"The Truth on the Alger Hiss Case-Answering U. S. Attorney General McGrath"

Address of Congressman Richard Nixon
Broadcast over stations of the
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Sponsored by the Committee of 10,000 Robt. A. Millikan, Chairman Gerald M. Goodman, Vice-Chairman ANNOUNCER:

This program is sponsored by the Committee of Ten

Thousand in behalf of the election of Congressman Richard

Nixon to the United States Senate.

DIXON:

Ladies and gentlemen, you are about to hear one of the most important broadcasts of the year, because the issue to be discussed tonight involves the national security—and that means the security of every Californian. A half-hour period has been reserved for this broadcast by all of the stations of the American Broadcasting Company.

The subject of the broadcast deals with espionage in the highest offices of our government. It involves the transmission of secret information to the agents of Soviet Russia. It is the story of the Alger Hiss case.

This program is the direct result of United States
Attorney General J. Howard McGrath's coming into California this week and ignoring the great responsibilities
of the office he holds. He has injected the Alger Hiss
case into the senatorial campaign and by so doing has
laid himself open to the charge of playing party politics
with our security.

There is no one better qualified to speak on the subject of the Alger Hiss case than Congressman Richard Nixon, who

has been credited throughout the country as being the man who broke the case. As the Washington Star stated:

"...it should not be forgotten that Hiss probably would have gone untouched had it not been for the determined effort (of the Committee), and particularly the work of one member--Representative Nixon of California. It was a hard uphill battle."

Raymond Moley in Newsweek wrote "It was Nixon's persistent and intelligent work, despite the obstructionism of the State Department and the Administration generally, that finally broke the Hiss case."

Ralph de Toledano, noted co-author of the "Seeds of Treason,"
the authoritative review of the Hiss Case says: "Without
Congressman Richard Nixon and the Un-American Activities
Committee, there would have been no Hiss Case."

Ladies and gentlemen: Congressman Nixon.

NIXON.....In this important contest for a seat in the United

States Senate I have been content to rest my case with my fellow Californians. I am convinced that my understanding of their
needs and wishes, and their knowledge of my record and abilities, should determine the outcome on election day.

My opponent is proceeding on an exactly opposite course, and as a result the principal support now being given her candidacy comes from outside the State.

She has called to her aid men from New York, Rhode Island, Massachusetts, Texas, Colorado, New Mexico and other States; and each in turn has tried to tell the people of California how they should mark their ballots.

I do not know, of course, how this sort of thing strikes you, but as a candidate against whom these outsiders are directing their political attacks I can assure you that I should greatly prefer to debate the issues with my opponent herself.

You are entitled to the facts as they concern my record and views and those of my opponent, but you are not getting the facts from her or from those who are being sent into California to electioneer for her.

There is a calculated and deliberate effort not only to distort the facts, but to misrepresent and misstate them.

For instance, this week in Los Angeles, United States Attorney General McGrath, in speaking for my opponent, made a series of statements remarkable not only for their inaccuracy, but also for their seeming intent to confuse and mislead the

California electorate.

Speaking directly on the subject of the work and accomplishments of the House Un-American Activities Committee--and the attitude of Mrs. Douglas toward the Committee and its purposes--Mr. McGrath made the following statements:

"I think her vote against the Un-American Activities Committee was the correct vote.

"The Committee had entered on a campaign of maligning innocent people and is serving no useful purpose.

"Alger Hiss would have been prosecuted in any event by the Department of Justice."

"The Department of Justice, not the Committee, dug out the Hiss Case."

If these statements had been made by a private citizen, they might be disregarded as being simply "campaign oratory."

But Mr. McGrath is the Attorney General of the United States.

His statements were made in reference to a problem which involves the very security of this nation and of the lives of every citizen—the problem of controling Communist activities in the United States and meeting the problem of Communist aggres—sion abroad.

I therefore believe that it is my responsibility to set the record straight and, in doing so, I assure you that I am not moved by political or partisanship consideration. During this period in our history, it is essential that Democrats and Republicans join together against the common enemy of democracy - the international Communist conspiracy and its fifth column in the United States.

Mr. McGrath was not Attorney General at the time the Hiss Case was under investigation by the Un-American Activities Committee. I was a member of the Committee and participated in the investigation. Here is what happened:

On August 3, 1948, the Committee subpoenaed to appear before it Whittaker Chambers who was then a senior editor of Time magazine. Chambers told the Committee that from 1934 to 1938, he was a member of the Communist front and acted as a Communist courier between New York and Washington, D.C. He said that approximately every week, he used to meet with a group of Government employees in Washington, whose duty it was to infiltrate themselves and others into high positions of power in Washington.

Among those who he said were members of his group was Alger Hiss, at that time the \$20,000 a year head of the Carnegie Foundation for International Peace, and who had formerly been one of the high officials of our State Department, acting as the assistant to the Secretary of State at the Yalta Conference and also as the Secretary of the United Nations Conference at San Francisco.

Among the others who were named were Donald Hiss, his brother, who at the time Chambers testified and still today, was and is a member of the Acheson law firm in Washington, D.C.

Harry Dexter White, the former assistant Secretary of the Treasury, Imme. Pressman, the former General Counsel of the CIO, Nathan Witt, the former Secretary of the National Labor Relations Board, and a half-a-dozen others, all of whom held responsible positions in the Government.

As can be imagined, Chambers' testimony caused a tremendous reaction in official Washington circles. Immediately,
the Committee on Un-American Activities, and its members were
submitted to abuse and ridicule for even having the temerity
to allow Chambers to appear as a witness.

Two days after Chambers appeared, Alger Hiss came before the Committee in a public session and denied the Chambers charges. He said in effect two things - first, that he was not a member of the Communist Party and had never been a member of the Party and second, that he did not know Chambers. I remember when we showed him a picture of Chambers, he looked up at the Chairman of the Committee - Mr. Mundt, who was presiding, and said, "This is not an unusual looking man, Mr. Chairman. Why, he might even look like you. I'm sure I never laid eyes on the fellow before in my life."

At the conclusion of Hiss' testimony, he had so effectively presented his case that conservatively, 90 of those who
were in the Committee room as spectators and members of the
Press, and all the members of the Committee staff, except
Robert Stripling, our Chief Investigator, and myself, were
convinced that Hiss was telling the truth and that Chambers

was lying.

This was the way they reasoned: After all, how can Chambers know that Hiss is a Communist if Hiss does not even know Chambers.

Immediately after the hearing, the Committee went into an executive session and the case was almost dropped. I insisted on further investigation. I knew it would not be possible to establish which was/lying on the issue of whether Hiss was a Communist. However, it seemed to me that the question of whether or not Chambers knew Hiss was a simple matter of question and fact which could be determined by a process of investigation and coproboration. In other words, find out what Chambers knew about Hiss, check statements against the evidence and if they checked out, ask Hiss how Chambers could know such things about him.

Consequently, I got permission from the Committee Chairman to go to New York on August 7th and to question Mr.

Chambers further. The hearing was held in executive session at the Federal Court Building in Foley Square. For three hours on a Saturday afternoon, I cross-examined Chambers probably as thoroughly as any man has ever been cross-examined by the Committee.

These were the kind of questions I asked: "Mr. Chambers, you say you know Mr. Hiss. He says he does not know you. I want you to tell me what you know about him - what was his nickname, what did he call his wife - what was his hobby - where did he live - describe the houses that he lived in - what

kind of a car did he drive." The answers came back in rapidfire order in amazing detail.

DIXON.....Ladies and gentlemen, you are listening to Congressman Richard Nixon present the facts regarding the Alger Hiss case which this week was brought into the senatorial campaign in California by United States Attorney General McGrath.

Congressman Nixon.

went back to Washington and we checked every available bit of corroborative evidence. We checked house leases, we checked car registrations, we even sent an investigator out to check dog kennels in Georgetown, because Mr. Chambers told us that he recalled the Hisses used to spend their vacations on the eastern shore of Maryland, and when they went there, they used to leave their cocker-spaniel dog in a certain dog kennel in Georgetown. Our investigator, after days of checking, found the kennel and established that the story was true.

When Chambers' statements checked out in amazing detail, we then decided to call Mr. Hiss before us again and we sub-poenaed him to appear on the 16th day of August. We asked him

exactly the same questions as we asked Mr. Chambers, and got exactly the same answers. When that line of questions had been concluded, I said, "Mr. Hiss, you say that you do not know Mr. Chambers, and he claims to know you. We have asked Mr. Chambers exactly the same questions and he has given us exactly the same answers. Now, tell us, how is it possible for a man who doesn't even know you to know such intimate things about you?"

Then, for the first of many times, Alger Hiss began to change his story. He scratched his head, and said, "Well, Mr. Nixon, I've been thinking, I do recall that back in 1935, I met a man by the name of George Crosley. I recall that I sublet my apartment to him for three months during the summer of that year and, incidentally, I just threw in an old 1929 Ford car that I had on the deal. I didn't need it any more myself, so I gave it to him as part of the rental deal. I recall also that he never paid me a cent on the rent. He also touched me up for several loans that he didn't pay back. On one occasion. I gave him a ride to New York in my car. And oh, yes, I recall that he gave me a rug. And I remember too that Mrs. Crosley and Mr. Crosley and their infant daughter, spent several days with Mrs. Hiss and me in our apartment before they moved into the apartment that we had sublet to them, but I didn't know Crosley very well and I am sure that Crosley could not be Chambers. In any event, I swear that I am not or was not a member of the Communist party."

We knew then the time was right to strike. Consequently, the Committee, twenty-four hours later, went to New York. We rented a room in the Commodore Hotel - Room 1400. It was there that the Hiss-Chambers Case was really broken. Because that hearing was secret, as much as possible, you may not have read an account of it in your newspapers. I think it might be well to describe what happened, since in this hearing, you can see the Communist conspiracy in action, in its more sinister, twisting, avoiding, deceptive aspects.

We brought Mr. Hiss into the room first. We then brought Mr. Chambers into the room. After the two men were seated, I asked them both to stand. I then said, "Mr. Hiss, this is Mr. Chambers. I now ask you, have you ever seen this man before in your life?" Mr. Hiss said, "I wonder if you would have him speak?" I said, "Mr. Chambers, will you please state your name and your business?" Mr. Chambers said, "My name is Whittaker Chambers. I'm a senior editor of Time magazine."

Mr. Hiss said, "Well, the man that I remember as Crosley, Mr. Nixon, had a lower-pitched voice than that. I wonder if his voice was lower-pitched than that when he appeared before your Committee the first time?" I said I didn't think so. He said, "Well, I wonder if you would have him speak some more?" I said, "Yes, and I handed Chambers a magazine and asked him to read from it.

As Chambers read, Mr. Hiss advanced upon him, put his finger within three inches of Chambers' mouth, and added, "Open

your mouth wider," and turned to me and said, "I want to see his teeth, Mr. Nixon. The man I remember as Crosley had very bad teeth," and then he looked into Chambers' mouth. He then turned to me and said, "I wonder if youwould ask him if he has ever had any work done on his teeth?" I said "Yes, have you, Mr. Chambers?" Mr. Chambers said, "Yes, as a matter of fact, I did have some bridge work done on my mouth a few years ago." I said, "Now, Mr. Hiss, does that satisfy you? Are you willing to identify this man as the one you once knew?"

Mr. Hiss hesitated a moment and said, "No, I feel that I'll have to check further. I wonder if I could get the name and address of the dentist who did the work on his teeth?" I said, "Now, Mr. Hiss, do you mean to tell me that you would have to check with the man's dentist to see just exactly what he did to his teeth before you could identify him as someone you knew as well as you once knew George Crosley?" There was a dead silence in the room for about thirty seconds. Hiss sat there in the witness chair squirming and twisting, looked up at the ceiling, down at the floor, out the window, and then changed the subject.

About thirty minutes later, he finally broke down and admitted that Chambers and Crosley were the same man, but he continued to deny that he had known Crosley as a Communist or that he had been a member of the Communist Party.

The case, then, you can see, was broken, because when the word got out about Hiss' ridiculous performance before the Committee, he felt that in his position, it was necessary that he

vindicate himself, and consequently he sued Chambers for slander, for calling him a member of the Communist Party. This proved to be his second big mistake because a few weeks after he brought his slander suit, his attorneys took Mr. Chambers' deposition in Baltimore, Maryland, on November 17. Mark that date well, because it will be particularly significant in the balance of this story. In the deposition hearing, Hiss' attorneys asked Chambers a number of questions, and then finally they asked him one which I am sure they wish now they had not used.

They said, "Now, Mr. Chambers, you claim that you know Mr. Hiss and that Mr. Hiss was a Communist. Have you anything in writing, any documentary evidence to back up this charge?" Mr. Chambers quietly reached into his pocket, took out a big manila envelope, dropped it on the desk, and said, "Take a look at these." They opened it up.

Inside, they found four pages in the handwriting of Alger Hiss, they found forty-four pages which later proved to have been typed on his typewriter. All of these documents consisted of confidential and secret State Department documents and Chambers said that Hiss, for a period of three years, from 1935 to 1938, gave him hundreds and hundreds of similar documents which were turned over to Russian agents.

Immediately, a call was placed to the Justice Department in Washington, and Alexander Hammil, the Assistant Attorney General of the Criminal Division of the Justice

Department, got into his automobile and drove over to Baltimore. He picked up all the documents and before he left to
go back to Washington, he warned everybody to remain silent
about what had happened because, "the National Security was
involved," as he put it.

DIXON.....Ladies and gentlemen, you are listening to Congressman Richard Nixon present the facts regarding the Alger Hiss case. Congressman Nixon.

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NIXON.....Two weeks passed, two weeks in which I learned that no one questioned Mr. Chambers further and no one from the Justice Department questioned Mr. Hiss. At the end of that two-week period, a United Press dispatch was published all over the United States, which read as follows:

"The Justice Department is about ready to drop its investigation of the celebrated Hiss-Chambers controversy.

Officials said privately that, unless additional evidence

was forthcoming, they are inclined to forget the whole thing. They said that, on the basis of available evidence, officials in charge of the case believe it would be unwise to take it before a Grand Jury." But, at the time that this statement was issued from the Justice Department, the Department had had in its possession for two weeks these documents in the handwriting of Hiss, and written on his typewriter, which Tom Murphy, the very able prosecutor of Hiss, had termed, "The immutable proof of espionage."

Mr. Stripling and I happened to be in Washington that day. We saw this news article. We took the article and drove to Westminster, Maryland, two hours away, to Mr. Chambers' farm. We showed it to him, and when he saw it, he was shocked. He said, " I can't tell you what happened at the deposition hearing, which took place in Baltimore two weeks ago." But, I sensed, from what he said, that he had thrown a bombshell in the case on that occasion, and I sensed also that there might also be a possibility that he had retained another bombshell in case just this sort of thing happened. Consequently, as Stripling and I drove back to Washington from Westminster, I told him that it would be a good idea to subpoena Mr. Chambers for any evidence that he might have bearing further on his claim that Hiss was a Communist. On the following day when Chambers came to Washington to testify, our investigators served him with a subpoena and accompanied him back to Westminster, arriving there at 10:30

at night.

Mr. Chambers led them out to that now very famous pumpkin patch, he leaned down and picked the top off one of the pumpkins, scooped out five rolls of microfilm, handed it to the investigators, and said he had put them there because he was going to Washington that day and he knew Hiss' agents had been swarming over the place for the past two weeks and he was sure that this was one place they would not be likely to look.

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Our investigators took the rolls of microfilm back to Washington and after midnight of the morning of December 2, they developed the rolls of microfilm and found literally hundreds of pages of secret documents, not only from Hiss, but from the other members of the espionage ring. Documents from the Department of State, the Bureau of Standards, the Bureau of Ordnance, Naval Intelligence, and the Aberdeen Proving Grounds.

with these documents, we were able to blast the case into the open. We made as many of them public as we could, and public opinion forced the Justice Department to act.

Even then, however, we learned from unimpeachable sources within the Department, that on the fourth day of December, two days after these documents had been made public, the Justice Department was secretly preparing to indict not Hiss, but Chambers, for technical perjury, for having failed to have told about the documents when he first appeared before

the Committee in August.

It was then that I made a publid statement to the effect that for the Justice Department to proceed this way would be a whitewash for all the members of the ring, including Hiss. Chambers, the star witness, would be a convicted perjurer, even though on technical grounds.

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The Department of Justice then was forced, because of strong public reaction against such tactics, to present the case to a Grand Jury in New York and on the 15th day of December, the Grand Jury indicted Hiss for perjury. The rest is history. The first trial ended eight to four for conviction and the second one ended in an unanimous verdict of guilty.

Now what has this case established? First of all, these facts are a complete and devastating answer to the charges Mr. McGrath has made. Let us look at these charges and analyze them briefly.

First, he says that Alger Hiss would have been prosecuted in any event by the Department of Justice and that the Department of Justice, not the Committee, had dug out the Hiss case. But, what is the record?

We find that Chambers first told his story to top officials of the Administration in 1939. He went then to A. A. Berle, Assistant Secretary of State, and told him more than he told the Committee on Un-American Activities, when he first appeared before us on August 3, 1948. I asked Mr. Berle why he had failed to act on Chambers' testimony. He

said, "I checked with the men who knew them. I checked with Dean Acheson. He gave me an absolutely, unqualified endorsement of Alger Hiss. Then, I checked with Felix Frankfurter. He gave me a similar endorsement. When I had such endorsements from the men who knew Hiss, I die not think it was necessary to check further."

In 1941, in 1943, 1945, and 1947, Chambers told the story again to various agencies of the Government, including the Justice Department. Still, there was no action—no action, that is, except to promote each and every one of the individuals who were named as members of the ring, to high positions of power and influence in the Government.

And then what happened after the Committee began its investigation of the case? The President called it a Red Herring, not once, but on eight different occasions during the course of the investigation.

The Justice Department was going to drop the case, even after it had in its possession the documents which established beyond any question that espionage had been committed, and even after the Committee made the documents public, the Department was preparing to indict Chambers rather than Hiss, which would, of course, have been a complete cover-up and whitewash of the whole sordid mess.

It is to the eternal credit of Tom Murphy and to the F.B.I., in spite of the attempts of the Justice Department to place a road-block in the investigation and exposure of this case, and once the indictment was handed down, they proceeded

to prosecute and to dig up the additional evidence which made a verdict of guilty inevitable.

yet, even when the case went to the Court, what happened? Never has there been such a parade of powerful character witnesses in the trial in an American court-room. Two judges of the Supreme Court, Frankfurter and Reed, appeared as character witnesses for Hiss. The Governor of Illinois, Mr. Stevens, the architect of our Far Eastern policy, Phillip Jessup, two judges of the Circuit Court of Appeals, lawyers, diplomats, went down the line as character witnesses for Hiss. Still, the Jury convicted him.

In the light of this record, it is clear that Alger Hiss never would have been prosecuted by the Department of Justice, unless the Committee on Un-American Activities had conducted an investigation and forced the Department to do its duty. I might say, in that connection, that the F.B.I., I have learned, made several reports to the officials in the Department of Justice, setting forth the facts in the Hiss case. These reports were always pigeonholed and sabotaged, because of pressure from high places by Hiss' friends in the Administration.

Mr. McGrath says that Mrs. Douglas' vote against the Committee was a correct vote because the Committee has entered into a program of maligning innocent people and is serving no useful purpose. Does Mr. McGrath refer to Mr. Hiss as being an innocent person? Does Mr. McGrath refer to Lee Pressman, who admitted before the Committee just last month that in 1934

and in 1935, when he was General Counsel to two agencies of this Government, including one headed by Mr. Hopkins and one by Mr. Tugwell, at \$10,000 a year, that he for that entire period was a card-carrying, dedicated member of the Communist Party? Does Mr. McGrath think that Mr. William Remington, who has since been indicted for perjury by a Grand Jury, was a case of the Committee maligning an innocent person? I would suggest that Mr. McGrath might well be specific when he makes such charges.

The best proof of the failure of the Justice Department in the Hiss case is the charge for which Hiss was convicted. That charge was perjury. The real crime he committed was espionage, but he could not be charged with espionage because the Justice Department failed to bring the charge against him within the three years required by the statute of limitations. Eleven years passed before the charge was finally brought and then it was too late to charge him with the crime he really committed. The tragedy of the case is that every other member of the ring, including even some who have admitted their complete guilt, now goes scot-free, because of the failure of the Justice Department to do its duty.

In defending Mrs. Douglas' votes against the Committee on Un-American Activities, Mr. McGrath is going squarely against a great and substantial majority of the Democrats of the House of Representatives. It is significant to note that during the ten years of its existence, the Committee has been supported overwhelmingly by the Congress and that it has never

in any case been overruled by a Court, including the United States Supreme Court.

It is obvious that, unless the Committee on Un-American Activities had been in existence, Alger Hiss would be free today. Mrs. Douglas, by her vote against the Committee, if she had had her way, Alger Hiss, instead of being the convicted perjurer that he is, would be one of the top officials in our State Department.

It is obvious that Mr. McGrath is playing partisan politics with the National Security. His time could be better used attending to his duties of enforcing the laws of the land. If Mr. McGrath would attack the Communist conspiracy in this country as vigorously as he has attacked those members of the Committee on Un-American Activities who have been successful in exposing that conspiracy, the problem of subversion in this country would not be as serious as it is. If he would devote as much time and attention to enforcing the new Communist Control Bill, as he is in attempting to discredit it and praising those who voted against it, the security of our country would receive the protection it really needs.

Mr. McGrath's remarks at this time are particularly unfortunate. He is out of step with the great majority of the members of his own party in the Congress, in the State, and in the Nation, in his frantic effort to give assistance to Mrs. Douglas and to defend the damning record on the

Communist-National Security issue. Mr. McGrath has aligned himself with the little Marcantonio clique in the House of Representatives, and against the great majority of the Democrats in Congress. It is significant to note that among those who have consistently voted for the Committee on Un-American Activities and for the legislation which Mr. McGrath condemns are the Majority Leader Mr. McCormick, the Majority Whip Mr. Priest, the Majority Caucus Leader Mr. Walters of Pennsylvania, who is a member of the Committee.

At this point, I want particularly to point out the statement of Mr. McGrath to the effect that the Un-American Activities Committee and the F.B.I. are in conflict with each other and that the FBI is all we need in the field of investigation and exposure of subversive activities in this country. No one should know better than Mr. McGrath that the FBI, which is in his own Department, is limited in the scope of its functioning to investigation only. It is not a force for exposure and insofar as prosecutions are concerned, can only make recommendations to higher authority, which is the Attorney General himself. Here is where the Un-American Activities Committee comes into the picture. Its greatest contribution to combatting subversive activities lies in its public disclosures of the forces that menace our nation from within. In the words of Mr. J. Edgar Hoover, Director of the FBI and probably the greatest authority in this country on Communism and how to fight it, the Un-American Activities Committee renders a distinct service when it publicly reveals diabolical machinations of sinister figures engaged in Un-American activities. Mr. Hoover made that statement in testimony before the Committee. He at least, if not Mr. McGrath, understands the important part the Committee plays in this field and he knows that there is no conflict

between the FBI and the Committee. Further along in the testimony, to which I just referred, Mr. Hoover stated that the Committee has done an excellent job of focusing attention on activities of Communism in the government. I am sure he had in mind the fact that the problem of Communism in the government is one which hardly could be expected to be dealt with without some partiality by an executive agency of the government itself, such as the Department of Justice, and that it is therefore essential for a legislative committee to be given some responsibility in that respect.

As we consider Mr. McGrath's amazing statement that there is conflict between the FBI and the Un-American Activities Committee, I think it is well for us to note this direct quote from an article written by Mr. J. Edgar Hoover which appeared in Newsweek Magazine on June 9, 1947:

"As the Un-American Activities Committee fulfills its obligation of public disclosure of facts, it is worthy of the support of loyal, patriotic Americans. The FBI, unlike this Committee, must of necessity keep the contents of its files confidential."

There you have it - Mr. Hoover, a majority of the Congress, the courts - uphold the Committee. Mr. McGrath and Mrs. Douglas stand together in defense of her votes against the Committee and its exposure of Alger Hiss and the others who have trafficked in the National security.

During this critical time, it is essential that we develop a program of meeting the greatest threat to the peace of the world and to our way of life which has ever existed - the activities of the international Communist conspiracy abroad and at home. As for our foreign policy, I believe we rightly have attempted to stop partisanship at the water's edge so that we can present a united front toward our common enemy. We should have the same kind of a policy to meet the fifth-column tactics of the Communists here in the United States.

DIXON......Ladies and gentlemen, you have just heard Congressman Richard Nixon report the facts on the Alger Hiss case and how they relate to an attempt by high government officials to play partisan politics with the national security, which is the security of every one of us. Congressman Nixon has been nominated to represent us in the United States Senate. His name will appear on your ballot November seventh. Your vote for him is assurance that the fight he has been making on Communist aggression will be continued. Your vote for Richard Nixon on November seventh will keep him on guard for America and you.

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