Register to the United States. Subversive Activities Control Board records

Processed by Dale Reed.
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Register to the United States. Subversive Activities Control Board records

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Stanford University
Stanford, California

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Collection Summary

Title: United States. Subversive Activities Control Board records
Dates: 1950-1973
Collection Number: 71009
Creator: United States. Subversive Activities Control Board
Collection Size: 90 manuscript boxes (37.5 linear feet)
Repository: Hoover Institution Archives
Stanford, California 94305-6010
Abstract: Hearing transcripts, decisions, and reports, relating to determination of communist-action and communist-front organizations in the United States.
Physical Location: Hoover Institution Archives
Languages: In English
Access
Collection is open for research.
The Hoover Institution Archives only allows access to copies of audiovisual items. To listen to sound recordings or to view videos or films during your visit, please contact the Archives at least two working days before your arrival. We will then advise you of the accessibility of the material you wish to see or hear. Please note that not all audiovisual material is immediately accessible.
Publication Rights
For copyright status, please contact the Hoover Institution Archives.
Preferred Citation
[Identification of item], United States. Subversive Activities Control Board records, [Box number], Hoover Institution Archives.
Acquisition Information
Acquired by the Hoover Institution Archives in 1971.
Accruals
Materials may have been added to the collection since this finding aid was prepared. To determine if this has occurred, find the collection in Stanford University's online catalog at http://searchworks.stanford.edu/. Materials have been added to the collection if the number of boxes listed in the online catalog is larger than the number of boxes listed in this finding aid.
Location of Originals
Duplicate set of records in: National Archives and Records Administration.

Historical Note
The United States Subversive Activities Control Board was created in 1950 in conjunction with enactment of the Internal Security Act of 1950. This act, known as the McCarran Act after its author Senator Pat McCarran, did not outlaw the Communist Party but sought to secure its control through regulation (or perhaps more likely, its dissolution rather than submit to such control). It required registration with the United States government of domestic "communist-action
The Subversive Activities Control Board records in the Hoover Institution Archives are a substantially complete duplicate set of the Board's official records now in the National Archives and Records Administration. They were acquired from the Board in 1971, with subsequent increments during its winding-up phase.

The great bulk of the collection consists of mimeographed verbatim transcripts of hearing proceedings, most of which had been completed by the end of 1957. Both Department of Justice and organization or individual under investigation were represented by attorneys during hearings and had the right to call witnesses and to cross-examine opposing witnesses. The mass of testimony affords a wealth of information regarding the operations of the Communist Party and of associated organizations. Among the many witnesses appearing on one side or the other were Herbert Aptheker, Louis F. Budenz, Paul Crouch, W. E. B. DuBois, Elizabeth Gurley Flynn, John Gates, Benjamin Gitlow, Joseph Zack Kornfeder, Harvey Matusow, Frank S. Meyer, Philip E. Mosely, William L. Patterson, Herbert A. Philbrick, Herbert Romerstein, Howard Selsam and Milton Wolff. The testimony and oral argument of counsel also document the intellectual and legal ground on which communist "communist-front" or "communist-infiltrated" or of any individuals, mainly well-known Communist Party leaders, to register. Consequent appeals reached the Supreme Court in 1965, and the Court responded by striking down the individual registration portion of the McCarran Act as being in violation of the Fifth Amendment protection against self-incrimination. Looking one chess move ahead, it was apparent to all that there could be no possibility of forcing any of its officers to register the Communist Party, or any other organization, as subversive.

The Board opened hearings on the Communist Party, U.S.A., and, after hearing voluminous testimony, issued a report in 1953 ordering it to register as a "communist-action organization." The Communist Party appealed through the courts, challenging the constitutionality of the McCarran Act and alleging the Board's report to have been based in part on perjured testimony. When the case reached it in 1956, the Supreme Court found sufficient merit in the latter contention to remand the case to the Board for review. A modified Board report reaffirmed its earlier finding and again ordered the Communist Party to register. Another round of legal appeals ensued, with the Supreme Court upholding the Board ruling in a 5-4 decision in 1961. The Communist Party continued to refuse to register, however, maintaining that a party official certifying his party under the stigma of subversion would be placing himself in a position tantamount to self-incrimination.

The Board had meanwhile held hearings regarding, and issued registration orders to, a number of other organizations, all associated with the Communist Party, mainly in the "communist-front organizations" category. These had generated similar rounds of legal appeals. In the post-1965 period the Board initiated hearings on only two more organizations and a very few individuals. Its decisions in these cases stated Board findings of communist affiliation, but did not include any registration orders. Clearly the Board was unable to carry out the function originally envisaged for it. Moreover the national political climate had changed since 1950. President Richard M. Nixon issued an executive order abolishing the Board, and it wound up its affairs in 1973. During its 23 years of existence, it held extensive hearings, took voluminous testimony, and issued a number of decisions and orders, but did not succeed in securing the registration of any "communist-action", "communist-front" or "communist-infiltrated" organizations or of any individuals.

**Scope and Content of Collection**

The Subversive Activities Control Board records in the Hoover Institution Archives are a substantially complete duplicate set of the Board's official records now in the National Archives and Records Administration. They were acquired from the Board in 1971, with subsequent increments during its winding-up phase.

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Also included are the mimeographed decisions of the Board and a certain number of internal supporting documents used by the Board. The latter are mainly carbon copy typescripts.

Proceedings regarding organizations (by far the largest part of the records) are listed first, and proceedings regarding individuals afterwards. Within each of these two record groups, hearing transcripts appear first, followed by supporting documents and finally by Board decisions. Materials within each of these subdivisions are arranged by docket number, each docket number designating a separate case. Printed annual reports of the Board and bound compilations of its decisions appear last.
Indexing Terms
The following terms have been used to index the description of this collection in the library’s online public access catalog.
Communism--United States.
Subversive activities--United States.

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Scope and Content Note
Mimeographed transcripts of hearing testimony and oral argument of counsel, arranged by docket number

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1951 July 10-26
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1951 December 6-1952 January 14
1952 January 15-February 13
1952 February 25-April 1
1952 April 2-June 9
1952 June 10-26
1952 June 27-1956 December 11
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Docket 102-53: Labor Youth League
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Docket 103-53: International Workers Order, 1953 June 25-1954 January 4
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Box: 76  Docket 121-57: Connecticut Volunteers for Civil Rights. Recommended decision, 1957; report and order of the Board, 1959
Box: 76  Docket 126-63: Advance and Burning Issues Youth Organization, Formerly Known as Advance. Recommended decision, 1964; notice of supplemental findings of fact and conclusions of law, 1964; memorandum to accompany order placing case in indefinite abeyance, 1965
Box: 76  Docket 128-71: Center for Marxist Education. Report and order of the Board, 1973


Scope and Content Note
Mimeographed transcripts of proceedings to verify defunct status of organizations.

Box: 76  Mimeographed transcripts of proceedings to verify defunct status of organizations. Dockets E72-001 through E72-201 and E73-202 through E73-233: 233 defunct organizations on Attorney General's subversive organizations list, 1971 November 22-1972 September 29


Scope and Content Note
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**Scope and Content Note**
Printed annual reports and compiled case decisions of the Board.

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| Box: 89 | Bound volume of Annual Reports, 1st through 15th, 1951-1965. |
| Box: 90 | Reports of the Subversive Activities Control Board, Volumes I-IV and Index-Digest, 1966 |