

Mr. WATSON. Mr. Chairman, since apparently much of the discussion is centered around the necessity under this act of divulging the names of informants and otherwise, Mr. Yeagley, could you give us a rough estimate of the number of informants, FBI or otherwise, who have had to be surfaced in order to implement this particular act over the past 18 years?

Mr. YEAGLEY. To do it now from memory would be a very loose and general figure. It would be well over 100, I suppose, but I wouldn't know right now the exact number.

Mr. WATSON. Of course, Mr. Yeagley, many of these same informants especially in the major case of the Communist Party were defected Communist Party members and were FBI informants who had already been previously exposed or surfaced in order for your Department to make the prosecutions under the Smith Act; is that not true?

Mr. YEAGLEY. Well, to some extent. I was thinking in terms of the informants that were released for the purposes of these particular cases. I said well in excess of 100. It may not be that many. Maybe it is roughly 100. I don't know.

Mr. WATSON. But many of them would have been already surfaced in order for you to prosecute under the Smith Act?

Mr. YEAGLEY. Some. You see, the problem there is that if they had been surfaced 2 years before, their value as witnesses is limited. We would still have to update their testimony to the time of filing the petition, or close to it.

We did use some of them I know. We used Louis Budenz in the *Communist Party* case and some others as experts. We tried to use them wherever we could for the very purpose of saving others.

Mr. WATSON. In fact, they were a large part of the prosecutions, under the Internal Security Act, of the Communist Party?

Mr. YEAGLEY. In the *Communist Party* case itself.

Mr. WATSON. That is a major one. May I make one final observation, and you might comment on it.

The purpose of informants is ultimately to either expose the operations of subversives or Communists or to prosecute them. It is not just merely to have someone watching somebody all the time and for the Justice Department to do nothing about it ultimately. Isn't the basic purpose of informants to get information in order that a case might be prosecuted?

Mr. YEAGLEY. That observation might be true from my standpoint, but I am not so sure that it is from the standpoint of the FBI. As far as they are concerned, it is basically an intelligence operation. They primarily want to have the intelligence of what is going on, how extensive the activity, and secondarily to determine what can or should be done about it.

Mr. WATSON. Finally, we can conclude from Mr. Hoover's earlier testimony in never complaining about the operations of the Internal Security Act that this matter of surfacing informants has not presented any particular problem to him?

Mr. YEAGLEY. I wouldn't speak for Mr. Hoover in that regard. I think the facts speak for themselves. I do know what he has testified to, as you have indicated, but of course I do know, too, that we have had some problems of how many informants to use and which ones.