and at the same time they wish to destroy the Constitution of the United States and shatter our Bill of Rights; isn't that true?

Mr. YEAGLEY. Yes, sir.

Mr. TUCK. As I understand, both you and Mr. Liebling favor this bill within the limitations of the suggestions that you make; is that correct?

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

Mr. TUCK. I said, as I understand it, you favor the amendments which are proposed in this bill within the limitations of the suggestions which you have made?

Mr. YEAGLEY. Yes. I might mention one thing that bears on earlier testimony here and that is as to extending the screening program to defense facilities. I think in my testimony earlier I indicated, "assuming that the program is needed" or "assuming that it is desired by Defense," that we would make the following suggestions, or something to that effect, because we have not endeavored to assess the need for extending the program to defense facilities which Mr. Liebling said may involve 3,500.

Our comments largely in that area were an effort to suggest language or point our problems we saw from the legalistic standpoint.