Hanns Eisler's Statu Up to Justice Unit; Deportation Is Urged

By I. A. O'Leary

The future status of Hanns Eisler, German composer, is up to the Justice Department today, following the recommendation yesterday of a House subcommittee that he be prosecuted and then deported for "fraudulently obtaining admission into this country."

Four members of the House Un-American Activities Committee unanimously made these recommendations, after three days of hearings into the circumstances of Eisler's permanent entry into the United States in 1940 and several temporary visits before that time.

Chairman Thomas said the record of the hearings will be transmitted to the department promptly, and a spokesman for the agency said it would be given immediate attention.

After calling Eisler "an international Communist agent," the subcommittee report said "the record is clear that Eisler perjured his way in and out of the United States at will."

Aide by Notables.

While examining former high officials of the State Department, the committee brought out that Mrs. Eleanor Roosevelt and a list of other prominent persons wrote to the department at various times in Eisler's behalf, while he was having his difficulties before the war.

The report absolved State Department officials of any pro-Communist sympathies but expressed the opinion that, "through the influence on and pressure exerted by certain prominent people, efforts were made to manipulate the immigration laws to such an extent that, in the final analysis, the principal point at issue, that is to say communism, was entirely overlooked and the case resolved itself into a mere determination of whether Eisler was a professor within the meaning of the law."

Hanns Eisler contended before the committee he came to this country to pursue his career as a composer. He has written music for motion pictures during the past five years. During the hearings, he admitted having applied for membership in the Communist Party in Germany in 1926, but insisted he was never a member in the real sense. He told the committee he has taken out first papers to become an American citizen.

Testimony on "No" Reply.

Through the testimony of Immigration Service officials, the committee sought to show that, when he entered the country, Hanns Eisler answered "no" to a question whether he had ever been affiliated with the Communist Party in any manner.

The four members of the Un-American Activities Committee who, acting as a subcommittee, voted unanimously on the Eisler report are: Chairman Thomas, Republican, of New Jersey; Representatives McDowell, Republican, of Pennsylvania, Wood, [illegible] Rankin, [illegible]

This hearing, in the opinion of the committee, has shown beyond doubt that Hanns Eisler was not a "mere" member of the Communist Party as he has testified, but that he has been an international Communist figure of extreme importance to the Soviet Union for many years.

Record Called Clear.

"The record is clear that Eisler perjured his way in and out of the United States at will, going to Soviet Russia and other countries whenever he pleased. The record shows that finally during the war, Eisler was given a haven, and a very lucrative one, in the United States, although it was clearly indicated that he could have found refuge in Moscow, London or Mexico, where he had previously been at various intervals of time. The committee need not point out that Hanns Eisler is the brother of Gerhard Eisler, who was recently convicted of passport fraud and contempt of Congress, and that the brothers, according to the record, were in close communication.

"With reference to the State Department file and the testimony of George Messersmith (former Assistant Secretary of State), the committee does not in any way intend to imply that Mr. Messersmith, Sumner Welles (former Undersecretary of State) or any of the State Department officials involved had pro-Communist sympathies. The record is clear on this. But the committee is definitely of the opinion that, through the influence and pressure exerted by certain prominent people, efforts were made to manipulate the immigration laws to such an extent that in the final analysis the principal point at issue, that is to say communism, was entirely overlooked and the case resolved itself into a mere determination of whether Eisler was a professor within the meaning of the law. This fact is clearly demonstrated through the exchange of correspondence among the Eislers, their attorneys, the State Department and prominent persons.

Declared 'No Defense.'

"Throughout the hearing, Mr. Messersmith attempted to explain away his actions by testifying that he and other State Department officials had no evidence before them to indicate that Eisler was a Communist, with the exception of a memorandum prepared by Mr. Robert C. Alexander, then a technical adviser in the State Department, now assistant chief of the visa division. In the opinion of the committee, this is no defense; for the most casual investigation by the State Department, immigration authorities or any other agency would have exposed Eisler beyond the shadow of a doubt as an international Communist agent. That it was the duty of these agencies to make such an investigation is plainly defined by the immigration laws.

"During the course of his testimony before the committee, Mr. Messersmith attempted to discredit the Alexander memorandum, referred to herein. The record of this hearing plainly supports Mr. Alexander's contentions in the memorandum that the evidence then in the hands of the State Department preponderantly showed Eisler to be a Communist. If the wishes of this loyal and conscientious employe, Mr. Alexander, had been followed, Eisler would never have been permitted to enter the United States to carry out his international Communist assignments.

"The committee recommends:

"1. That the Department of Justice take action to initiate prosecution against Eisler for perjury and fraudently obtaining admission into this country.

"2. At the expiration of such prosecution, he be forcibly deported from the United States, which would, under the law, prevent him from ever returning to this country."

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Hendon
Mr. Pennington
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

File

Other Cases

1-7

RECORDED 100-115220-A
129
INDEXED
F B I
78 OCT 14 1947

SEP 27 1947
WASHINGTON STAR
Page 3