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UNITED STATES ATOMIC ENERGY COMMISSION

VOLUME IV

In the Matter Of:

J. ROBERT OPPENHEIMER

Place - Washington, D. C.

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UNITED STATES ATOMIC ENERGY COMMISSION
PERSONNEL SECURITY BOARD

In the Matter of :
 :
J. ROBERT OPPENHEIMER :
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Room 2022,
Atomic Energy Commission,
Building T-3,
Washington, D. C.

The above entitled matter came on for hearing,
pursuant to recess, before the Board, at 9:30 a.m.

PERSONNEL SECURITY BOARD:

MR. GORDON GRAY, Chairman.
DR. WARD V. EVANS, Member.
MR. THOMAS A. MORGAN, Member.

PRESENT:

ROGER ROBB, and
C. A. ROLANDER, JR., Counsel for the Board.

J. ROBERT OPPENHEIMER,
LLOYD K. GARRISON,
SAMUEL J. SILVERMAN, and
ALLEN B. ECKER, Counsel for J. Robert Oppenheimer.
HERBERT S. MARKS, Co-Counsel for J. Robert Oppenheimer.

P R O C E E D I N G S

MR. GRAY: The presentation will begin. I believe that General Groves is waiting.

General Groves, I should like to ask whether you would like to testify under oath. You are not required to do so.

GENERAL GROVES: Whichever you prefer. It makes no difference to me.

MR. GRAY: It is my guess that most everyone who appears will be testifying under oath.

GENERAL GROVES: It makes no difference in my testimony, but I would be very glad to.

MR. GRAY: What are your initials?

GENERAL GROVES: Leslie R.

MR. GRAY: Will you raise your right hand. Do you, Leslie R. Groves, swear that the testimony you are to give the Board shall be the truth, the whole truth and nothing but the truth, so help you God?

GENERAL GROVES: I do.

Whereupon,

LESLIE R. GROVES

was called as a witness, and having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. GARRISON:

Q General Groves, you are now vice president in charge of advance scientific research at Remington Rand?

A No, I am ~~not~~ longer in charge of research. I am a vice president and director of Remington Rand.

Q During the war, you headed the Manhattan Project in complete charge and development planning for use of the atomic bomb?

A That is correct.

Q During the postwar period you were Commanding General of the Armed Forces Special Weapons Project, 1947 to 1948?

A Yes. My charge of the atomic work ended on the 1st of January, 1947. I think you also should add that during the period from about March of 1947 until my retirement on the 29th of February, 1948, I was a member of the Military Liaison Committee to the Atomic Energy Commission.

Q You appointed Dr. Oppenheimer to be the director of the work at Los Alamos?

A Yes, sir.

Q You devolved great responsibility upon him?

A Yes.

Q Would you just say a word about the nature of that responsibility?

A Complete responsibility for the operation of Los Alamos Laboratory, the mission of which was to carry on the

research necessary to develop the design of a bomb, to develop the probabilities of whether a bomb was possible, and if the design would be feasible, and to develop what the power of the bomb would be. That was so that we would know at what altitude the bomb should be exploded.

MR. GRAY: General, may I interrupt? I am sorry. If it becomes necessary in the course of your testimony to refer to any restricted data, I would appreciate your letting me know in advance that you are about to do so.

THE WITNESS: All right, sir.

Not only design and make these experimental tests, but to actually produce the bombs which we expected to use in the war. It should be understood that as early -- certainly before Yalta, because at that time I so informed President Roosevelt, or just before Yalta -- I had concluded that we only needed two bombs to end the war.

Of course, I also proceeded on the theory that I might be wrong. For that reason we decided, or I decided that we would construct the actual bombs at Los Alamos. That included as matters developed the final purification of plutonium at Los Alamos.

Possibly -- I am not certain -- any final purification of U-235 that might be necessary.

In addition to that, as time went on throughout the project, I consulted with Dr. Oppenheimer frequently as to

other problems with which I was faced. I think one of those is of such importance that it might be well to explain it to give a picture of the responsibilities which you might say he carried.

There was a very serious problem as to the purification of U-235. While this is not secret in any way, I would rather not have it talked about by anyone here, because it reflects to some extent on the wisdom of another scientist.

MR. GRAY: There are no security implications involved?

THE WITNESS: No security whatsoever, I will watch out for that. I have been watching out for that for so many years I don't think I will slip.

MR. GRAY: Thank you, sir.

THE WITNESS: There was a great question as to the electromagnetic process -- how pure did the U-235 have to be to have an explosion. We could get no advice on that matter from the people that were responsible because nobody knew. All that was known was that the natural state of .707 per cent of U-235 in uranium that it did not explode.

Various people, particularly those vitally concerned with the electromagnetic process, felt that a percentage of somewhere around 20 per cent to 14 per cent would be explosive.

Handwritten initials

Handwritten initials

Handwritten initials

They were greatly influenced by the fact that they thought that their process, as they had it developed, would produce material of that purity.

WPH

I felt that was not sound, and that we would have to have a much higher percentage of purity in order to have an explosive. Dr. Oppenheimer was used by me as my advisor on that, not to tell me what to do, but to confirm my opinion. I think it is important for an understanding of the situation as it existed during the war to realize that when I made scientific decisions -- in case there are any questions that come in on that -- that outside of not knowing all the theories of nuclear physics, which I did not, nobody else knew anything either. They had lots of theories but they didn't know anything. We didn't know whether plutonium was a gas, solid or electric. We didn't even know that plutonium existed, although Seaborg, I believe it was, claimed to have seen evidences of it in the cyclotron.

OK/2k

We didn't know what any of the constants that were so vital were. We didn't know whether it could be made to explode. We didn't know what the reproductive factor was for plutonium or uranium 235. We were groping entirely in the dark. That is the reason that General Nichols and myself were able, I think, to make intelligent scientific decisions, because we knew just as much as everybody else. We came up through the kindergarten with them. While they could put

elaborate equations on the Board, which we might not be able to follow in their entirety, when it came to what was so and what was probably so, we knew just about as much as they did. So when I say that we were responsible for the scientific decisions, I am not saying that we were extremely able nuclear physicists, because actually we were not. We were what might be termed thoroughly practical nuclear physicists.

As a result of this experience, maybe because Dr. Oppenheimer agreed with me and particularly because of other questions that were raised, I came to depend upon him tremendously for scientific advice on the rest of the project, although I made no effort to break down my compartmentalization. As you know, compartmentalization of information was my chief guard against information passing. It was something that I insisted on to the limit of my capacity. It was something that everybody was trying to break down within the project. I did not bring Dr. Oppenheimer into the whole project, but that was not only because of security of information -- not him in particular, but all the other scientific leaders, men like Lawrence and Compton were treated the same way -- but it was also done because if I brought them into the whole project, they would never do their own job. There was just too much of scientific interest, and they would just be frittering from one thing to another.

So Dr. Oppenheimer was used in many ways as a chief scientific advisor on many problems that were properly within his bailiwick. That included his final advice which brought up the question of the thermo diffusion separation process, which was the case, as you know probably by now, that we made this last ditch effort to bring that into the project.

We were late in bringing it in, because -- again this is something that is not confidential, but I would rather not have it talked about -- there had not been the proper cooperation by certain scientific personnel at the Naval Research Laboratory. There had been suspicion on the part of certain scientists that the figures that were talked about at the Naval Research Laboratory were not sound, and to put it bluntly, that they were just plain faked, and we could not depend on them. The reason they felt this way was that the results were not in accord with scientific theory. It just gave the wrong answer. They were too favorable. We did not get into using that, to my recollection -- I am not absolutely certain -- but I believe it was Dr. Oppenheimer who suddenly told me that we had a terrible scientific blunder. I think he was right. It is one of the things that I regret the most in the whole course of the operation. We had failed to consider this as a portion of the process as a whole. In other words, we considered this process as a process that would take uranium 235 from .707 up to the final purity

instead of saying we will take it from .707 up to, say, 2 per cent, and then put that in.

What we had done, everybody in the project -- this was brought to my attention by I believe Oppenheimer -- had failed to think about, well, after all, if you started off with uranium at 2 per cent instead of .7 in any of our other processes, we would be crippling our output.

I tell you that not in praise of Dr. Oppenheimer, but more to give you a picture of how he was used throughout the process. I think that more or less answers Mr. Garrison's question.

If I talk too long, Mr. Gray, if you will just tell me to stop, it is your time and not mine.

BY MR. GARRISON: How would you rate the quality of his achievement as you look back on it?

A Naturally I am prejudiced, because I selected him for the job, but I think he did a magnificent job as far as the war effort was concerned. In other words, while he was under my control -- and you must remember that he left my control shortly after the war was over.

Q If you had to make the decision again, would you make it in the same way with respect to the selection of Dr. Oppenheimer and devolving the responsibilities on him which you did?

A I know of no reason why not. Assuming all the

conditions are the same, I think I would do it.

Q You saw him very closely during those years?

A I saw him on the average, I would say, of anywhere from once a week to once a month. I talked to him on the phone about anywhere from four to five times a day to once in three or four days. I talked on all possible subjects of all varieties. During the time I spent a number of days, for example, on trains traveling where we might be together for six or eight or twelve hours at a time.

Q You were aware of his left wing associations at the time -- his earlier left wing associations?

A Was I or am I?

Q Were you at the time you appointed him?

A At the time I appointed him to the project, I was aware that there were suspicions about him, nothing like what were contained -- and I might say I read the New York Times, the letter of General Nichols and Dr. Oppenheimer's letter. I was not aware of all the things that were brought out in General Nichols' letter at the time of the appointment, but I was aware that he was or that he had, you might say, a very extreme liberal background.

I was also aware of another thing that I think must be mentioned, that he was already in the project, that he had been in charge of this particular type of work, that is, the bomb computations, and that he knew all that there was to

know about that. In general, my policy was to consider the fact that the man was already in the project, and that made it very questionable whether I should separate him and also whether I should separate him under what might be termed unpleasant conditions, because then you never know what you are going to do to him. Are you going to drive him over to the other side or not? As far as what I knew at the time of his actual selection, I knew enough to tell me that I would have considered him an extreme liberal with a very liberal background. Just how many of the details I knew at the time I don't know. I did know them all later.

Q Based on your total acquaintance with him and your experience with him and your knowledge of him, would you say that in your opinion he would ever consciously commit a disloyal act?

A I would be amazed if he did.

Q Was there any leakage of information from Los Alamos to improper sources for which Dr. Oppenheimer had in your opinion any responsibility?

A That is a very difficult question, because it brings up the fact that the scientists -- and I would like to say the academic scientists -- were not in sympathy with compartmentalization. They were not in sympathy with the security requirements. They felt that they were unreasonable. I never held this against them, because I knew that their whole

lives from the time they entered college almost had been based on the dissemination of knowledge. Here, to be put in a strange environment where the requirement was not dissemination, but not talking about it, was a terrible upset. They were constantly under pressure from their fellows in every direction to break down compartmentalization. While I was always on the other side of the fence, I was never surprised when one of them broke the rules.

For example, I got through talking to Nels Bohr on the train going to Los Alamos for the first time, I think I talked to him about 12 hours straight on what he was not to say. Certain things that he was not to talk about out there. He got out there and within five minutes after his arrival he was saying everything he promised he would not say.

The same thing happened on one occasion with Ernest Lawrence, after he was told that he was not to say something; he got up to the blackboard with this group -- it was a group of smaller size than this of the key people -- and said "I know General Groves doesn't want me to say this, but" and then he went on and discussed what I didn't want him to say.

You may say what kind of military organization was that. I can tell you I didn't operate a military organization. It was impossible to have one. While I may have dominated the situation in general, I didn't have my own way in a lot of things. So when I say that Dr. Oppenheimer did not

always keep the faith with respect to the strict interpretation of the security rules, if I could say that he was no worse than any of my other leading scientists, I think that would be a fair statement. It would not be right to say that he observed my security rules to the letter, because while I have no evidence of his violating them -- after all, I am not stupid -- I know he did. I could not say of my own knowledge that I ever knew him just on the spur of the moment and I can't recall a case where he deliberately violated my security instructions.

That is different from violating what he knew that I would want. That was done by everybody in my organization, including the military officers because my organization was a peculiar one. A great deal of responsibility devolved on everybody. They all knew the goal. I know I was put in positions where I had to approve things, things people knew I didn't want to approve, but they got me in that corner. That was not limited as I say to scientific personnel. It applied to engineering personnel, that applied to military officers. They were the kind of men I wanted, and they were the kind of men that made the project a success. If I had a group of yes men we never would have gotten anywhere.

Q The absence of compartmentalization on the Los Alamos project, General Groves, would you say that represented on Dr. Oppenheimer's part an honest judgment as

to what in his opinion would produce the best operating results among the scientists on the project?

A I always felt -- I can't quite answer that -- that Dr. Oppenheimer was led to that breakdown of compartmentalization at Los Alamos by a number of conflicting factors. Here I am just giving my surmise as to what I thought.

First, that he personally felt that was right in view of his background of academic work.

Second, that he felt it was necessary in order to attract the kind of men that he felt he had to have at Los Alamos. I agreed that it was a very decided factor and always thought it was in getting such men. I also felt that he was very much influenced at that time by the influence of Dr. Condon, who was for a very brief time the Associate Director there, and, as you all know, a very complete disappointment to me in every respect.

I would like to emphasize now before any question is asked that I was not responsible for the exact selection of Dr. Condon, but I was responsible for his selection because I insisted when Dr. Oppenheimer took the Directorship that he have as his No. 1 assistant an industrial scientist, and we just made a mistake when we selected Dr. Condon. Who gave his name the first time I don't know, but Dr. Condon turned out to be not an industrial scientist, but an academic scientist with all of the faults and none of the

virtues. That was my opinion. He did a tremendous amount of damage at Los Alamos in the initial setup. How much influence he had on Dr. Oppenheimer I don't know. But he was given certain responsibilities with my full approval -- in fact, you might say my very insistent suggestion -- that Dr. Condon with the industrial background should be the one to establish the working rules and the administrative scientific rules in the establishment, while Dr. Oppenheimer was thinking about how was the actual scientific work to be done.

I could never make up my own mind as to whether Dr. Oppenheimer was the one who was primarily at fault in breaking up the compartmentalization or whether it was Dr. Condon. I don't to this day know whether it was wise. I think it was a serious mistake and felt so at the time to have the lack of compartmentalization go on down the line. In other words, it was all right to have the leaders, maybe 20 to 30, but not to have as many men as were permitted to break down compartmentalization.

The Greenglass and Rosenberg case, which I always felt the effects were greatly exaggerated, that the Russians did not get too much information out of it, that case according to the testimony of this sergeant would never have been possible if the junior scientific personnel at Los Alamos had observed the rules and regulations.

They all, of course, had given an oath that they

would support the security regulations, but that was not controlling. They wavered here and there.

I think that answers your question in general.

Q How long was Dr. Condon on the project?

A I think a very short time. The record would show, but my impression would be only six weeks to two months. I don't recall. A very short time. His departure, of course, was at his own volition. I always thought it was because he thought the project would fail, and he was not going to be associated with it. His record showed since then he has never been satisfied anywhere he was. He was always moving. It was a mistake to get him out there. It is a mistake for which the responsibility was maybe 75 per cent mine and 25 per cent Oppenheimer's or maybe my share was even more than that. But mine was very heavy, because he would never have been there if I had not told Oppenheimer what kind of assistant he should have.

Q Apart from the question of compartmentalization as an operating policy, you had no occasion to believe that any leakage of information from Los Alamos occurred as a result of any conscious act of Dr. Oppenheimer's?

A Oh, no. I don't consider that his compartmentalization was a conscious act that would tend to encourage the leak of information.

Q You had complete confidence in his integrity?

A During the operation of Los Alamos, yes, which was where I really knew him.

Q And you have that confidence today?

A As far as that operation went, yes. As I say, as far as the rest of it goes, I am, you might say, not a witness. I am really ignorant on that, excepting what I read in the papers.

Q As the war neared its end, there was an even greater urgency to produce the bomb in time to use it, was there not?

A No, because no one in this country conceived of the Japanese war ending as soon as it did, no one in responsible positions today, no matter that they say today or said since. There is not a soul that thought that the war was going to end within a reasonable time.

Q Did Dr. Oppenheimer work as hard as a man could to produce that bomb in accordance with the deadline dates that you had projected?

A Oh, yes, yes. In fact, he worked harder at times than I wanted him to, because I was afraid he would break down under it. That was always a danger in our project. I think it is important to realize in the case of Dr. Oppenheimer because I had a physical taken of him when we were talking about making it a militarized affair, and I knew his past physical record, and I was always disturbed about his working too hard. But I never could slow him down in any way.

Q Do you recall your conversation with him about the Chevalier incident?

A Yes, but I have seen so many versions of it, I don't think I was confused before, but I am certainly starting to become confused today. I recall what I consider the essential history of that affair. As to whether this occurred this time, where I was at the moment, I can't say that I recall it exactly. I think I recall everything that is of vital interest, as far as would be necessary to draw a conclusion as to that affair.

Q Would you say what your conclusion was?

A My conclusion was that there was an approach made, that Dr. Oppenheimer knew of this approach, that at some point he was involved in that the approach was made to him -- I don't mean involved in the sense that he gave anything -- I mean he just knew about it personally from the fact that he was in the chain, and that he didn't report it in its entirety as he should have done. When I learned about it, and throughout, that he was always under the influence of what I termed the typical American schoolboy attitude that there is something wicked about telling on a friend. I was never certain as to just what he was telling me. I did know this: That he was doing what he thought was essential, which was to disclose to me the dangers of this particular attempt to enter the project, namely, it was concerned with the situation

out there near Berkeley -- I think it was the Shell Laboratory at which Eltenton was supposedly one of the key members -- and that was a source of danger to the project and that was the worry. I always had the very definite impression that Dr. Oppenheimer wanted to protect his friends of long standing, possibly his brother. It was always my impression that he wanted to protect his brother, and that his brother might be involved in having been in this chain, and that his brother didn't behave quite as he should have, or if he did, he didn't even want to have the finger of suspicion pointed at his brother, because he always felt a natural loyalty to him, and had a protective attitude toward him.

I felt at the time that what Oppenheimer was trying to tell me and tell our project, once he disclosed this thing at all -- as I recall I had the feeling that he didn't disclose it immediately. In other words, he didn't come around the next day or that night and say to our security people, "Listen, some things are going on." I think he thought it over for some time. I am saying what I thought now, and not what we could prove, because we could never prove anything definite on this thing, because it all depended on the testimony of a man who was concerned in it.

I always felt he was trying to protect his brother and possibly in any case to protect Chevalier or to protect somebody else who was a friend, whom he felt that the man had

made a mistake and he had adequately taken care of that mistake and more or less warned this man off.

I felt that was wrong. If I had not felt it was important not to have any point of issue on what after all was a minor point with respect to the success of the project, I might have had quite an issue with him right then and there. As he told me very early in my conversation with him, he said, "General, if you order me to tell you this, I will tell you." I said, "No, I am not going to order you."

About two months later or some time later, after much discussion in trying to lead him into it, and having then got the situation more or less adjusted, I told him if you don't tell me, I am going to have to order you to do it. Then I got what to me was the final story. I think he made a great mistake in that. I felt so at the time. I didn't think it was great from the standpoint of the project, because I felt that I was getting what I wanted to know which, after all, I did know already, that this group was a source of danger to us. I didn't know that this group had tried to make this direct approach and pinpoint it that way, but I knew they were thoroughly capable of it, and I knew we had sources of danger in the Berkeley project.

I think that really was my impression of it, that he didn't do what he should have done. The reasons why were desire to protect friends and possibly his brother, and that

he felt that he had done what was necessary in pinpointing. As far as I was concerned, while I didn't like it, after all it was not my job to like everything my subordinates did, or anybody in the project did. I felt I had gotten what I needed to get out of that, and I was not going to make an issue of it, because I thought it might impair his usefulness on the project.

I think that gives you the general story.

MR. GARRISON: I think that is all that I would like to ask.

MR. GRAY: Mr. Robb.

CROSS EXAMINATION

BY MR. ROBB:

Q General, you said this group; what group did you have in mind, sir? The group at Berkeley?

A Oh, no. The group at the Shell Oil Company laboratories. We never knew how many people were in that group. I didn't bring it to the attention of the Shell Oil Company at the time, because I didn't want to disclose anything. I would rather have it there where I knew it. Of course, after the war, I brought it to the attention of various friends in the Shell Oil Company, and I believe that group was cleaned out in 24 hours.

Q General, I find in the files a letter signed by you, dated November 14, 1946. I will read it:

"Army Service Forces,
"United States Engineer Office
"Manhattan District,
"Washington Liaison Office,
"P. O. Box 2610
"Washington, D. C.
"November 14, 1946..
"Mr. David E. Lilienthal
"Chairman, Atomic Energy Commission,
"Room 6176, New War Dept. Bldg.
"Washington, D. C.

"Dear Mr. Lilienthal:

"I desire to bring to your attention that in the past I have considered it in the best interests of the United States to clear certain individuals for work on the Manhattan Project despite evidence indicating considerable doubt as to their character, associations and absolute loyalty.

"Such individuals are generally persons whose particular scientific or technical knowledge was vital to the accomplishment of the Manhattan Project mission. In some instances, lack of time prevented our completely investigating certain persons prior to their working for the Manhattan Project; so that in some cases individuals, on whom it was subsequently determined that derogatory information existed, had access to Project information.

"With the appointment of the Commission and the legal provisions for investigation of personnel by the Federal Bureau of Investigation, I see no reason why those persons on whom derogatory information exists cannot be eliminated. I unhesitatingly recommend that you give the most careful consideration to this problem.

"The FBI is cognizant of all individuals now employed on the Manhattan Project on whom derogatory information exists.

"Sincerely yours, L. R. Groves, Major General, USA."

I find an answer to that from Mr. Lilienthal, dated December 4, 1946, which I will read:

"U. S. Atomic Energy Commission,

"Washington, D. C.

"Major General Leslie R. Groves,

"Commanding General, Manhattan Project,

"P. O. Box 2610

"Washington, D. C.

"Dear General Groves:

"This will acknowledge your letter of November 14, 1946, concerning continued employment of project personnel whose character, associations and loyalty have been questioned by the Manhattan Project but who have been employed nevertheless because they were considered vital to the accomplishment of the Manhattan Project mission. This matter will receive the most careful consideration by the

Commission. It would appear that since the persons referred to in your letter had been continued somewhat beyond the accomplishment of the Manhattan Project mission, that you do not regard their presence a source of critical hazard. On the other hand, if in your opinion a decision in this connection is urgent, I would appreciate your further views.

"Sincerely yours", signed "David Lilienthal,
Chairman."

I find, then, your response to that letter, dated December 19, 1946:

"War Department,

"P.O. Box 2610

"Washington, D. C.

"December 19, 1946.

"Mr. David E. Lilienthal

"Chairman, Atomic Energy Commission

"Room 6176, New War Dept. Bldg.

"Washington, D. C.

"Dear Mr. Lilienthal:

"Reference is made to your letter of December 4, 1946, concerning the presence of certain individuals in the Manhattan Project whose character, associates and loyalty may be open to question. They could not be discharged summarily but, as I explained, their removal is of necessity a rather slow process and whenever possible such removals have been

effected by us through administrative means when the individuals could be conveniently relieved of such assignments. Considerable progress in reducing the number of such individuals has been made to date.

"It would seem to me that with the reinvestigation of all Manhattan Project personnel by the Federal Bureau of Investigation you could find it appropriate to effect the removal of the remaining individuals of questionable character.

"Sincerely yours," signed "L. R. Groves, Major General, USA."

General, do you recall writing the two letters and getting the answer from Mr. Lilienthal?

A I recall writing a letter. You did very well. I didn't recall the other two. I recall writing one. I think it is appropriate, if I may, to insert that these letters were only written because previous verbal discussions which were very limited had proven unavailing and because Mr. Lilienthal had made it very plain that he wanted no advice of any kind from me. He wanted nothing whatsoever to do with me. He thought that I was the lowest kind of human being and he was not going to get anything from me. This was written because I felt that it was the only way that I could adequately bring to the attention of the Commission the seriousness of this problem. Knowing government procedure, I knew that as long as it was verbal, nothing would be done.

If I put it in writing, that they would always be thinking about the record. That is the reason that the letter was written.

I have never made a practice of trying to protect myself on the record, but I thought this was one time that I could secure action and it was not written really with the idea of clearing my skirts for something that might come up, such as this, many years hence. It was to make him do it whether he wanted to do it or not.

Q General, was Dr. Oppenheimer one of the "certain individuals" to whom you referred in those letters.

A I don't believe so, because Dr. Oppenheimer was really out of the project at the time. Of course, he was retained as a consultant, but just what my consultant arrangements with him were, I am not certain. It was more of a personal affair. I would say that he was not one of those that I was thinking about. I recall who I was thinking about in particular, and he was not the man. I don't think I was thinking about him.

If I may answer that you may ask next, but which is necessary for my answer, if he had been a member of the Manhattan Project at the time, he would have been one of those about whom I was thinking.

Q General, would you have cleared Dr. Oppenheimer in 1943 if you had not believed him to be essential to the

project and if you had not known that he was already steeped in the project?

A I think that I would not have cleared him if I had not felt that he was essential and if he had not already been so thoroughly steeped in the project. If the two were separated, I don't know. I can't say, because I was never faced with that, and it is awfully hard to try to recast it.

Q I will show you a photostat of a letter bearing your signature, dated 20 July 1943, and ask if that is the letter whereby you did give clearance to Dr. Oppenheimer?

A It is certainly my signature, because nobody has been able to forge it yet, and they have tried many times. Nobody could ever do it. I don't remember the exact wording. I do know that a letter of this general tenor was written. There is no question but what it was my letter.

Q I might read this into the record. It is stamped top secret, but it has been declassified:

"War Department,

"Office of the Chief of Engineers,

"Washington.

"20 July 1943 .

"Subject: Julius Robert Oppenheimer.

"To: The District Engineer, U. S. Engineer Office,
Manhattan District, P. O. Box 42, Station F, New York, New
York.

"1. In accordance with my verbal directions of 15 July, it is desired that clearance be issued for the employment of Julius Robert Oppenheimer without delay irrespective of the information which you have concerning Mr. Oppenheimer. He is absolutely essential to the project."

Signed, "L. R. Groves, Brigadier General, CE."

General, did your security officers on the project advise against the clearance of Dr. Oppenheimer?

A Oh, I am sure that they did. I don't recall exactly. They certainly were not in favor of his clearance. I think a truer picture is to say that they reported that they could not and would not clear him.

Q General, you were in the Army actively for how many years?

A I don't know. 1916 to 1948, and of course raised in it, also.

Q And you rose to the rank of lieutenant general?

A That is right.

Q During your entire Army career, I assume you were dealing with matters of security?

A Never before this thing started. We didn't deal with matters of security in the Army really until this time. The Army as a whole didn't deal with matters of security until after the atomic bomb burst on the world, because it was the first time that the Army really knew that there was

such a thing, if you want to be perfectly frank about it.

Q Certainly with your work in the Manhattan Project you dealt intensively with matters of security?

A I would say I devoted about 5 per cent of my time to security problems.

Q You did become thoroughly familiar with security matters.

A I think that I was very familiar with security matters.

Q In fact, it could be said that you became something of an expert in it?

A I am afraid that is correct.

Q I believe you said that you became pretty familiar with the file of Dr. Oppenheimer?

A I think I was thoroughly familiar with everything that was reported about Dr. Oppenheimer, and that included as it did on every other matter of importance, personally reading the original evidence if there was any original evidence. In other words, I would read the reports of the interviews with people. In other words, I was not reading the conclusions of any security officer. The reason for that was that in this project there were so many things that the security officer would not know the significance of that I felt I had to do it myself. Of course, I have been criticized for doing all those things myself, and not having a staff of

any kind, but after all, it did work and I did live through it.

Q General, in the light of your experience with security matters and in the light of your knowledge of the file pertaining to Dr. Oppenheimer, would you clear Dr. Oppenheimer today?

A I think before answering that I would like to give my interpretation of what the Atomic Energy Act requires. I have it, but I never can find it as to just what it says. Maybe I can find it this time.

Q Would you like me to show it?

A I know it is very deeply concealed in the thing.

Q Do you have the same copy?

A I have the original act.

Q It is on page 14, I think, where you will find it, General. You have the same pamphlet I have.

A Thank you. That is it. The clause to which I am referring is this: It is at the last of paragraph (b)(1) on page 14. It says:

"The Commission shall have determined that permitting such person to have access to restricted data will not endanger the common defense or security" and it mentions that the investigation should include the character, associations and loyalty.

My interpretation of endanger -- and I think it is important for me to make that, if I am going to answer your

question -- is that it is a reasonable presumption that there might be a danger, not a remote possibility, a tortured interpretation of maybe there might be something, but that there is something that might do. Whether you say that is 5 per cent or 10 per cent or something of that order does not make any difference. It is not a case of proving that the man is a danger. It is a case of thinking, well, he might be a danger, and it is perfectly logical to presume that he would be, and that there is no consideration whatsoever to be given to any of his past performances or his general usefulness, or you might say, the imperative usefulness. I don't care how important the man is, if there is any possibility other than a tortured one that his associations or his loyalty or his character might endanger.

In this case I refer particularly to associations and not to the associations as they exist today but the past record of the associations. I would not clear Dr. Oppenheimer today if I were a member of the Commission on the basis of this interpretation.

If the interpretation is different, then I would have to stand on my interpretation of it.

MR. ROBB: Thank you, General. That is all.

MR. GRAY: I would like to ask a question, General Groves. This relates to a question Mr. Garrison asked about the urgencies, whether the urgencies had been stepped up,

with respect to having these weapons ready towards the end of the war.

My recollection is that you said that there was not any acceleration as far as you were concerned?

THE WITNESS: No. My mission as given to me by Secretary Stimson was to produce this at the earliest possible date so as to bring the war to a conclusion. That was further emphasized by his statement that any time that a single day could be saved, I should say that day. The instructions to the project were that any individual in that project who felt that the ultimate completion, in so far as he understood it, was going to be delayed by as much as a day by something that was happening, it was his duty to report it direct to me by telephone, skipping all channels of every kind. So that urgency was on us right from the start.

MR. GRAY: And any instructions with respect to that which went to the laboratory at Los Alamos would have come then from you?

THE WITNESS: That is correct. I think for your information, while the laboratory officially was under General Nichols -- because the whole district was under Nichols -- by an understanding between Nichols and myself, because that left me doing nothing but telling Nichols what to do, and it was beyond his capacity to do everything, in general a division of direct responsibility was made and Nichols

took over essentially Oak Ridge and the general administration.

With respect to Los Alamos, it was directly my responsibility in every way, everything that happened. The orders were issued direct. We tried to keep Nichols informed to such extent as was necessary. So from a practical standpoint, although not on paper, the chain of command was direct from me to Dr. Oppenheimer.

DR. GRAY: One other question now. Do you recall any key personnel in the project who left the project because of unsatisfactory record or promise as security risks?

THE WITNESS: Oh, yes. There were some that were gotten rid of. A man named Hiskey, who very unfortunately happened to be a reserve officer, and was called to active duty and thus gotten out of it.

A man named Lomanitz's deferment on the draft was taken away. He was eventually drafted, although that took the utmost pressure. His draft board refused to remove the deferment. It became a matter of issue in which General Hershey had to issue direct orders that this exemption be removed, and that he be drafted. If he was not drafted, he was going to get rid of the entire state board as well as the local board, which apparently was controlled by an element that were not in accord with what you and I think they should be. The board insisted on this man's being deferred.

There were other people that we wished to get rid of that we were unable to get rid of because of the effect upon the organization as a whole. Those were men -- I don't think their names need be mentioned -- about whom I had suspicions. Also, I think bearing on this there was an early conversation with the Secretary of War's office at the time before I started dealing with the Secretary direct, in which I asked if it was possible to intern a particular foreign scientist, an alien, and I was asked what evidence I had, and my reply was that I had no evidence other than intuition. I just didn't trust him. I knew he was a detriment to the project. I didn't accuse him of disloyalty or treason, but simply that he was a disrupting force and the best way out of it was to intern him.

I was told that this man didn't want to take it up with the Secretary. I insisted on it. He came back and said, "General, the Secretary said we can't do that. General Groves ought to know that. I told the Secretary, of course, General Groves knew that would be your answer. He just still wanted to make a try." I think that is essential to realize.

In other cases, one of them at Berkeley, where I asked Dr. Lawrence or told him that I wanted a man to be gotten rid of, he said, "If I get rid of him -- don't misunderstand me, if you order it, I always accept your orders -- I want

to warn you that if he is gotten rid of, there will be no work done in this laboratory for at least a month, no matter what I try to do myself, and the effect may last for six months or a year because of the attitude of the scientific world which did not appreciate the need of security."

I think that attitude was prevalent in the country as a whole. It was very touchy, and you could not run this thing and say a man is either black or white. If he is black or has any tinge of it, out he goes, and there is no question about it.

MR. GRAY: Does the name "Weinberg" mean anything to you?

THE WITNESS: Oh, yes.

MR. GRAY: Would you mind --

THE WITNESS: Weinberg was one of -- I think some of the people over there could maybe amplify it a little -- he was as I recall one of four young scientists at Berkeley. The other names, if they are mentioned, I think I could remember them.

MR. ROBB: Might I mention them to assist: Weinberg, Bohn, Lomanitz and Friedman.

THE WITNESS: That sounds very familiar, and I think that is approximately right. Essentially they were a group about whom there was a great deal of gesticion. I never had any confidence in them at all from the time that we started

to get reports. They were not essential to the project. They were young men, and they could be replaced. But remember at that time there were not very many men and even a young man it was difficult to replace. But even so, we could get along without them.

MR. GRAY: You did indeed in some cases.

THE WITNESS: Oh, yes.

MR. GRAY: The project was successful, and some of these men left the project?

THE WITNESS: Yes, we got rid of them. But each one it was a terrible task to get rid of because it was not a case of my deciding he should go. First, the suspicion of the man, then a development enough to convince me, and then manipulation and just how were we going to do this thing. It was just as difficult as to get rid of a cabinet officer in Washington that the country is behind, because you had all of the political play in there. Men who would become violently excited about the most minor thing. If I went on to the laboratory or on to a plant and failed to speak to somebody who was there or didn't see him -- even at Oak Ridge I even had to go back at the expense of about three hours one day to speak to a superintendent that I had failed to see when I went through the plant and when he spoke to me, I had not answered him. When Nichols told me about it, I said "What is the damage?" He said, "You just got to go back."

So it took about three hours with our location down there, and I went back. That was true. Everybody with the exception of a few of us, like Nichols and myself, whose physical resistance maybe was better, everyone was worked to the point where they were tense and nervous and they had to be soothed all the time.

I say that so you get the picture of why certain people were not removed. You say why didn't you remove them? Sure I wanted to remove them, but it was not wise. I think it is also important to state - I think it is well known -- that there was never from about two weeks from the time I took charge of this project any illusion on my part but that Russia was our enemy and that the project was conducted on that basis. I didn't go along with the attitude of the country as a whole that Russia was a gallant ally. I always had suspicions and the project was conducted on that basis. Of course, that was so reported to the President.

MR. GRAY: One other question about individuals. You said that Dr. ^{Condon} Compton had been unsatisfactory in every respect. Does that include security? Did you have anything in mind on security in that regard, or loyalty?

THE WITNESS: I would say not in giving any information, but in setting up. He set up the rules at Los Alamos -- at least I always felt he was the man responsible for the rules -- that tended to break down compartmentalization.

He was the man who was primarily responsible for Los Alamos for the friction which existed. There would have been friction anyway. But the intensity of the friction that existed between the military officers who were trying to do the administrative operations out there so as to enable the scientists to work at science, Condon was the one who built all of that up.

The fact that he left there as he did and left this mess behind him, he left because of the reasons that he did leave. The fact that he of course later when he worked at Berkeley, he didn't do what I term an honest day's work, I might add for your clarification that the work he was engaged on at Berkeley was something that required a man of his capabilities. Dr. Condon was a first rate physicist. Don't misunderstand me. Lawrence and myself did not feel that this particular phase of the work was at all interesting to us. We thought it was just no hope at all. But we also felt that we could not allow this field to go unexplored just because of a curbstone opinion which is really what Lawrence and mine were because we didn't know anything about it -- I don't remember what it was now -- it involved mathematics to see if this was feasible.

We had Condon working on that with a small group of juniors. By doing that we definitely proved that we were right in saying that we should neglect it. He was

kept on there at Berkeley on a sort of part time basis, traveling back and forth. He was very unsatisfactory there. In other words, he just didn't do an honest day's work in our opinion.

He would also be going to Pittsburgh for his own family convenience. He would be leaving Pittsburgh because he wanted to get out to Berkeley for personal reasons. Then of course the situation came up with his attempts to go to Russia just before the bomb exploded to that scientific conference where a member of our State Department kept the Army from knowing about these invitations. I found out about it because our scientists told me that they had received invitations. So we checked our project to see that none of our people would go, and then at the last minute when the plane was about to leave, we suddenly discovered that some industrial scientists, namely Condon and Langmuir of General Electric were going, and I then raised the question as to whether they should go with their top company officials.

After discussion with GE, I withdrew any objection to Dr. Langmuir going. Of course, Dr. Langmuir has since represented that, but that is all right. I did not withdraw the objection to Condon going. I had the fullest support from the corporations concerned. Condon's passport was withdrawn and he made a terrific battle to go. That battle was so unrealistic and so completely lacking in

appreciation of what was the best interest of the United States that you couldn't help but feel that either he was such an utter fool that he could not be trusted, or else that he put his own personal desires above those of the welfare of the country and therefore he was in effect disloyal, even if it was not a case of deliberately going out to aid the enemy.

MR. GRAY: One other question about Dr. Condon.

When he left Los Alamos and assumed this other relationship at Berkeley, did he have any responsibility for personnel at either place?

THE WITNESS: He didn't leave directly for Berkeley. He was relieved from the project, and went back to the Westinghouse Company. It was later that he was picked up to go to Berkeley because we wanted to take a man that would not hurt the project in any way. As to his responsibilities for personnel at Los Alamos, that was one of his big responsibilities. To assist in recruiting personnel. The idea was that Dr. Condon, in my concept, and I believe Dr. Oppenheimer carried out that concept completely in so far as he felt that it was possible to carry it out because we both found out pretty soon that Condon was not competent -- Oppenheimer was to think the scientific problems and to establish the schedule of scientific and technical work. Condon was to run everything connected with the procurement of

personnel, the operation of the personnel, their relations with the military, and all that. The military was to run the housekeeping. As I say, Condon failed in that. Oppenheimer started to move into the personnel thing. Of course, Oppenheimer still had at the beginning to get the senior personnel, but building up and getting all the arrangements was supposed to be Condon's responsibility.

MR. GRAY: This is while he was identified with the project.

THE WITNESS: Yes.

MR. GRAY: When he left, he had no responsibility?

THE WITNESS: That is right. He had no responsibility. He left with, I would say -- both Dr. Oppenheimer and myself -- we had the utmost distaste for Dr. Condon. There was the utmost cooperation in getting this thing on a plane where you might say we had Dr. Condon on the record in a way that he has never liked to have it disclosed since, that he had not done a good job out there.

MR. GRAY: My next question involves a considerable change of pace, General.

THE WITNESS: That is all right, sir.

MR. GRAY: Do you think that the Russian effort to develop this kind of weapon has in any way, as you look back on history, been accelerated by any information they may have gotten one way or another from our own people?

THE WITNESS: Oh, yes. There is no question. If I can go into that a little bit, first they got information as to our interest essentially through espionage at Berkeley. These are all conclusions. You can't prove them, of course.

MR. GRAY: I understand.

THE WITNESS: They got the thought that we were interested there. They certainly had gotten before he ever came to the country -- they must have gotten information from Fuchs that Britain was interested in this affair and that we were, too, because up until the time I came into control, there was a complete interchange of scientific information between Britain and America on this. If the British didn't know everything we were doing, it is because they were stupid, and they were not on the job. I don't think they did, but they knew most of it.

The next disclosure outside of that particular thing is that whatever Fuchs passed during the war, and I don't think he passed too much until near the end, they undoubtedly knew certain things -- they had good espionage -- and they knew a lot of things that were going on.

For example, when we had trouble at Hanford and our piles suddenly quit -- I think that is generally known, again that is not secret, but I wouldn't like to have it repeated -- we had trouble with our piles. The trouble existed because this was a sudden disclosure of a scientific

effect that nobody had anticipated. The reason we had not anticipated that was because we had never operated our pile at Chicago, our preliminary work there, continuously. We had not operated continuously because my orders to the Chicago laboratory were directly and deliberately disobeyed. I had said that they will be operated continuously. We don't know what will happen. Let us find out. Of course I didn't anticipate this scientific problem, but after all, any engineer knows you ought to operate something continuously.

The power worked so well at Chicago that they operated it only during nice convenient hours. So we never got this effect that was so disastrous at Hanford. My officer in charge at Chicago failed because he didn't report that they were not carrying out my orders, which he should have done if he could not get them to comply.

When this thing happened at Hanford, it was known by people that had no right to know it within -- I can't recall the exact time now -- I think it was 48 hours. It was known in New York by somebody who was not in the project. To get to New York, I had to trace out this thing. I think it went from Hanford to Chicago, which was legitimate. It went from Chicago to Montreal which was not legitimate. It went from Montreal to someone else in Canada, and from that it went to New York. I didn't have to have that diagram. We found out that this man had an inkling that something

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had happened, and that was enough to show the extent of this kind of espionage.

There was a great deal of loose talk about it by scientific people, as I say, breaking down my compartmentalization rules.

Of course, I always knew that if you have this many people on a project, that somebody is going to be faithless and somebody is going to betray you, and that is why we had compartmentalization.

Then after the war when the May case broke in Canada, that of course was pure luck, what May had done. Apparently May gave to the Russians a sample of U-233 and a sample of something else. I think it was plutonium. I don't recall now. But the U-233 was all important because that indicated to the Russians that we were interested in thorium, which could only be produced that way. The result of that was most unfortunate.

Then the next thing that happened was -- I didn't know this until later--- apparently there was a diary kept up there with certain names in it. I have never been able to get the truth of that, because people who were involved have clammed up. They were not people who were friendly to me in the main, anyway. They were not people who would disclose matters to me. But I believe there was a diary. I believe Fuchs' name was in that diary, a list of

acquaintances or addresses, that was in the hands of somebody in that Canadian ring. I have always thought it was Fuchs. It has been told it was somebody else. Fuchs' name was in that. That list was supposedly disclosed to people in the United States, not in the project, but outside of the project, and the list was never shown to me, the one man who should have had it shown to him by all means.

There were attempts on the part of our government to keep me from knowing about this Canadian affair. I was told U.K. of it by Dr. Chadwick, the British scientific representative. I should have been told by our top officials whoever got the first word from Canada. I should have been told. I was not consulted about it in any way.

I think that led probably to the damage of Fuchs, that Fuchs did. Of course, the Fuchs case to me was a very bitter affair, because the British Government deliberately lied about Fuchs. I said that with emphasis to the fullest. Not only did they lie once, they lied three times in writing. I first asked for this group of which Fuchs was a member, have they been cleared? The answer was yes, they have been cleared. They are perfectly sound.

I said that is not satisfactory. I have to have more than that. They came back then with a letter that said these men had been Q cleared by our investigative agencies over in England. I think they call it, what is it, G-5, or something

U.K.

of that kind. In other words, a combination of military intelligence and the FBI. I refused to accept that.

Then they came through and said that these men, and they named them, including Fuchs, have all been cleared on the same standards which you would use in this country for men who were going to know the same things. They brought up at that time or shortly thereafter or shortly before that some of the men coming over were of German birth, that they were not English citizens, that some of them had been made English citizens by act of parliament. Frisch was related to Ellissa Meitner or was at least a nephew of Peierls and Sir John Simon, either were not British citizens or were made British citizens by act of parliament.

In other words, they had not fulfilled the usual requirements. Never did they mention that Fuchs was German born or was being made a citizen or had been by act of parliament, that Fuchs was a Communist or had a Communist background, that Fuchs had been interned in Canada as a German, and then released, all of the things that would have made me say, "Well, leave Fuchs at home." None of that was given.

As I say, it was repeated and they knew what the story was, and yet they brought Fuchs over. Unfortunately Fuchs was in the delegation of British who came and discussed with us the gaseous diffusion process which was the one

process we had that we really took our hair down and told them all about because the feeling was that they had initiated that process and they could be helpful.

There was also a very strong element, I would say 98 to 99 per cent of the scientific personnel on the project, who considered the gas diffusion process a mistake, including the people who were actually responsible for the development. Dr. Urey, who was the head, violently opposed it. He said it couldn't possibly work. So it was not unreasonable to let the British look at it.

Of course, as you know and is well known, I was not responsible for our close cooperation with the British. I did everything to hold back on it. I would say perfectly frankly I did the things that I have sort of maybe by implication blamed on my scientists for doing. I did not carry out the wishes of our government with respect to cooperation with the British because I was leaning over backwards.

That information that Fuchs gave was all important. The mistake that was made at Los Alamos in breaking down compartmentalization was vital to Fuchs, because Fuchs later went to Los Alamos, it was vital to Fuchs, and the information he passed to the Russians.

But in doing that, I think it is important to realize this with respect to Fuchs. If we had limited it to a small group, say just the top people, Fuchs might still have

been in that group. Fuchs would also have worked on the hydrogen bomb as one of the subordinates, and would have passed that information.

With the British not being completely under my control, I think it would have been passed on by the British group to Fuchs, whether we had the compartmentalization strictly observed there or not. But irrespective of that, I feel that was one of the disadvantages of the breakdown of compartmentalization.

MR. GRAY: You think there was information, and it seems clear that Fuchs was involved in the transmission of information, you think it was confined exclusively to Fuchs?

THE WITNESS: No., I think the data that went out in the case of the Rosenbergs was of minor value. I would never say that publicly. Again that is something while it is not secret, I think should be kept very quiet, because irrespective of the value of that in the overall picture, the Rosenbergs deserved to hang, and I would not like to see anything that would make people say General Groves thinks they didn't do much damage after all.

On the situation as a whole, our reliance, when we first talked after the war about what the time limits were on the Russians and it is quite possible I talked to you about it when you were Secretary of the Army -- I don't recall, I certainly made no bones about it -- our reliance

on what the Russians could or could not do was based on primarily the supplies of material which I felt would be available to them, that is raw material, and on the basis that there would be no general relaxation of security rules beyond the Smyth report, and the declassification study which said that could be released.

In that the criterion -- and that criterion was established by a committee of eminent scientists, but like all committees, it was under pretty rigid control by me because I had the chairman, Dr. Tolman, who was in complete sympathy with me as far as I know, I had the secretary, who was an officer and a distinguished chemist handling that end -- and they were told in advance what should be the criterion and they got the board to agree to that criterion. Nothing was recommended for declassification where it was felt that would be of any assistance to the Russians in developing the bomb.

Later, that has been stretched and stretched, and there has been a tremendous amount of data published. As you know I fought the battle. I did not win. The American people and the Congress and everybody else was opposed to me. It has always been said, get the information out, and there has been a great laxness there.

I think the primary reason was that the Russians got into these materials in Saxony. We didn't know about

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and I am sure he did. We were never too much concerned about that, because I personally felt that the electromagnetic process was a process, while it was of extreme importance to us during the war, and we saved at least a year's time by doing it, that it was not the process we would follow after the war. That is one reason why we put silver in those magnets, because we knew we would get it out.

DR. EVANS: General Groves, I would like to ask one question that is not very important, and maybe you can't answer it. There are some things that appear in magazines that is almost classified information. That article in Life, do you remember seeing that?

THE WITNESS: No, I didn't read that.

DR. EVANS: I think it was Life. It contained a lot of material that I did not think was unclassified. Did any of you people read that article?

THE WITNESS: I have not read that, but I can tell you that I am constantly being shocked by what I see. With respect to that, to clarify a little my previous answer to Mr. Gray, because I am reminded of this by your question, during the war there were two things that came out that annoyed me tremendously. The last one was kind of funny but it still annoyed me. I thought that is an awfully cheap thing to do.

As you know, we had the utmost cooperation from the

That is very definite. Our relationships were generally good. But on one occasion a newspaper wanted to print news about Hanford and what a tremendous development was out there. They had their reporter out and they had their story written and it was a bangup story. We found out about it, and they were told no, they could not print it. Of course, that was handled through press censorship. We didn't deal directly with them. They said there are thousands of people that know it, and they would not agree with our philosophy which was that thousands of people could know it but that is no sign the Russians did, or the enemy -- we could not talk about the Russians too much then. So that they agreed not to publish it.

About a month afterwards a Congressman from Oregon, I think his name was Angell, suddenly made a speech on the floor of the House appealing for more appropriations for the Interior Department for, I think, installation of electric generators in Grand Coulee, or something of that kind, and among other things he said that there was this tremendous plant with great electrical demand at Hanford, Washington.

The paper came out with this. It was a little squib on the interior page. It said the Congressional Directory contained the following today and it just quoted that absolutely. As I say, I thought it was awfully poor. I knew it had not been top management. I think it was somebody who got smart. But there was one very serious break that

disclosed during the war -- to me, if I had been a Russian I think if the intelligence of Kapitsa and the background or the intelligence of anyone else who was working on this project -- it would have indicated that the way to produce an atomic bomb was in some way to take care that it might be based on implosion. I don't know if anyone else in the room saw that article. I think I probably discussed it with Dr. Oppenheimer at the time.

DR. EVANS: I saw it.

THE WITNESS: It was a terrible article. There just was not anything we could do. I was just a s certain as I could be that somebody was just trying to get that information out. I don't know who was responsible. We, of course, did almost nothing about it, because that is the kind of thing you don't do anything about. We prevented in this country the republication of articles appearing abroad, particularly in Scandanavian papers, that disclosed ideas. We made no mention, for example, in the press dispatches when the heavy water plant was finally destroyed in Norway. They might be described in detail in the Scandanavian press. We objected and were successful in having them not reprinted on the ground that would indicate to the Russians some interest. I don't know how successful we were in keeping the Russians from realizing what a tremendous effort this was, and how hopeful we were, and what the effects would be, but judging

from the Russian attitude, I would say that they did not appreciate the strength of this weapon until it dropped on Hiroshima, and they were told of the effects. They still did not appreciate it until after Bikini, because the attitude of the Russian delegation at the United Nations, which of course was very responsive to Moscow as you know, changed completely, not immediately after the explosion, but within about 24 hours of the time that the ships returned to San Francisco, and the Russian observers who were there against my wishes -- as you know, I did not control Bikini -- got ashore and went to the Russian consulate. Within 24 hours to 48 hours, the whole attitude of the Russian delegation at the United Nations changed, and this became a very serious matter, instead of just being something, "Oh, well, it doesn't amount to much." That would indicate to me that they had not been convinced by their espionage of just how important this all was.

MR. GRAY: Mr. Garrison.

REDIRECT EXAMINATION

BY MR. GARRISON;

Q General, Dr. Oppenheimer had no responsibility for the selection or the clearance of Fuchs, did he?

A No, not at all. He had no responsibility whatsoever, as far as I can remember. He had no responsibility for it, and I don't recall his ever having asked me to get an

Englishman at the laboratory in any way, nor did he suggest their need. He acquiesced when I said I thought we should get them there in view of things, and because we desperately needed certain assistance that those men can give. They were a scientific reservoir. There was not any use in trying to keep them out, as I saw the picture. In other words, I tried to be reasonable about it. I didn't try to oppose the administration when I knew I was going to get licked. After all, I had been in Washington for many, many years.

Q All this talk about espionage, you didn't mean to suggest by anything that you said with respect to it that Dr. Oppenheimer had anything whatever to do with espionage activities with foreign agents?

A Oh, by no means. Dr. Oppenheimer was responsible as the Director of the laboratory for assisting in every possible way our security and defense against espionage at Los Alamos. If you look down the chart, he might be responsible to a certain degree for operation of the security officer. It was more in the way of assisting that officer and of advising me or this officer's superiors if he thought the officer was not doing a good job. But the officer from a practical standpoint did not report to Oppenheimer excepting as a matter of courtesy.

Q So you would not want to leave with this board even by the remotest suggestion that you are here questioning Dr.

Oppenheimer's basic loyalty to the United States in the operation of the Los Alamos plant.

A By no means and nothing about the espionage. I think it is very important if there has been any misunderstanding that Dr. Oppenheimer was not in any way responsible for anything to do with the protection of the United States against espionage, excepting cooperation which was natural as the head of the scientific effort out there. By no means was there any intent to imply. I hope I did not lead anybody to think otherwise for an instant.

Q After Dr. Oppenheimer resigned as the director of the project, did he remain as a consultant for the Manhattan District?

A Apparently he did. I didn't realize that until somebody asked me about it, or something was said here earlier. I think he did. I don't think he was on the payroll in any way. But certainly I would not have hesitated to ask him any questions or to discuss anything that was of a secret nature during that period I remained in control. For one thing, there was nothing that came up with which he was not already thoroughly familiar. There was no possibility of anything in that. So the question never arose. I think also as I recall he was a member of this declassification board although I am not certain of that. That would be in the record and of course he would know. That was the one

chairmanned by Dr. Tolman.

Q You have given us your interpretation of the requirements of the Atomic Energy Act, General Groves. Leaving the Act to one side or supposing that it provided that the test of the employment of a man in Dr. Oppenheimer's position should be what is in the public interest, would you say that the revocation of his employment would be in the public interest if that is the way the Act read?

A The revocation under such extreme publicity as has occurred I think would be most unfortunate, not because of the effect on Dr. Oppenheimer -- that I leave to one side -- but because of what might be a very disastrous effect upon the attitude of the academic scientists of this country towards doing government research of any kind, and particularly when there was not any war on. I think you can refer back to history as to the attitude of the average academic man in 1945 when the war was over. They were exactly like the average private in the Army who said to himself, the war is over, how soon can I get back home to mom and get out of this uniform. That was the way the average academic scientists felt. He wanted out. He wanted to be where he could resume his old academic life, and where he could talk and not have to be under pressure of any kind.

What happened is what I expected, that after they had this extreme freedom for about six months, they all

started to get itchy feet, and as you know almost every one of them has come back into government research, because it was just too exciting, and I think still is exciting. Does that answer your question?

Q Yes. I have, General, a copy of a letter which I am sure you recall from yourself to Dr. Oppenheimer, dated May 18, 1950. I would like to read it, if I may, into the record. I am sure you have no objection to that.

A No. Anything I wrote I have no objection to whatever.

Q This is on the letterhead of Remington Rand, Inc. Laboratory of Advanced Research, South Norwalk, Conn. May 18, 1950.

"Dr. J. Robert Oppenheimer

"The Institute for Advanced Study

"Princeton, New Jersey.

"Dear Dr. Oppenheimer:

"If at any time you should feel that it were wise, I would be pleased to have you make a statement of the general tenor of that which follows:

"General Groves has informed me that shortly after he took over the responsibility for the development of the atomic bomb, he reviewed personally the entire file and all known information concerning me and immediately ordered that I be cleared for all atomic information in order that I might participate in the development of the atomic bomb. General

Groves has also informed me that he personally went over all information concerning me which came to light during the course of operations of the atomic project and that at no time did he regret his decision."

"I don't believe that you will find any need to make use of any such statement, but you might, You might wish to show it to some individual for his use in handling unpleasant situations, if any arise.

"I have been very much pleased with the comments that have been made by various persons in whose judgment I have more than average faith, such as the reported statement of Representative Nixon that he had 'complete confidence in Dr. Oppenheimer's loyalty.' This was made in a speech at Oakdale, California.

"I am sure of one thing, and that is, that this type of attack, while it is unpleasant, does not in the end do real damage to one's reputation.

"I wonder if you saw the editorial in the Washington Post to the effect that the way to cripple the U.S. atomic energy program would be to single out a few of the foremost nuclear physicists and dispose of them by character assassination. When I remember how the Post has written about me, it makes me wonder just who wrote this particular editorial.

"I do hope that you are finding life enjoyable and

not too hectic and that I will have the pleasure of seeing you again before too long.

"My very best to Mrs. Oppenheimer.

"Sincerely yours" signed "L.R.Groves, Lt. General U. S. Army (Retired)."

General, if Dr. Oppenheimer had had occasion to make this statement public, needless to say it would have been the quoted portion as set forth in your letter. But I think it appropriate in this executive session to put the whole letter in the record and ask you if the expressions of confidence in him contained in this letter you wrote hold?

A I think the letter is something that was absolutely what I thought at the time that I wrote it. I think if you interpret it in that light and know what has happened since, that you can draw your own conclusions as to what I feel today.

MR. GARRISON: That is all.

MR. ROBB: May I ask another question?

MR. GRAY: Yes.

RE-CROSS EXAMINATION

BY MR. ROBB:

Q General Groves, I show you the memorandum which you wrote to the Secretary of War under date of March 24, 1947, and ask you if you recall writing that?

A No, I don't recall. Oh, yes, surely I recall writing this. I know I wrote it because again my signature

is there, and nobody ever successfully forged it.

MR. ROBB: I think it might be well, Mr. Chairman, so the record would be complete, if I read this in the record, too.

"War Department

"Washington

"March 24, 1947.

"Memorandum to the Secretary of War.

"Subject: Loyalty Clearance of Dr. J. R. Oppenheimer.

"In accordance with our telephonic conversation, I express below my views relative to the loyalty of Dr. J. R. Oppenheimer.

"When I was first placed in charge of the Atomic Bomb development in September 1942, I found a number of persons working on the project who had not received proper security clearances. One of these was Dr. Oppenheimer who had been studying certain of the theoretical problems concerning the explosive force of the bomb. The security organization, then not under my control, did not wish to clear Dr. Oppenheimer because of certain of his associations, particularly those of the past. After consideration of the availability and caliber of suitable scientists, I decided that it would be in the best interests of the United States to use Dr. Oppenheimer's services. Prior to this, I reviewed Dr. Oppenheimer's complete record personally. It was apparent to me that he

would not be cleared by any agency whose sole responsibility was military security. Nevertheless, my careful study made me feel that, in spite of that record, he was fundamentally a loyal American citizen and that, in view of his potential overall value to the project, he should be employed. I ordered accordingly that he be cleared for the Manhattan Project. Since then, I have learned many things amplifying that record but nothing which, if known to me at that time, would have changed my decision.

"In connection with the above statement, it must be remembered that the provisions of the Atomic Energy Act of 1946 did not control my actions prior to the enactment of that law. My decisions in respect to clearances of personnel were based on what I believed to be the best overall interests of the United States under the then existing circumstances. As I have long since informed the Atomic Energy Commission, I do not consider that all persons cleared for employment by the Manhattan District, while under my command, should be automatically cleared by the Atomic Energy Commission, but that that Commission should exercise its own independent judgment based on present circumstances."

Signed "L. R. Groves, Major General, USA."

THE WITNESS: Might I ask the date?

BY MR. ROBB:

Q March 24, 1947. I thought I read that.

A Oh, you did.

C Do you care to comment on that?

A Yes, I would like to comment on that.

Q Yes, sir.

A It is my recollection, and particularly reinforced by those letters that you read previously and something that appeared in some paper which I know was true, that it was about this time that the Atomic Energy Commission reviewed this question of Dr. Oppenheimer's usefulness on the project. They apparently, I think at that time that they actually reviewed it -- and the paper stated it was March 8 that Lilienthal got a telephone call or that it was taken up by the Commission in response to a letter or something of information from J. Edgar Hoover -- I believe I was in Florida at the time, because I had gone down there about that time to try to get away from Washington, and particularly to get away so that I would not be in Washington during the confirmation fight on the Hill on Lilienthal and the other Commissioners. The War Department insisted on my coming back. They thought, I think, ten days was enough leave for me. They exerted all kinds of pressure on the Surgeon General and I was finally sort of forced to come back much sooner than I wanted to come back. It was not health; it was just a case I wanted to be out of Washington during that time. I thought it was wise from the standpoint of everybody,

glad to have had you as a witness.

THE WITNESS: Thank you very much for letting me come in.

MR. GRAY: We will take a recess now, gentlemen.

(Brief recess.)

MR. GRAY: Mr. Robb, are you ready?

MR. ROBB: Yes, sir.

Whereupon,

J. ROBERT OPPENHEIMER

a witness having been previously duly sworn, was recalled to the stand and testified further as follows:

CROSS EXAMINATION (Resumed)

BY MR. ROBB:

Q Dr. Oppenheimer, yesterday we discussed for a little bit David Joseph Bohm. Do you recall that?

A I recall most of it, I think.

Q You testified that in accord with your letter of answer to General Nichols that you asked for the transfer of Bohm to Los Alamos. Do you recall that?

A Surely.

Q What did you know about David Joseph Bohm's academic background? In other words, his record as a scholar?

A He was a good student, a very good student.

Q Where had he been a student?

A At Berkeley.

Q Do you recall that his grades were not very good at Berkeley?

A No. I think the grades he got from me were probably good. He has made a very great name for himself as a scientist.

Q You testified, as I recall, that you had seen Bohm and Lomanitz at Princeton before they appeared and testified before the House Committee.

A This was pure accident. I was walking from the barber.

Q Thereafter you read the transcript of their testimony.

A Yes. I don't know how carefully I read it, but I read it.

Q It was a matter of interest to you, though, was it not?

A Naturally.

Q Did you notice that both Bohm and Lomanitz declined to answer upon the ground of possible self incrimination when asked whether or not they knew Steve Nelson?

A I recognize that.

Q Did that make any particular impression upon you?

A I concluded that they did know him.

Q You also concluded, did you not, that the fact that they knew him might cause them to be incriminated in some criminal proceeding?

A Right.

Q It was not an unreasonable conclusion on your part, was it, that the criminal matter might be espionage?

A I had been told in that interview in the spring of 1946 with the FBI that the investigation concerned their joining the Communist Party.

Q But didn't you conclude when you read their testimony refusing to admit or answer whether or not they knew Nelson that they might have been involved in espionage with Nelson?

A I didn't conclude that they were. I didn't conclude anything, sir.

Q Didn't you conclude that they might have been?

A I didn't draw any conclusion.

Q What did you think they might have been incriminated in by their answers?

A Membership in the Communist Party?

Q Is that all?

A That is all I knew about.

Q Did you see Bohm after he testified?

A I am sure I did.

Q Did you talk with him about his testimony?

A No.

Q You did not cross him off your list of friends after he testified, did you?

A We were in Princeton not really friends. We were

acquaintances. I didn't cut him. I didn't run away from him. I don't believe there was any real problem.

Q Was there any change whatever in your relationship with and your attitude towards Bohm after he testified?

A I was worried about his testimony. I didn't like it.

Q Was there any change in your relationship with Bohm or your attitude toward him?

A My attitude I have just described.

Q Was there any change in your relationship?

A I find it hard to answer that question because the relationship was not a very substantial one.

Q You said you were worried about his testimony. What do you mean by that?

A I don't like it when people that I know have to plead the Fifth Amendment.

Q But you testified yesterday that you would, had he asked you, given him a letter of recommendation after that.

A A letter of recommendation as a competent physicist.

DR. EVANS: Bohm is publishing scientific articles now, is he?

THE WITNESS: He is.

DR. EVANS: What university is he at?

THE WITNESS: University of Technical Institute or something at Sao Paulo, Brazil.

BY MR. ROBB:

Q Did you know a man by the name of Mario Schoenberg?

A I think that is right. I was there last summer and I didn't see Schoenberg.

Q Do you know him?

A No.

Q Do you know anything about him?

A He is reputed to be an active Communist.

Q You have been told he was?

A Yes.

Q Did you and certain other persons sign a letter in his behalf in 1952, I believe it was?

A Schoenberg?

Q Yes sir.

A I don't remember it. I was told he was a Communist last summer when I was in Brazil.

MR. GRAY: I would like to ask if this was referred to in General Nichols' letter, do you recall?

MR. ROBB: Not specifically, no, but it was covered in general terms. May we pass on to something else while we try to find it?

THE WITNESS: Let me stipulate. I learned of Schoenberg as a rather great scandal among the physicists in Brazil last summer. I don't know what the incident involving him was, or what the problem involving him was, but obviously if there is a petition or letter of record, I don't want to

put you to the trouble of digging it up.

MR. GARRISON: Yes.

THE WITNESS: You want to see it?

MR. GRAY: I just want to call attention to the fact that this letter was not specifically referred to.

MR. GARRISON: This is totally new to us. We have never heard of the man as far as counsel is concerned.

MR. GRAY: I am calling your attention to the fact that it is probably something new.

MR. ROBB: We do not have it here. I will come back to it.

MR. GRAY: Will you return to this?

MR. ROBB: Yes, sir.

THE WITNESS: I should not stipulate anything.

MR. SILVERMAN: No, not as to a letter you couldn't remember.

THE WITNESS: I don't remember.

MR. GARRISON: Mr. Chairman, I would like to request at this point that subject to check by you with counsel that this whole matter of Dr. Oppenheimer's relations if any with this man Schoenberg be not considered a part of the record until the item has been checked.

MR. GRAY: This portion of the record beginning with the first question about Schoenberg at this point will be stricken until you are prepared to read the letter.

MR. ROBB: I have it here now, sir.

MR. GRAY: Was that your suggestion?

MR. GARRISON: No, I would like to make sure it does have some relation to Bohm or Lomanitz or some one of the people mentioned here. Otherwise, it is completely new and I think we should have a little notice of it, if we may. That is what I meant by a check.

MR. GRAY: I think it would be well for counsel to read the letter and see whether you wish to make any suggestions.

MR. ROBB: I will show this photostat to the doctor, and ask him if he did in fact sign this letter.

I am sorry about the date, Doctor; it was in 1948.

MR. GARRISON: Would you show it to us?

MR. ROBB: Yes, indeed.

MR. MARKS: Why don't you let us take a look at it first, Mr. Robb?

THE WITNESS: I will identify my signature and the company, but I will also shut up.

MR. GARRISON: Mr. Chairman, I think strictly speaking it is not within the purview of the letter but we have no objection at all to its being read.

MR. ROBB: Very well.

BY MR. ROBB:

Q Doctor, I will read you this letter, or rather a

photostat of it. At the top it bears the typewritten legend: "Despatch No. 743, June 1, 1948. To Department - EPKeeler/eljg." Below that in printing, "Palmer Physical Laboratory, Princeton University, Princeton, New Jersey. May 20, 1948." Stamped "American Embassy, June 1, 1948."

"The Honorable Herschel V. Johnson,

"American Ambassador,

"Rio de Janeiro, Brazil

"My dear Mr. Ambassador:

"Professor Mario Schoenberg who was a guest in our laboratories at Princeton for several months a number of years ago, we have heard to the dismay of all of us, has been imprisoned at Sao Paulo since March 30th without any formal accusation or any legal process. Can you do something to have his case reviewed? Schoenberg has made significant contributions to mechanics, classical and quantum electrodynamics, astrophysics and cosmic ray physics. He is the leader of the school of theoretical physics at Sao Paulo. His imprisonment has stopped not only the work of one of the leading Brazilian scientists, but also his training of new Brazilian scientists, which is possibly even more serious. We have been told that Schoenberg is a Communist. It would appear most unfortunate if the apparently illegal imprisonment of Schoenberg could be used by communists and fellow travelers to make him into a martyr for civil liberties. Both

on this account and for the sake of science we hope you can do something either to get him freed directly or to have him brought to a fair trial.

"Respectfully yours,

"P. A. M. Dirac, Professor of Mathematical Physics,
Institute for Advanced Study.

"S. Belfschetz, Chairman, Mathematics Department,
Princeton University.

"J. R. Oppenheimer, Director, Institute for
Advanced Study.

"John A. Wheeler, Professor of Physics, Princeton
University.

"Eugene P. Signer, Professor of Mathematical
Physics, Princeton University."

Did you sign that letter, sir?

A My signature is authentic.

Q Had you known Schoenberg before this?

A It is my impression that I had not. I don't have an image of what he looks like. I was not in Princeton some years prior to that letter.

MR. GARRISON: Mr. Chairman, if Mr. Robb is going to pursue a line of questioning about this which is so far as we are concerned new matter -- we make no technical objection to its being introduced -- I think it would be fair if we might have a five minute recess to discuss with Dr. Oppenheimer

what he knows about this man.

MR. ROBB: Why don't I defer this matter until after the luncheon recess.

MR. GARRISON: All right.

BY MR. ROBB:

Q Doctor, do you have before you your letter of answer to General Nichols again?

A I do.

Q Will you turn to page 7, the middle paragraph, where you state, "I contributed to various organizations for Spanish relief" -- can you tell us what they were?

A I mentioned the North American Committee yesterday afternoon. That is the one whose name sticks in my mind, but there were others.

Q Do you recall any others?

A I have forgotten the name of the other or rival organization. There was something about medical aid, an organization devoted to that.

Q I believe you said your contributions were mostly in cash?

A I think so. I am not very clear about it.

Q You told us something of Dr. Addis yesterday and also Rudy Lambert, who is mentioned in the next paragraph. Addis was either a Communist or very close to a Communist.

A Yes.

Q Lambert was a Communist to your knowledge?

A Eight.

Q You told us that Addis died, I think, in 1950, is that right?

A I am not sure of that date.

Q Approximately, then.

A Approximately.

Q You say here, "Addis asked me perhaps in the winter of 1937-38 to contribute through him to the Spanish cause."

Do you recall the circumstances under which he made that request to you?

A He invited me to come to his laboratory to talk to me about it.

Q And you went?

A I went.

Q Did you talk to him privately?

A Yes.

Q What did he say to you?

A He said, "You are giving all this money through these relief organizations. If you want to do good, let it go through Communist channels, through Communist Party channels and it will really help."

Q Is that all he said?

A That is the substance of it.

Q Was there anything said about the amount of your

contributions?

A He said what I could.

Q Did you tell him what you thought you could?

A I don't think I made up my mind at that time.

Q Did there come a time when you did?

A No, except as we went on.

C Then you say, "He made it clear that this money, unlike that which went to the relief organizations, would go straight to the fighting effort." What do you mean by "the fighting effort"?

A I understood that it meant getting men into Spain in an international brigade and getting equipment for them. That is what I understood. This was, I believe, an illegal operation, but I am not sure.

Q Were you so advised at the time?

A I was not advised, no.

C Is that why you made your contributions in cash?

A I think it would have been a good reason for it. I ought to say that I did a great deal of my business in cash.

Q Was there any other reason for making your contributions in cash?

A I think I have stated it.

Q You have stated the specific reason. Wasn't the reason in general that you wanted to conceal them?

A I didn't want to advertise them, certainly.

Q Reading further from your answer at the top of page 8: "I did so contribute usually when he communicated with me explaining the nature of the need."

.How often would he communicate with you to explain the nature of the need?

A I would think maybe five or six times during the time I was in Berkeley. A year.

Q Five or six times a year?

A Yes.

Q What would be the nature of the need that he would explain?

A First, it was the war, and then later it was something else. He would tell me about the fighting, he would tell me that they were hard up. He would paint the picture of the desperate situation as it rapidly developed and what money could do for it.

Q You said later on it was something else. What was that?

A That was the problem of getting the Spanish Loyalists out of the camps in France and getting them resettled. Don't misunderstand me. I am not talking of this in contemporary terms, but in the terms that I understood in those days.

Q What do you think now the need was?

A I think probably if the money went through Communist

channels, the money was to rescue Communists.

Q You knew it was going through Communist channels.

A I knew it.

Q For how many years did that go on?

A You have fixed the date in early 1942. I have the feeling that is about right.

Q You mean you think your last contribution was probably in early 1942?

A Yes, in early 1942.

Q Starting in 1937 or earlier?

A Yes.

Q In other words, it continued for approximately four years?

A Yes.

Q What was the average yearly amount that you gave through those channels?

A I never totaled it up.

Q I know that.

A I should think more than \$500 and less than \$1,000.

Q Doctor, I don't mean to pry into irrelevant matters of your personal life or affairs, but your income during those years was probably between 15 and 20 thousand dollars a year, wasn't it?

A No, that is on the high side.

Q Would it have been \$15,000?

A I think my salary was \$5,000. I have not looked it up. I believe we got about \$8,000 or so in dividends and interest.

Q Doctor, I am not trying to trap you.

A No, no. It was not under \$12,000 and not over \$18,000.

Q I have looked at your income tax return for, I think, 1942, and it seemed to me to be about \$15,000.

A Good.

Q That was your state income tax return. So that it would be perfectly possible for you to give him \$1,000 a year or even more, wouldn't it?

A Sure. I was not using the money I had for my personal needs.

Q You might have given him as much as \$150 a month on the average?

A That is a leading question.

Q Yes, I know.

A I could have as far as the money I had available.

C And you have no definite recollection as to just how much you did give him?

A I remember once giving \$300.

Q In cash?

A In cash.

Q What was the need that he explained to you for that

money?

A I believe that was just before the end in Spain, that is, of the war.

Q What was the need?

A The need was to prevent defeat.

Q You mean mort cartridges or something?

A More people.

Q Your testimony is that Addis started you off on this, or rather your answer states that Addis started you off, and your testimony is, too, and there is a time when he brought in Isaac Folkoff.

A Right. He told me he had been giving the money to Folkoff and Folkoff could explain things just as well.

Q Was any reason given to you why Folkoff executed for Addis?

A None.

Q By the way, where did you usually give him this money -- in your house, or where?

A Sometimes when he was coming to Berkeley. More often I went to San Francisco and very often went to visit him in his laboratory or in his home. It wasn't a regular meeting. Sometimes we met casually and he talked to me and we would fix a meeting.

MR. GARRISON: May I ask the clarification whether the "he" refers to Folkoff or Addis?

BY MR. ROBB:

Q I am talking about Addis. Did you follow the same system with Folkoff?

A Yes.

Q Was there any difference?

A No, except that Folkoff came less frequently to Berkeley.

Q Did you ever go to Folkoff's house or office to give him money?

A I don't remember his office or his house, but I won't at this stage deny it.

Q About when was that when Folkoff came into the picture?

A I don't remember. I can make a guess. In 1940. But it is a guess.

Q You testified that Addis told you Folkoff would take over, and he would explain things to you, is that correct?

A Yes.

Q What did Folkoff explain to you?

A With one or two exceptions it was all the business about the refugees, the camps in France, the resettlement problems, and how much it cost and how much it cost to get to Mexico, and all the rest. This was the campaign.

Q What were the exceptions?

A I remember one. The one I remember was a campaign --

this occurred more than once -- to organize the migratory labor in the California Valley. I understood that Communists were involved in that.

Q I was about to ask you a campaign by whom, and the answer would be by the Communists.

A Right.

Q You say in your answer, "Sometimes I was asked for money for other purposes. The organization of migratory labor in the California Valleys, for instance." That is what you have reference to.

A Right.

Q What were any of the other purposes besides that?

A Besides these three I mentioned, I don't recollect.

Q You do recall there were others?

A I have the impression there were others.

Q Was it your procedure to cash a check and then turn the cash over to either Addis or Folkoff?

A I presume I got the money from the bank.

Q You had a checking account.

A I had a checking account.

Q You say in your answer, "In time these contributions came to an end. I went to a big Spanish relief party the night before Pearl Harbor; and the next day, as we heard the news of the outbreak of war, I decided that I had had about enough of the Spanish cause, and that there were other and

more pressing crises in the world."

Doctor, the Spanish cause was identified in your mind with the Communist Party, wasn't it?

A Not as clearly as it has been since. The International Brigade, I think in fact was not purely Communist. It was certainly Communist organized.

Q In all events, your contributions were strictly made to the Communists.

A Absolutely.

Q You did not feel any revulsion against the Communists until after Pearl Harbor?

A I don't believe this indicates revulsion.

Q Did you at the time of Pearl Harbor feel any revulsion against the Communist Party?

A That is much too strong a word,

Q You did not?

A Not anything as strong as revulsion, no.

Q You were not quite as enthusiastic as you had been previously, is that right?

A Yes, I could put it a little more strongly than that and a little less strongly than revulsion.

Q Very well. What was the reason why Pearl Harbor had any bearing on your attitude towards the Communist Party?

A I think I should add something to what it says here, that is, I didn't like to continue a clandestine operation of

any kind at a time when I saw myself with the possibility or prospect of getting more deeply involved in the war.

Q There was no question in your mind that this was a clandestine operation, was there?

A I don't think I concealed it from friends, but I didn't advertise it.

Q You didn't conceal it from your Communist friends, certainly.

A Or my wife or so on.

Q What effect did the Nazi-Russian Pact of 1939 have on your attitude towards the Communist Party?

A I hated the sudden switch that they made. I hoped that they would realize that this was a mistake. I didn't understand that the Communists in this country were not free to think, that the line was completely dictated from abroad.

Q You didn't cease your contributions at that time, did you?

A Contributions to this affair?

Q Yes.

A I don't think it had any effect.

Q Pardon?

A I think it had no effect.

Q Doctor, coming to page 9 of your answer, you refer to your Brother Frank, he told you in 1937, probably in 1937,

probably in 1937, that he and his wife Jackie had joined the Communist Party. What was the occasion for telling you that?

A My memory is sharp, but it could be wrong. I think he drove up to Berkeley, spent the night with me, and told me about it then.

Q What was the reason for telling you, do you know? Did he explain why he was telling you?

A I was his brother, I suppose, and something of the fraternal relations was involved.

Q Did he ask your advice about it?

A Oh, lord, no. He had taken the step.

Q Was it shocking to you?

A My recollection, which may not be the same as his, is that I was quite upset about it.

Q You say in the autumn of 1941 they, meaning your brother and his wife, came to Berkeley.

A They moved to Berkeley.

Q I am reading your answer.

A Yes.

Q ". . . and Frank worked for the Radiation Laboratory. At that time he made it clear to me that he was no longer a member of the Communist Party."

How did he make it clear to you?

A By saying so, I think.

Q Just that?

A It was presumably in a context. I don't remember the context.

Q You mean he just said, "I am not longer a member"?

A He probably said that he had not been since he left Stanford, which was some time earlier. No, I don't think he did. I don't think he did, because the Stanford thing I was not clear about.

Q Did you talk with him about his left wing friends either then or later?

A I may have.

Q Why do you say you may have?

A I don't recollect it. I may be wrong about this conversation with Frank, and it may be that I asked him, did he have any Party connections.

Q Why would you have asked him?

A Ernest Lawrence had told me he would like to take Frank on. This was not secret work, but it was in the Radiation Lab. Lawrence had a very strong objection to political activity and to left wing activity. When Lawrence had talked to me about it, he said provided your brother behaves himself, or some such, and keeps out of these things. It would have been natural for me to inquire.

Q You knew that if it were known that your brother was a member of the Communist Party, he could not get the job, didn't you?

A Yes. My honor was a little bit involved because of my having talked to Lawrence.

Q Did you know or did you believe that if it were known that your brother was a very recent member of the Communist Party, he might not get the job?

A I didn't know and I don't know now what effect that would have had.

Q Did you inquire?

A No.

Q Did you tell Lawrence that your brother had been a member of the Party?

A I think I told him he had a lot of left wing activity.

Q Did you tell him he had been a member of the Communist Party?

A I don't think so.

Q Your honor didn't require you to do that?

A I didn't think so.

Q You should have, should you not?

A These things were not that way in those days, at least not in the community that I knew. It wasn't regarded, perhaps foolishly, as a great state crime to be a member of the Communist Party or as a matter of dishonor or shame.

Q Now, continuing with your answer on page 9:

"As to the alleged activities of Jackie and Frank in

1944, 1945 and 1946: I was not in Berkeley in 1944 and 1945; I was away most of the first half of 1946; I do not know whether these activities occurred or not, and if I had any knowledge of them at the time it would only have been very sketchy."

Doctor, may I ask you, sir, you say if you had any knowledge; did you have any knowledge of them?

A If I had known whether I had knowledge, I would have said so in here. I can't remember.

Q You don't know whether you did or not?

A That is right. I can't remember whether Frank referred to these things or not. I had no knowledge in the sense of a detailed or clear discussion and I didn't think it right to say that he couldn't have mentioned these lectures or something like that.

Q Referring to your New Year's Day visit to Frank at his house, you were at Frank's house on New Year's day in 1946?

A I was. I believe that later in the day we went out to a reception, but this is my brother's recollection.

Q Do you recall seeing Pinsky and Adelson there that day?

A I certainly don't. I have written it here as is true.

Q Do you recall that Mrs. Oppenheimer, I mean your wife, was ill that day?

A I remember something which is not very clear. No, I don't recall. I thought maybe the evening before we had to come home early from New Year's Eve because she was not feeling well.

Q Where were you staying at that particular time?

A The whole of our family was staying with the whole of my brother's family. We had not seen each other for a long time, and we stayed in Berkeley.

Q But you were not saying in the same house as your brother was in, were you?

A We were in sort of a barn.

Q That is correct. Don't you recall that Mrs. Oppenheimer was not feeling good, and she stayed in the barn and you went over to your brother's house and talked to Adelson and Pinsky?

A I don't recollect it, no. I have no recollection of my wife's illness.

Q You say "Pinsky and Adelson, who were at most casual acquaintances of mine" -- how had you made their acquaintance, casual or otherwise?

A Adelson I met, I believe, for the first time in his house -- no, in the house of a friend, or in his house, I am not clear. That was many, many years earlier. They were thinking of starting this union at Shell, and they asked me to talk about how the Teachers Union had been.

A I believe he had to do with the Federation of Architects, Engineers, Chemists and Technicians.

Q What was Adelson's work as far as you know?

A He was at the Shell Development Company as a scientist of some kind.

Q Both Pinsky and Adelson you knew to be Communist sympathizers if not members?

A I didn't know them to be members and I had so little contact with them at the statement that they were Communist sympathizers goes beyond what I know.

Q Do you know a man named Barney Young?

A Young?

Q Yes.

A I don't recollect.

Q What did you see of Pinsky and Adelson subsequent to New Year's Day in 1946.

A I don't think I saw them.

Q Did you hear from them?

A I don't remember.

Q Or either of them?

A I can't deny this because it has been a rather full life, but I don't recollect it.

Q Do you recall in March 1946 when Adelson and Pinsky or either of them suggested that you run for Congress?

A In March 1946?

Q Yes.

A March 1946, that I run for Congress?

Q Suggested to Mrs. Oppenheimer.

A I think this suggestion I heard about.

Q That is right.

A But I believe it was addressed to my brother.

Q You are sure it was not to you?

A Quite sure.

Q How did you hear about it?

A My brother told me. Not Pinsky and Adelson, but that somebody had put it up to him that he should run for Congress. You have a long record of folly here, but not that I ran for Congress.

Q I was not insinuating that you accepted the suggestion, Doctor.

Doctor, you speak on page 10 of your letter of answer of the fact that your wife "for a year or two during her brief marriage" to Dallet " was a Communist Party member. How long was her marriage with Dallet?

A She will testify and you will get from her a real biography. The impression I have is that it started in 1934 or 1935, that he was killed in 1937. Something like two or three years. They were separated a part of this time. It is quite a complex story, and I don't want to make it more complex by my own unfamiliarity with it.

Q I merely wish to find out what you meant by "brief marriage".

A Right; two or three years.

Q At page 10 of your answer, "I need to make clear that this changing opinion of Russia, which was to be reinforced by the Nazi-Soviet Pact, and the behavior of the Soviet Union in Poland and in Finland, did not mean a sharp break for me with those who held to different views. At that time I did not fully understand -- as in time I came to understand -- how completely the Communist Party in this country was under the control of Russia."

At that time, I assume you mean 1938 or 1939?

A No, at that time refers to this period of the Nazi-Soviet Pact.

Q I see. When did you come to understand that the Communist Party in this country was completely under the control of Soviet Russia?

A I would give more or less the same answer to that, that I gave to your question about fellow traveling, that it was a gradual process. The shift in Communist position after the German attack on Russia, coming after the Nazi-Soviet Pact, made a big impression. I guess during the war thinking about it and talking to people, I got that conviction pretty deep in me.

Q Maybe 1946?

A I think it was earlier than that.

Q 1945, 1944?

A Something like that. 1944 would be a good --

MR. GRAY: Excuse me, Mr. Robb. It is 12:30.

If you are about to go to some other question, I think we should now recess for lunch.

MR. ROBB: Yes. I did not realize that.

MR. GRAY: Yes. We will meet again at 2 o'clock.

(Thereupon at 12:30 p.m., a recess was taken until 2:00 p.m., the same day.)

AFTERNOON SESSION

2 p.m.

MR. GRAY: The proceeding will begin.

I would like to say with respect to the proceedings today and tomorrow, I think we will go ahead with the questioning of Dr. Oppenheimer this afternoon as expeditiously as possible. We would like to finish, if we can, the questioning of Dr. Oppenheimer and then put on these three witnesses tomorrow that are going to be here.

I understand that will be Colonel Lansdale, Mr. Glennon and Dr. Compton. At the conclusion of their testimony we will then begin what would be referred to as re-direct examination.

In this general connection, also, I express the hope that we can start at nine o'clock in the morning.

MR. GARRISON: I am sure that is possible.

MR. GRAY: I think I would also like to say, Mr. Garrison, that I assume in a court that the general procedure would be that a judge would direct that the re-direct examination proceed immediately upon the conclusion of the questioning on cross. However, in an effort to make sure we are giving every consideration possible to Dr. Oppenheimer and his counsel will take these witnesses out of order.

MR. GARRISON: Thank you, Mr. Chairman. I believe it to be in the discretion of even a trial judge to do that. I also understand that this is not a trial but an inquiry.

MR. GRAY: That is right, sir.

MR. GARRISON: I have not been able to reach Col. Lansdale yet. His plane is supposed to be arriving at 1:30.

MR. GRAY: Then he has not been upset by any communication.

MR. ROBB: May I proceed, Mr. Chairman?

MR. GRAY: Yes.

Whereupon,

J. ROBERT OPPENHEIMER

the witness on the stand at the time of taking the recess, resumed the stand and testified further as follows:

CROSS EXAMINATION (Continued)

BY MR. ROBB:

Q Dr. Oppenheimer, would you refer to your letter of answer on Page 11, where you say: "After our marriage in 1940, my wife and I for about two years had much the same circle of friends as I had had before -- mostly physicists and University people."

Could you tell us, Dr. Oppenheimer, what names occur to you as your circle of friends during that period?

A Many. Ed McMillan; the first night we were back in Berkeley we had dinner with the Lawrences; I had relatives there called the Sterns whom I had brought over from Germany; the Hands; the Chevaliers; the Edward Tolmans; the Meiklejohns; Jenkins.

Q Is that David Jenkins?

A No, that is Francis Jenkins. I can go on and on.

Q I just wondered whom you had in mind.

A This is not a bad example. The Addis'.

Q The Kenneth Mays?

A No, they were not close friends. I am not trying to name all the people that we occasionally saw.

Q Did your circle of friends include some communists or communist sympathizers?

A Oh, yes.

Q Who were they?

A Let us see about friends. The Chevaliers I have mentioned; the Addis' I have mentioned.

Among Communists, I don't think it would be right to call the Steve Nelsons friends, but we saw something of them. They were acquaintances. We did see the Mays -- at least Ken May; I don't know that we saw his wife very much. Almost everybody in the Physics Department. The Hildebrands, the Peters'.

DR. EVANS: Latimer?

THE WITNESS: We saw him but he was not a personal friend.

MR. GARRISON: Just for clarity --

THE WITNESS: The Stephen Peppers.

MR. GARRISON: -- when he said almost everybody in

the Physics Department, would you determine whether he was referring to communists or communist sympathizers?

THE WITNESS: No, not communists.

MR. ROBB: I understood you to mean you saw almost everybody in the Physics Department.

THE WITNESS: That is right.

MR. GRAY: The record will show that the witness did not say that everybody in the Physics Department was a communist.

THE WITNESS: That is right. The Peters'.

BY MR. ROBB:

Q They were communists.

A I told you yesterday that they had no connection with the party.

Q They were pretty close?

A I think they had no connection with the party at all.

MR. GRAY: There was one name that I didn't get and I don't know whether the reporter did, either. Was it Hand?

THE WITNESS: George Hand.

BY MR. ROBB:

Q Doctor, have you ever crossed anybody off your list or ceased to see them because of their communist party connections?

A I can't put it that way. Since the war there are

people with whom there has been a sense of hostility which I identified with their remaining close to the party.

Q Who were those people?

A This happened with the Peters'. It happened with a boy who was a doctor and a close friend of my brother's and used to spend summers at the ranch long ago.

Q What is his name?

A If you need his name I will give it to you. It is Roger Lewis. This is in a sense an estrangement, but it is not that I know they are members of the party and I no longer have anything to do with them.

After the war I did not wish to have anything to do with party people in California. You mentioned the different Jenkins. That is Miss Arnstein's present name and I did not wish to see them and I didn't.

Q She is the Miss Arnstein you mentioned yesterday?

A Yes.

Q Is she married to David Jenkins?

A Yes.

Q How well do you know Jenkins?

A Not very well.

Q Did you know him in 1943 and 1944?

A 1944 certainly not,

Q Did you know him in 1943?

A I met him and I don't have any recollection of

seeing him in 1943.

Q But you knew Miss Arnstein at that time?

A From way back, yes.

Q In what connection did you know her?

A I think I told you she was one of Jean Tatlock's best friends.

Q Did you see David Jenkins and Miss Arnstein or Mrs. Jenkins after the war?

A No.

Q What caused you to be estranged from her?

A This is an example of people in the party. I have been searching to answer your question.

Q You have searched your memory carefully and those are the names that came up?

A I am not sure if I searched longer I would find others.

Q You say on the same page: "We were occasionally invited to more or less obviously leftwing affairs, Spanish relief parties that still continued;"

Doctor, why were they obviously leftwing?

A If Schneiderman talked they were obviously leftwing. The Spanish Relief parties I think by then were obviously leftwing.

Q What was there about them that indicated so clearly that they were left wing?

A I suppose the presence of many of the people whose names I have told you.

Q In other words, you felt that those people would not have been at a party unless it was pretty obviously leftwing?

A No, no, not at all. I don't think anybody would refuse to go to a party because it wasn't leftwing; but many people might refuse to go to a party if it were leftwing.

Q You say on two occasions, "once in San Francisco and once in Berkely we attended social gatherings of apparently well-to-do people, at which Schneiderman, an official of the Communist Party in C.lifornia, attempted, not with success as far as we were concerned, to explain what the communist line was all about."

Where were those parties held?

A One that I talked about yesterday was at the Chevaliers. One that I did not talk about yesterday was at Louise Bransten's.

Q Who is she?

A She lived in San Francisco. I think she was separated from her husband, had some money and was a friend of Addis. I know very little about here but I believe she was a communist sympathizer.

Q Wasn't she a member of the Communist Party?

A If she was I didn't know that. I didn't know

anything about that.

Q Did you ever hear that she was a mistress of a man named Keifits who was in the Russian Consulate?

A No, I never heard that.

Q How did you happen to meet Miss Bransten?

A I don't remember.

Q This party was held at her house?

A Yes.

Q In the evening?

A Yes.

Q How many people were present?

A It was similar to the one at the Chevaliers, 20 people. I don't have a clear distinction between the two in mind.

Q Can you recall about when that was?

A No. It was after our marriage because my wife was there.

Q After 1940?

A I would say after the end of 1940.

Q Subsequent, of course, to the Nazi-Soviet Pact?

A Yes. Possibly subsequent -- well, I don't remember.

Q Who was present besides you?

A I told you a few names at the Chevalier party, and I have no further memory or no very different memory about this group.

Q You think it likely the same group?

A Not identical, but overlapping.

Q Can you tell us anybody who was there at Louise Bransten's house who was not either a communist or a communist sympathizer?

A If you use the word "sympathizer" in a very loose sense, I can't.

Q Have you ever described that meeting at Louise Bransten's house before in any testimony or in any statement that you have made?

A Either my wife or I did to the Federal Bureau of Investigation.

Q When?

MR. MARKS: Mr. Chairman, could we have Dr. Oppenheimer's last preceding answer read, and also the question? I am trying to be sure I understood exactly what he said.

MR. ROBB: Will the reporter read the question and answer, please.

(The question and answer were read by the reporter as herein recorded.)

BY MR. ROBB:

Q My last question was when did you tell the F.B.I. about the Louise Bransten party?

MR. GARRISON: Mr. Chairman, isn't this an item not in the Commission's letter?

MR. ROBB: It is in Dr. Oppenheimer's answer. I think I have a right to explore it.

MR. GARRISON: Did he mention Louise Bransten?

MR. ROBB: He mentioned two parties, and I think I have the right to find out which they were and where they were held.

THE WITNESS: I am not sure when. Conceivably the last time was in 1942. But that is easier to check on for you than for me.

BY MR. ROBB:

Q Going back to the answer that Mr. Marks asked to have reread, the answer as to whether you could tell us anybody who was at Louise Bransten's who was not either a communist or a communist sympathizer, I will rephrase the question as follows: Can you tell us anybody there who was not either a communist or a fellow traveler as you define that word?

A I need to say that I cannot really remember who was there. I had trouble yesterday with the Chevalier meeting. I have a similar trouble here. I cannot help you out.

Q Of those who you do remember being there, they were either communists or fellow travelers, were they not?

A I am not sure of Jack Straus.

Q Jack who?

A Straus. I am not sure where he stood. I am not

absolutely certain whether he was at both of these meetings. He was at one of them. I think Mrs. Chevalier was not much of a communist sympathizer. She was certainly at the one at her home, possibly at the one at Louise Bransten's.

Q When you talked to the F.B.I. agents in 1946, as you mentioned in your answer, is it your testimony that you did not recall one of these meetings had taken place at Chevalier's house?

A That is right.

Q And they asked you about certain meetings and you said that you thought they were completely irrelevant?

A That is my recollection.

Q Doctor, if you didn't remember at that time where the meeting had taken place, how did you know it was completely irrelevant?

A I was a sudden change in questioning which had been about Chevalier and then there was a question as perhaps in this form: Do you remember attending a meeting at East Bay at which Schneiderman talked, or something like that.

Q And you at once said that that is irrelevant?

A I don't recollect. You have the record.

Q My question is, sir, how could you be sure that the meeting was irrelevant if you didn't recall where it took place?

A I couldn't be sure that I thought if it were relevant it would be explained to me. Instead the agent said that "we just do this sort of thing to test your veracity".

Q When did you recall it took place at the Chevaliers?

A I told my wife about this interview and she reminded me of it.

Q When?

A Very shortly thereafter.

Q A day?

A I don't remember.

Q Within a day or two?

A Very shortly thereafter.

Q Did you then telephone the F.B.I. to tell them that you remembered that it took place at the Chevaliers?

A No; because the F.B.I. had indicated that this was not a substantive question.

Q Not what?

A Not a question of substantive interest.

Q When you recalled it had taken place at the Chevaliers, did you then think it was relevant?

A Not terribly because I defined as well as I could Chevalier's political views.

Q Did you think it had any relevance at all after you recalled where it had taken place?

A I don't believe I put that question to myself.

Q You were asked about the meeting again in 1950 by the F.B.I., is that correct?

A Right.

Q At that time you told them about the meeting at Chevalier's house.

A Right.

Q So you thought then it was relevant?

A I don't remember the line of questioning. It was certainly relevant to their then questioning and they asked me about it.

Q You next mention on page 11 Kenneth May. You knew he was an active communist, didn't you?

A I certainly knew it when it was public knowledge. I don't believe I knew it before that.

Q When did that become public knowledge?

A That is a matter of record, but not in my mind.

Q Didn't you know he was a communist party functionary at any time of your association with him?

A Yes.

Q You knew that?

A Yes. It was public knowledge that he was a communist party functionary during part of my association.

Q I see.

A But I don't remember the date when this occurred.

Q In other words, while you were associating with

him socially and otherwise, you knew that he was a Communist Party functionary because it was public knowledge?

A Socially is better than socially and otherwise.

Q Socially? very well.

A Sure.

Q How did you come to know Dr. Weinberg?

A In the most normal way. I knew all the graduate students who studied Theoretical Physics in the Department of Physics in Berkeley. I believe I called them all by their first names.

Q Did you have any relationship with Weinberg other than that of professor and student?

A I think I need to say several things in answer to that. The first simple answer is no, until after the war when he was not a student but an instructor and when he and his wife -- we saw them once or twice as was proper for dinner or tea or something.

The second thing is that with most of my students it would not be an uncommon thing for me to have dinner with them or to have lunch with them while we were working. I think my relations to Weinberg were much less close than with most of my graduate students.

Q What was the occasion for you meeting with him and his wife after the war?

A He was an instructor in the Physics Department in

Berkeley. I think we probably had dinner or tea or something with every member of the Department.

Q Did he and his wife come to your house for social occasions?

A Not more than once or twice.

Q They did from time to time?

A No.

Q Well, once or twice?

A Once or twice. I am not certain about this. I am speculating. We did see them as we saw everybody.

Q You mentioned yesterday recommending counsel to Dr. Weinberg at the time of his criminal trial.

A No. That is a misunderstanding.

Q I beg your pardon.

A That is a misunderstanding. I mentioned recommending counsel to Chevalier for his passport problem.

Q I see.

A It turns out that it was the same man or one of the two people who represented Weinberg in the course of his trial. I had nothing to do with his selection.

Q Did you see Weinberg about the time of his criminal trial?

A No, I did not. I saw him once very briefly. I can fix the time. It was the winter of 1952 at the American Physical Society meetings. I was with another past-president

and the president-elect of the Society and he walked by, noticed us, shook hands and we passed the time of day.

Q Did you ever discuss with Weinberg the matter of his criminal trial either before or after it took place?

A I was represented by counsel.

Q I know that.

A There were no discussion between me and Weinberg.

Q You counsel and Weinberg's counsel presumably did discuss it?

A That is right.

Q Did you in any way help to finance Weinberg's defense in that case?

A I did not.

Q When did you first hear that Weinberg had been a communist?

A At the time of the 1946 interview with the F.B.I., the agents told me -- they questioned me about Weinberg, Lomanitz and so on -- and I said, "What is wrong with them?" He said, "There is a question of their membership in the Communist Party."

Q Were you surprised to hear that?

A A little bit but not much in the case of Weinberg.

Q You are quite sure that is the first time you ever heard or had been told he was a communist?

A No. I had heard an earlier rumor.

Q When?

A When he came to Berkely that he had been a member of the YCL, the Young Communist League in Madison, but it was hearsay.

Q Who told you that?

A I don't remember.

Q Did you hear anything more about him at that time?

A No.

Q Did Weinberg and Lomanitz come to you to talk about Lomanitz' draft deferment?

A No.

Q Are you sure?

A Let's see. The only time this might have been would have been at the time I talked to Lomanitz at the same time we talked so much yesterday in the summer of 1943. I have no recollection of Weinberg being involved in that.

Q Do you recall an occasion in Dr. Lawrence's office when you talked to both Weinberg and Lomanitz?

A No, I don't.

Q In all events, Doctor, you are sure that until 1946, except for the rumor that you mentioned, you had no information to the effect that Weinberg was or had been a communist?

A No. I think that is right.

Q You could not be mistaken about that?

A One can be mistaken about anything. This is my best recollection.

Q You say in your answer, "Hiskey I did not know."

A No.

Q Did you ever meet Hiskey?

A There is this allegation that I met him at this party. I have no recollection of it and I don't know whether I was at the party or not. I didn't know him before the party; I didn't know him after the party; I am not clear whether I was at the party or not.

Q Were you ever at any party at which either Hiskey or Weinberg was present?

A I never had any recollection of Hiskey whatever until this story was brought up.

Q How about Weinberg?

A I am sure I was at parties at which Weinberg was present.

Q What kind of parties?

A Physics Department, Graduate School parties. I don't know what else.

Q Leftwing parties?

A I would not be surprised, but I don't remember.

Q You would expect him to be at and to find him at some such party, would you not?

A I would not have found it strange.

Q When did you first meet Steve Nelson?

A I don't know whether it was before my marriage to my wife or not. I think it was. She thinks that it was after our marriage.

Q When did you think you met him, and what were the circumstances under which you met him?

A I think it may have been in connection with a big Spanish party in the fall of 1939.

Q Where?

A In San Francisco.

Q Do you recall talking to him on that occasion?

A No.

Q What is there about the occasion that makes Steve Nelson stand out in your mind?

A He was a hero and there was either talk of him or I saw him, I don't know.

Q What was he a hero for?

A For his alleged part in the Spanish War.

Q You knew he was a Communist Party functionary?

A I knew he was a communist and an important communist.

Q Thereafter, Steve Nelson was at your home on various occasions, was he not?

A That was much later.

Q When was that?

A The times I remember -- and I think they are the

only times -- were in the winter of 1941-42.

Q What is the last date that you recall him being at your home?

A I don't recall the dates. It probably was in 1942.

Q 1942?

A Yes.

Q Summer, fall, spring, or when?

A I don't know.

Q Were you at that time working on the secret war project?

A I was thinking about it if it was in the winter, and I was employed on it if it was the summer.

Q I beg your pardon?

A If it was in the winter I was thinking about it, and consulting about it; if it was in the summer, I was actually employed on it.

Q In all events whether it was in the winter or summer, at the time Steve Nelson was at your house you had some connection with this project, did you not?

A Oh, yes.

Q How many times did Steve Nelson come to your house?

A I would say several, but I do not know precisely.

Q Did you ever go to his house?

A I am not clear. If so, it was only to call for him or something like that.

Q Call for him?

A Yes.

Q Why would you have called for him?

A To bring him up to our house.

Q Who else was present at your house on the occasions when Nelson was there?

A I have no memory of this. These were very often Sundays and people would drop in.

Q The occasions when he was there were not occasions when there was a large group of people?

A No. We would be out in the garden having a picnic or something like that. It is quite possible that my brother and sister-in-law would come, but I have no memory of this.

Q Can you give us any idea how long these visits were with Nelson?

A A few hours.

Q Each time?

A The ones I am thinking of, and I think they are the ones you are referring to, and the only ones that occurred, are when he and his wife and his baby would come up.

Q What did you have in common with Steve Nelson?

A Nothing, except an affection for my wife.

Q Did you find his conversation interesting?

A The parts about Spain, yes.

Q Was he a man of any education?

A No.

Q What did you talk about?

A We didn't talk about much. Kitty and he reminisced.

Q Reminisced about what?

A My wife's former husband, people they had known
in the party.

Q Communist Party activities?

A Past communist friendships.

Q Did Nelson tell you what he was doing in California?

A No. I knew he was connected with the Alameda
County organization.

Q Did Nelson ever ask you what you were doing?

A No.

Q Are you sure?

A Positive. He knew I was a scientist.

Q He knew that?

A Yes.

Q How did he know that?

A It was well known in the community and we talked
about it.

Q Did you call him Steve?

A I think so.

Q Did he call you Oppy?

A I don't remember.

Q Probably?

A I don't remember. He and my wife -- she will tell you about it. They had close affectionate relationships and I was a natural by-stander.

Q Doctor, you knew a man named David Hawkins, did you not?

A Yes.

Q You speak of him on Page 21 of your answer.

A Right.

Q How did you meet him?

A I know that I -- well, I better be careful because I never am quite clear or very seldom clear how I first meet people.

I believe we met him and his wife at my brother's at Stanford. I think it likely that I was at least acquainted with him on the Berkeley Campus before that time, though I doubt I met his wife.

Q Was the occasion that you think you met him at your brother's house at Stanford the occasion of some left-wing gathering?

A No. It was a few people on the porch, or something like that.

Q You say that you understood that Hawkins had left-wing associations?

A Yes.

Q How did you understand that?

A I understood it in part from the conversations we had and in part from my brother. I am not sure where I got this information.

Q When did you have that understanding first?

A I don't know.

Q Prior to 1943?

A Prior to his coming to Los Alamos.

Q What were the leftwing associations that you understood that he had?

A Well, my brother was a good enough example.

Q What others?

A He and the Morrisons were closely acquainted.

Q Who are the Morrisons?

A Phillip Morrison was a student of mine and was very far left.

Q He was very far left?

A Yes.

Q Was he a communist?

A I think it probable.

Q Did he go to work on the project?

A He did.

Q With your approval?

A With no relation to me.

Q Did you ever make known to anyone that you thought that Phillip Morrison was probably a communist?

A No.

Q Why not?

A Well, let me say he was on the project in another branch quite independent of me. When he came to Los Alamos General Groves let me understand that he knew Morrison had what he called a background and/was satisfied that the truth was known about him.

Q Morrison came to Los Alamos?

A That is right. When he came to Los Alamos we had this discussion.

Q He was so far leftwing that you thought that the mere fact that Hawkins was a friend of his stigmatized Hawkins, too, did you not?

A Not stigmatized him; gave him a leftwing association.

Q What did Morrison do at Los Alamos? I don't mean in detail but in general.

A He came late and he worked in what was called the Bomb Physics Division. He worked with the reactor we had there. Then after the war he built a quite ingenious new kind of reactor.

Q Did Phillip Morrison go over to Hiroshima to witness the drop?

A He was over there. I think he was in Japan. He certainly was not at Hiroshima.

Q Did you designate him to go to Japan?

A I don't know. I don't believe so.

Q Was your advice asked about him going there?

A I am afraid to say to that I don't know the answer.

I don't believe I would have interposed an objection.

Q You would not have?

A But I don't believe I was asked.

Q Had you read Phillip Morrison's testimony before the House Committee?

A I have.

Q Was it House or Senate?

A Senate.

Q Are you satisfied from that testimony that he was a communist?

A Yes.

Q Were you surprised when you read that testimony?

A No.

Q It accorded with what you previously knew?

A With what I believed.

Q Yes. What else did you know about Hawkins' left-wing associations?

A I don't think I knew much more about it than I told you.

Q Did you know anything about his wife?

A I think he had a brother-in-law of whom I heard it said he was a communist.

Q Did you know a man named Parkman?

A Yes.

Q Did you know that Parkman was discharged from the Air Force because of his communist leanings?

A No.

Q Did you ever hear that?

A No.

Q Did you know that Hawkins was a friend of Louise Brantsen?

A No.

Q What was Hawkins' training?

A He was trained as a mathematician and philosopher.

Q What was his major?

A I don't know. I suppose philosophy.

Q Philosophy?

A I think so.

Q Don't you know that?

A He was a professor of philosophy. I didn't know him as a student.

Q He was not a physicist?

A No.

Q By the way, how old was he, do you know?

A No.

Q Comparatively young, wasn't he?

A Yes. I think he was an instructor teaching

mathematics at that time.

Q You said: "I supported the suggestion of the Personnel Director that he, Hawkins, come to Los Alamos."

A Yes.

Q How did you support that suggestion?

A Let me give a word of background. A committee of which Richard Toman was a member, possibly he was chairman, had come to review the state of affairs at Los Alamos in the spring of 1943. One of their recommendations was that we get a personnel director. There were a great many that I will not here record. One of their recommendations was that we get an aide to help the Personnel Director and me in the relations between the military establishment and the laboratory. The Personnel Director was William Dennis, a professor of philosophy at Berkeley. He did not stay terribly long but he came to help out in an emergency. What I heard indicated that Dennis proposed that Hawkins come as his aide and I approved it.

Q How did you approve it?

A I said I thought it was a good idea. However, I have relied somewhat on Hawkins' own testimony of how he got to Los Alamos because I have very little -- I have almost no direct memory of it.

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Q At the time you approved that suggestion you knew what you have told us about Hawkins' background and connection, didn't you?

A I did.

Q I find in the minutes of the governing board at Los Alamos for May 3, 1943, this entry: "Dr. Oppenheimer said he was going to try to get Lt. Col. Neil Asbridge added to Harmon's staff. He said Mr. Smith was leaving. He proposed to get David Hawkins from Berkeley to handle our relations with the post."

Do you recall that?

A Obviously.

Q So you rather heartily approved of the suggestion that Hawkins come?

A Oh, sure.

Q What did Hawkins do when he got there?

A I don't have the records available, but his first jobs were two. One was to handle the draft deferments which got to -- and this was a job for the personnel division. He was a New Mexican. He knew the local head of the draft board.

The second job was to take up the complicated negotiations between the military authority and the scientists on the acceptance of a building, the installation of equipment, the completion of housing. That was the way it

started out.

I also asked him to serve, along with Manley and Kennedy, on the Laboratory Security Committee, which had largely to do with physical security. I asked him after discussing the thing with General Groves to write the technical history of the laboratory. That was much later. By that time I knew him quite well and had come to have a sense of confidence in him -- of great confidence.

Q Hawkins wrote the manual of security for Los Alamos?

A I don't remember that, but it would have been likely. I discussed security with him many times. His views and mine were in agreement.

Q Hawkins became more or less your administrative assistant, didn't he?

A For a while. The only person who had that title was David Dow.

Q Wasn't Hawkins in fact, whether he had the title or not, pretty much your administrative assistant?

A On the matters I have discussed, yes.

Q Did Hawkins have access to all the secret information on the project at Los Alamos?

A Most of it, I should think, yes.

Q When he wrote the history, he had access to all of it, didn't he?

A Most of it. I still think that some things like

production rates, and so on, would not have come his way.

Q Did his wife come to Los Alamos with him?

A Yes.

Q You know she was extremely left wing, if not a Communist, didn't you?

A I didn't have that impression, but I may be wrong.

Q You knew that her brother was, anyway?

A Yes, I heard that.

Q Did you ever make known to any security officer what you knew about Hawkins and his wife?

A What I knew was not very substantial. When the question of the report came up I asked General Groves whether he regarded Hawkins' background as a reason for not doing this. I also discussed it at one other time in connection with a protest Groves made about one of his actions.

Q You asked General Groves?

A Right.

Q Did you tell him what you knew?

A I knew nothing beyond what was obvious that he had a left wing background.

Q Did you tell him what you knew?

A I don't remember.

Q You say you don't remember?

A No, I imagine I didn't in the light of the record in the other cases but I don't remember. I know we talked

about it.

Q What was there in Hawkins' background which led you to believe that he was qualified by training or experience to be an administrative assistant to you at Los Alamos?

A For the jobs that I had in mind he had impressed me as a reasonable, tactful, intelligent person, interested in science, familiar with it. As far as I know, he was in fact very good.

Q He was teaching philosophy, wasn't he?

A No, he was teaching mathematics at that time. He knew a great deal about science. His philosophical interests were in science. I may add that he was certainly not the only person in the country for this job.

Q Doctor, we spoke yesterday of your interview with Colonel Lansdale. I want to read you some extracts from the transcript of that interview, sir. Colonel Lansdale said to you, according to this transcript --

MR. GARRISON: May we have the date?

MR. ROBB: September 12, 1943. This is the interview that took place at the Pentagon. Colonel Lansdale said to you:

"We know, for instance, that it is the policy of the Communist Party at this time that when a man goes into the Army his official connections with the Party are thereupon ipso facto severed."

You answered: "Well, I was told by a man who came from my -- a very prominent man, who was a member of the Communist Party in the middle west, that it was the policy of the Party there that when a man entered confidential war work, he was not supposed to remain a member of the Party."

Who told you that?

A I have no recollection at all. I will think, if you wish.

Q I wish you would, sir.

A From the middle west.

MR. GRAY: Read that again.

MR. ROBB: "I was told by a man who came from my -- a very prominent man who was a member of the Communist Party in the Middle West that it was the policy of the Party there that when a man entered confidential war work he was not supposed to remain a member of the Party."

BY MR. ROBB:

Q Who was that man?

A I recollect nothing about it. I will be glad to think about it.

Q Do you want to think now?

A I would prefer not to. If I can think about it and tell you tomorrow. It simply rings no bell.

Q You don't recall anybody ever told you that?

A No, I said yesterday I didn't recollect.

Q I know you did. Does this serve to refresh your recollection in any way?

A Quite to the contrary. From the middle west?

Q You then spoke about your brother.

MR. MARKS: May I inquire, Mr. Chairman, if these transcripts are taken from recordings, just so we can understand what is being read?

MR. ROBB: Yes. I have every reason to believe it is accurate.

MR. MARKS: I didn't question that, I just wondered what the origin was.

MR. ROBB: I don't think that is necessarily a question counsel should have to answer.

MR. MARKS: I asked the Chairman, sir.

MR. GRAY: My answer is I don't know. If you wish to discuss it further I would be glad to.

MR. MARKS: I thought it was a matter that could be answered simply.

BY MR. ROBB:

Q You spoke of your brother and said, "It is not only that he is not a member, I think he has no contact."

Do you recall that?

A No, I don't recall it, but that I can imagine saying.

Q Lansdale said: "Do you know about his wife, Jackie?"

You answered: "I know I overwhelmingly urged about 18 months ago when we started that she should drop social ones which I regarded as dangerous. Whether they have in fact done that, I don't know.

Lansdale said, "Well, I am quite confident that your brother Frank has no connection with the Communists. I am not so sure about his wife."

You answered, "I am not sure either, but I think it likely some of its importance has left here. Also, I believe it to be true that they do not have any -- I don't know this for a fact -- but if they had, I didn't know it, any well established contacts in Berkeley. You see they came from Palo Alto, and they had such contacts there. Then my brother was unemployed for three very, very salutary months, which changed his ideas quite a lot, and when they started in Berkeley it was for this war job. I do not know but think it quite probable that his wife Jackie had never had a unit or group to which she was attached in any way. The thing that worried me was that their friends were very left wing and I think it is not always necessary to call a unit meeting for it to be a pretty good contact."

Doctor, who were the friends and social contacts that you might have had in mind when making that statement?

A My sister in law in Berkeley?

Q And your brother.

A I am not sure who I did have in mind. My sister in law had a very old friend called Winona Nedelsky.

Q Who was she?

A She was the wife of a physicist who left here -- quite Russian -- who had once been my student. She was a good friend of Jackie's. She earned her living in some Federal Housing Agency or Social Security Agency.

Q Was she a Communist?

A I believe so.

Q Was she a friend of your sister in-law in 1943?

A I would think so. She was a friend. I don't know how much they saw each other.

Q But in all events, you thought it bause for worry.

A I would not have thought that a special cause for worry. I am having trouble in remembering what I could have had in mind and what I did have in mind.

Q Can you think of anyone else that you might have had in mind as dangerous social contacts of your sister in law and your brother?

A I don't know much about the life in Berkeley. I am afraid I can't.

Q Lamsdale said again, "To refer again to this business concerning the Party, to make it clear the fact a person says they have severed connections with the Party, the fact that they have at present no apparent interest or

contact in it does not show where they have unquestionably formerly been members that they are dangerous to us."

You said, "I agree with that."

You still agree with that, do you?

A Yes.

MR. GARRISON: Mr. Chairman, I repeat the same request I made with respect to the previous transcript, that we would like to see a copy of the full transcript.

MR. GRAY: May I say with respect to that that Dr. Oppenheimer will be given an opportunity to see documents reflecting conversations. They cannot be taken from the building.

MR. GARRISON: We appreciate that. When may we have that opportunity?

MR. GRAY: When the Board and counsel have finished with the questioning.

MR. GARRISON: You mean this afternoon?

MR. GRAY: Whenever this is concluded.

BY MR. ROBB:

C Lansdale said to you, according to this transcript, speaking of your reluctance to disclose the name of Professor X: "I don't see how you can have any hesitancy of disclosing the name of the man who has actually been engaged in an attempt of espionage in time of war. I mean my mind does not run along those channels."

You said, "I know it is a tough problem and I am worried about it a lot."

That was a correct statement of your attitude, wasn't it?

A I would assume so.

Q Lansdale, referring again to your reluctance to disclose the name, says, "Well, if you won't do it, you won't do it, but don't think I won't ask you again. Now I want to ask you this. And again, for the same reason which implies you're here, you may not answer. Who do you know on the Project in Berkeley who are now, that's probably a hypothetical question, or have been members of the Communist Party?"

You answered, "I will try to answer that question. The answer will, however, be incomplete. I know for a fact, I know, I learned on my last visit to Berkeley that both Lomanitz and Weinberg were members. I suspected that before, but was not sure. I never had any way of knowing. I will think a minute, but there were other people. There was a, I don't know whether she is still employed or was at one time a secretary who was a member."

"Lansdale: Do you recall her name?"

"Oppenheimer: Yes, her name was Jane Muir. I am, of course, not sure she was a member, but I think she was. In the case of my brother it is obvious that I know. In the

cases of the others, it's just things that pile up, that I look at that way. I'm not saying that I couldn't think of other people, it's a hell of a big Project. You can raise some names.'

Doctor, having heard me read those lines, will you now concede that you knew at that time that both Lomanitz and Weinberg had been members of the Communist Party?

A Evidently. Was I told by the security officers?

Q I don't know. I have just read what you said. So when you wrote that letter of October 19, 1943, forwarding Lomanitz's request to be transferred back to the project from military service, you knew that he had been a Communist Party member, didn't you?

A So it appears.

Q And you knew as early as 1943 that Weinberg had been, too.

A So it appears.

Q Yes, sir.

MR. GARRISON: Mr. Chairman, what troubles me about this whole method of examination is that counsel is reading from a transcript bits and parts without the full course of the conversation which took place to a witness whose memory at best, as anyone of ours would be, is very, very hazy upon all these things, and picking here a sentence and there a sentence out of context, and then holding him to the answer.

I do think that this is a method of questioning that seems to me to be very unfair.

MR. ROBB: Mr. Chairman, I don't mean to make any argument about the matter, but I assume that this Board is following this transcript. If the Board feels I am being unfair at any point, I suppose the Board will interpose.

MR. GARRISON: Why shouldn't counsel be allowed to follow as any court of law, and this is not even a trial?

MR. ROBB: As you no doubt know, I have tried a good many cases, and I don't think it would be in the ordinary course of a trial.

MR. GARRISON: I disagree with you.

MR. ROBB: I resent counsel's statement that I am trying to be unfair with this witness, because I assure you that I have made every attempt to be fair with him. In fact, were I trying to be unfair, I would not ask this witness any of these questions, but would leave it in the file for the Board to read. I am giving this witness a chance to make whatever explanation he wishes to make.

MR. GARRISON: I still think that the fair thing would be to read the whole conversation and ask him what parts you want, instead of to pick isolated questions.

MR. GRAY: On the point of picking isolated questions, without trying to look at this whole question at this moment, I think it is clear that this interview concerned

itself with matters which are involved in the questions Mr. Robb has been putting to the witness, and which are generally, I think, not new material. General Nichols' letter of December 23, and Mr. Oppenheimer's reply of March 4, I think both address themselves in one way or another to these individuals, Lomanitz, Weinberg, Bohm, which have been the subject of these questions.

I would say, Mr. Garrison, that I don't think it would be helpful to you at this point to have the transcript. I have said, however, that Dr. Oppenheimer and his counsel will be entitled to examine it and certainly after examination if you wish to reopen any of this testimony, you will be given every opportunity to do so. I think it is the feeling of the Chairman of the Board that things are not taken here out of context in a way which is prejudicial. I think also that the Board has heard Dr. Oppenheimer say that with respect to some of these matters he has no recollection, which at least to me is perfectly understandable, many of these things having taken place many years ago. I do not think that it is the purpose of counsel to develop anything beyond what the facts are in this case. At least that is my interpretation.

MR. ROBB: That is my endeavor, Mr. Chairman.

BY MR. ROBB:

Q May I ask you whether or not you recall this Jane Muir?

A I remember her, not well.

C How did you happen to know her?

A I met her and her husband through the Chevaliers some time before the war.

MR. GARRISON: Mr. Chairman, I don't want to be captious or legalistic, but this is the example of the kind of problem. Jane Muir is not mentioned in the Commission's letter. Are we to be given a chance to remember all there is to remember about particular individuals? Now Dr. Oppenheimer is being read aloud out of things that it is said he said a great many years ago, and new names come out which are not in the letter, and which we have never heard, and now he is asked all about them. That seems to me I submit not in keeping with the spirit of the letter. If he had volunteered the name of Jane Muir in testimony, that would be another matter. But this is something that is a complete surprise.

MR. ROBB: Mr. Chairman, is it Mr. Garrison's position that he wishes time to consult with his client about the Jane Muir matter before we go into it?

MR. GARRISON: With respect to any new name that is brought into this without any warning at all, we should be given a chance to have Dr. Oppenheimer reflect on what he remembers about it, and for us to have a chance to talk about it.

MR. ROBB: We will let the Jane Muir go and come back to it at some future date if counsel feels that would be fair.

MR. GARRISON: I think that would be fair with respect to every new name.

MR. ROBB: We will go on to something else, then.

BY MR. ROBB:

Q Then you were asked by Colonel Lansdale:

"-- can you tell me the names of anyone at Los Alamos that have been or are now Party members?"

You answered: "I can't tell you the numbers of any who now are" -- I assume that means names -- "but I know that at least Mrs. Serber was a member. She comes from the Leof family in Philadelphia."

A To the best of my knowledge this is not true.

MR. GARRISON: That is the same question.

MR. ROBB: I think not, Mr. Chairman. I think this is certainly in the scope of the letter of notification which Dr. Oppenheimer has challenged. Dr. Oppenheimer has said in his answer that he knew of no former member of the Party at Los Alamos except his wife. He said that with some emphasis and repeated it here. I think I have the right to ask him whether he did know that Mrs. Serber was a member. I asked about Mrs. Serber yesterday.

MR. GRAY: Mrs. Serber's name has appeared in this

proceeding.

BY MR. ROBB:

Q Don't you know that you did know in 1943 that Mrs. Serber had been a member of the Party?

A I don't know that she was a member of the Party. I don't think she was a member of the Party.

Q You testified yesterday you would be very much surprised to find if she ever had been.

A That is right, I would still be today.

Q Have you any idea how this statement got in this transcript?

A No.

Q Do you know that Mrs. Serber came from the Leaf family in Philadelphia?

A That I know.

Q When did you know that?

A Long ago, 15 years ago.

Q Beg pardon?

A 15 years ago.

Q How did you find that out?

A She told me. My wife also knew her.

MR. GRAY: Are you at a breaking point?

MR. ROBB: Yes, sir.

MR. GRAY: Let us take a recess.

(Brief recess.)

MR. GARRISON: Mr. Chairman, forgive me for coming back to the same point, but during the recess I discussed this problem with my partner, Mr. Silverman, who has spent his life trying cases in the State of New York -- I am not a trial lawyer, sir -- our practice I am informed up there universally is that when counsel is cross examining a witness on a transcript he has never seen, counsel for the other side, if he asks the court for a copy, so he may read along with it, that request is granted. So if nothing else -- I would not think of impugning this to Mr. Robb, and I hope he won't misunderstand me -- I think it is the basis of the rule. That is the only reason I mention it. In other words, to make sure that the questions are in fact being read accurately from the transcript, and there are no interlineations or marks or matters of that sort that might perhaps raise a question as to the accuracy of what is there quite apart from the method by which the transcript was arrived at, and also to understand what the thread and continuity of the matter is. I merely report that to the Chairman. I don't want to put this on the basis of rules of law, because God know, it is the rule here that this is not a trial, but an inquiry, and I should suppose that a fortiori, what is proper in court of law would be accorded to us here in an inquiry. I do not labor the point. I present it to you and I will rest upon it.

THE WITNESS: May I make a comment?

MR. GRAY: Surely.

THE WITNESS: This last quotation about Mrs. Serber strikes me as so bizarre that I am troubled about the accuracy of the document. I am not certain --

MR. GARRISON: Do you know, Mr. Robb, whether this was taken down by a stenographer or was it from a tape?

MR. ROBB: Colonel Lansdale will be here. I might ask him. He is the one who conducted the interview.

MR. GRAY: I would like to be excused with counsel for the Board for a moment, if you please.

MR. ROBB: Mr. Chairman, I don't agree at all with the statement of law which has been made by Mr. Garrison although I confess I am not a New York trial lawyer. It has always been my understanding that when a witness is questioned about inconsistent statements, he is read the statements and he is asked if he made them. However, it is entirely immaterial to me whether counsel follows this statement or not. If the Chairman wants to have counsel have a copy of it, it is all right with me.

MR. GARRISON: We would appreciate that.

MR. ROBB: Very well.

MR. GRAY: I am about to make the ruling that Mr. Robb follow reading this transcript as Mr. Robb reads it. Have you got a copy of it, Mr. Rolander?

MR. ROLANDER: I just went out and asked the secretary to try to locate a copy from the original files. I thought that might be most helpful.

MR. ROBB: May the record now show, Mr. Chairman, that we are handing to Mr. Garrison the photostat copy of the interview with Dr. Oppenheimer by Lt. Col. Lansdale, 12 September 143, consisting of 26 pages.

MR. GARRISON: Thank you, Mr. Chairman.

BY MR. ROBB:

Q I am reading from page 10. The transcript shows, Doctor, that you were asked this question by Colonel Lansdale:

"Now, do you know, was Mr. Serber a member of the Party?"

You answered: "I think it possible, but I don't know."

Do you recall that question or answer?

A No.

Q Did you think at that time, think it possible that Mr. Serber was a member of the Party?

A That he was then a member of the Party?

Q Yes.

A No.

Q Did you think it possible that he had been?

A Possible but unlikely.

Q Were both Mr. and Mrs. Serber then at Los Alamos?

A Right.

Q What did you know about their background?

A I knew them quite well.

Q Did you know that they were leftish?

A Yes.

Q Did you know that they were at least fellow travelers?

A I would say at most fellow travelers.

Q At most fellow travelers?

A Yes.

Q How did you acquire that information?

A They were good friends of mine.

Q From things they said to you and from activities you observed?

A That is right.

Q What activities?

A Mrs. Serber was extremely active in Spanish relief at the time they were in Berkeley.

Q What else?

A Talk.

Q What talk?

A Just talk about affairs and politics.

Q Communism?

A Not as such.

Q Had you seen the Serbers at these left wing gatherings that you mentioned?

A Oh, yes.

Q Frequently?

A At the Spanish things very frequently.

Q Along with the other people that you mentioned?

A Right.

Q What was Serber doing at Los Alamos?

A He was a very prominent and constructive member of the theoretical physics division.

Q Did he have access to classified information?

A Indeed he did. He created it.

Q Now, skipping down, you were asked: "How about Dave Hawkins?"

And you said, "I don't think he was, I would not say so." Meaning "I don't think he was a member of the Communist Party". Do you recall that?

A No. I clearly am not recalling this conversation at all.

Q Was that your view in 1943 that you didn't think he was a member or had been?

A I wish I knew what my view on these things was.

MR. MARKS: Mr. Chairman, I think we ought to give the witness the question and the answer as it appears here.

MR. GARRISON: It reads: "I don't think he was, I would not say so."

MR. ROBB: That is what I read.

MR. MARKS: You interpreted it.

MR. ROBB: Very well. If you don't want me to give the witness the benefit of an interpretation, I won't do it.

BY MR. ROBB:

Q The next question and answer:

"Now, have you yourself ever been a member of the Communist Party?"

You answered, "No."

"Lansdale: You've probably belonged to every front organization on the coast.

"Oppenheimer: Just about."

Doctor, do you recall that question and answer?

A No, I don't. I don't recall this interview.

Q If you said that to Colonel Lansdale, were you jocular?

A I don't think I could have been jocular during this interview.

Q "Lansdale: Would you in fact have considered yourself at one time a fellow traveler?"

"Oppenheimer: I think so. My association with these things was very brief and very intense."

Do you recall that at all?

A I am not recollecting anything. You may find a phrase that I do recollect.

Q In all events, Doctor, your answer, "I think so.

My association with these things was very brief and very intense", it is now your testimony that was a correct statement of fact?

A It was very intense; brief is a relative word.

Q Colonel Lansdale said: "I should imagine the latter anyway."

Now, on page 11, you said, "It was historically quite brief and quite intense, and I should say I was --"

"Lansdale: Now I have reason to believe that you yourself were felt out, I don't say asked, but felt out to ascertain how you felt about it, passing a little information, to the party.

"Oppenheimer: You have reason?"

"Lansdale: I say I have reason to believe, that's as near as I can come to stating it. Am I right or wrong?

"Oppenheimer: If it was, it was so gentle I did not know it.

"Lansdale: You don't know. Do you have anyone who is close to you, no that's the wrong word, who is an acquaintance of yours, who may have perhaps been a guest in your house, whom you perhaps knew through friends or relatives who is a member of the Communist Party. By that I mean --

"Oppenheimer: My brother, obviously.

"Lansdale: Well, no, I don't mean him.

"Oppenheimer: I think probably you mean someone who just visited for a few hours.

"Lansdale: Yes.

"Oppenheimer: Yes, certainly, the answer to that is certainly, yes.

"Lansdale: Would you care to give me any of their names?

"Oppenheimer: There is a girl called Eldred Nelson."

Do you know a girl called Eldred Nelson?

A No, I know a man by that name.

Q Who was he?

A He was a student of mine. At the risk of finding I said something else ten years ago, I would say he was not a Communist.

Q Having heard Colonel Lansdale's question about whether you had any acquaintance of yours who might have been a guest in your house, whom you knew perhaps through friends and relatives, is it now clear to you who Colonel Lansdale was talking about?

A I don't know. It might well be Steve Nelson.

Q Isn't that pretty plain?

A Yes.

Q Why didn't you mention Steve Nelson?

A I seem to have mentioned a Nelson.

Q Eldred.

A Eldred Nelson is not a girl. He is not a Communist. I think this only adds to my confusion about it.

C Very well. I will continue:

"Lansdale: Suppose I've got a bunch of names here, some of them are right and some of them are wrong, you don't mind treating it that way, do you?

"Oppenheimer: No.

"Lansdale: Did you know William Schneiderman?

"Oppenheimer: I know who he is. He is the secretary of the Communist Party. I have met him at cocktail parties.

"Lansdale: You have no real personal acquaintance with him?

"Oppenheimer: No."

Now, you had met Schneiderman at these meetings where he lectured, had you not?

A Yes.

Q Were those cocktail parties?

A Drinks were served.

Q Were they cocktail parties?

A No, I think they were evening parties.

Q Did you tell Lansdale about that?

A I don't know what I told him.

Q If I tell you that the transcript shows you didn't, would you accept that?

"Lansdale: Do you know a fellow named Rudy Lambert?"

"Oppenheimer: I'm not sure, do you know what he looks like?"

"Lansdale: No, I've never seen him. He's a member of the Party. Do you know a Doctor Hannah L. Peters?"

You knew what Rudy Lambert looked like, didn't you?

A Sure.

Q Why did you ask Lansdale what he looked like?

A I don't know that I did.

Q If you did, Doctor, would it mean that you were ducking the question?

A I would think so.

Q The end of the question by Lansdale: "Do you know a Doctor Hannah L. Peters?"

"Oppenheimer: Yes, I know her quite well.

"Lansdale: Do you know that she's a Communist?"

"Oppenheimer: I certainly knew that she was very close. I did not know she was a member.

"Lansdale: You don't know what her position in the party is?"

"Oppenheimer: No. I didn't even know she was a member.

"Lansdale: Do you have any more than just an acquaintance with her?"

"Oppenheimer: Yes, I know her quite well. Her

husband is on the Project."

That was true, wasn't it?

A Yes.

Q "Lansdale: How about a fellow by the name of Isaac Folkoff?

"Oppenheimer: I don't know. I knew a Richard Folkoff who was a member of considerable importance."

A Of what?

Q I am reading you what the transcript shows.

A A member of considerable importance?

Q You knew that Isaac Folkoff was a member of considerable importance, didn't you?

A Yes. I think that is a garble in the transcript again. Richard Folkoff was a member of Consumers Union as I told you yesterday.

Q "Lansdale: How about a man by the name of Steve Nelson?

"Oppenheimer: He was a professional Party member. He's an organizer.

"Lansdale: Did you know him well at all -- under what circumstances did you know him?

"Oppenheimer: He was a friend of my wife's former husband who was killed in Spain. I have a thoroughly unprofessional acquaintance with him."

Do you recall saying anything like that?

A I recall telling Lansdale about my wife and Nelson.

Q "Lansdale: How about Haakon Chevalier?

"Oppenheimer: Is he a member of the Party?

"Lansdale: I don't know.

"Oppenheimer: He is a member of the faculty and I know him well. I would not be surprised if he were a member, he is quite a Red."

That is true?

A He was quite a Red.

Q You would not have been surprised to find he was a member of the Party, would you?

A I think I would during the period I knew him.

MR. ROBB: Now I will skip over to page 14. Is there anything else in connection with those particular questions that you would like to have me read, Mr. Garrison?

MR. GARRISON: I have not read all in between.

MR. ROBB: I did not leave out anything for a couple of pages.

BY MR. ROBB:

Q At the top of page 14:

"Lansdale: Now, I want to ask you to go back to Lomanitz. You told me when I was down there that when you broke the subject to, what do you call him, Rossi?

"Oppenheimer: Rossi."

What do you mean by "down there"?

A Lomanitz was never at Los Alamos.

Q No. "You told me when I was down there".

A I guess he means Los Alamos. I don't know.

Q "When you first broke the subject to him about going on the place you stated that he was uncertain, he came up to your house and did what you characterized as a good deal of soul searching. I would like to know whether that soul searching or discussion of his own feelings had any relation to his work in the Party?

"Oppenheimer: None whatever, I did not know he was a member of the party.

"Lansdale: Until just recently.

"Oppenheimer: Yes. I knew he was extremely Red, but frankly I thought he was a member of the Trotskyite faction.

"Lansdale: Which would ipso facto prevent him from --

"Oppenheimer: Being a member of the Party. That's what I thought at that time. What he said he wanted at that time was to be a soldier and be one of the American people in that way and help mold their feelings by being a soldier, and wasn't that more worthwhile than working on this project. I told him he obviously had a lot of talent, he had training that he was throwing right away and that if he could

make up his mind and it was a clearcut decision to use himself as a scientist and nothing else, that then that was the right thing to do.

"Lansdale: What led you to exact from him a promise, or to make the condition of giving up political activities?

"Oppenheimer: Because he had distributed leaflets and because it was just generally obvious that he was a member of the union and radical societies."

Does that refresh your recollection as to what you knew about Lomanitz's background and what you said to him before he went on the project?

A The union I guess is the FAECT. The leaflets I don't remember.

Q Do you recall having any such conversation with Lansdale?

A I didn't remember our discussing Lomanitz.

Q Do you now recall that you did have a discussion with Lomanitz about his activities before he went on the project?

A I think the substance of the conversation is that if he could be a scientist he should and he should do just that.

Q Do you now recall laying down the conditions to him about giving up his previous political activities?

A I don't recall it. We discussed it yesterday.

I am not likely to recall that matter today. I don't mean to deny it, sir.

Q "Lansdale: Now, you have stated to me and also I think to General Groves that in your opinion membership in the party was incompatible with work on the project from a loyalty standpoint.

"Oppenheimer: Yes."

That was your viewpoint, wasn't it?

A Yes.

Q "Lansdale: Now, do you also go so far as to believe that persons who are not actually members but still retain their loyalty to the party or their adherence to the party line are in the same category?

"Oppenheimer: Let me put it this way. Loyalty to the party, yes, adherence to the party line, maybe no. In that it need not necessarily, although it often is, be the sign of subservience. At the present time I don't know what the party line is in too much detail, but I've heard from Mrs. Tolman, Tolman's wife, that the party line at present is not to discuss postwar affairs. I would be willing to say that anyone who, well let me put it this way, whose loyalty is above all else to the Party or to Russia obviously is incompatible with loyalty to the United States. This is, I think, the heart of it. The party has its own discipline."

Do you recall saying that?

A No, I don't recollect much about this. This, however, sounds like what I thought.

Q You have no doubt that was your view at that time?

A Substantially that was my view.

Q Is there any difference between what I have read and what your view was at that time?

A I don't know. It is a long couple of paragraphs. It is a long time ago. I think it is substantially what I then thought.

Q Lansdale then continued: "Now, I was coming to that. I would like to hear from you your reasons as to why you believe, let's stick to membership in the Party, is incompatible to complete loyalty to the project. When, to state something a little bit foolishly membership in the Democratic Party certainly wouldn't be.

"Oppenheimer: It's an entirely different Party. For one thing . . . I think I'd put it this way. The Democratic Party is the framework of the social customs . . . of this country, and I do not think that is true of the Communist Party. At least, I think that there are certainly many Communists who are above all decent guys, but there are also some what are above all Communists. It's primarily that question of personal honor that I think is involved. I don't know whether that answers the question but my idea is that being a Democrat doesn't guarantee that you're not a

floorflusher, and also it has no suggestion just by virtue of your being a Democrat that you would think it would be all right to cheat other people for a purpose, and I'm not too sure about this with respect to the Communist Party."

Do you recall saying anything like that?

A I don't.

Q Would you say that did represent your views at that time?

A I find nothing incompatible between it and what I remember. This is for me not a very easy line of questioning because I don't recollect what I said and I remember what I thought only in general terms.

MR. GRAY Before you turn the page, I think that as a matter of record at the end of the fourth line, the party, as you read it, I think, "The party has its own discipline", at least this copy seems to say "The party has its own disciples."

MR. ROBB: Disciples, that is right.

MR. GRAY: I don't think it is material.

MR. GARRISON: I think this indicates the problems of accuracy, because it would probably make more sense as Mr. Robb read it.

MR. ROBB: There seems to be a pen and ink interlineation.

MR. GARRISON: The word "floorflusher" is not quite

correct.

MR. ROBB: Now I will turn to page 17. Mr. Garrison, is there something you want read?

MR. GARRISON: Afterward, after I read it over.

BY MR. ROBB:

Q Lansdale starts on page 16 and makes quite a little talk which I won't read because it is not essential to the context. At the top of page 17, he says:

"Here we are, we know that information is streaming out from this place every day. We know about some of it, how much of it is there that we don't know about?

"Oppenheimer: Places other than the West Coast?

"Lansdale: Sure, we know that definite efforts are being made to find out, they wouldn't be going to these efforts unless they really wanted it. Now, what shall we do? Shall we sit back and say well, my God, maybe the guy recanted, maybe he isn't at all.

"Oppenheimer: Hard for me to say because of my own personal trends, and as I say I know that the Serbers afford a good illustration of this I would hesitate to say to a stranger . . . about another closeup . . . person whose history was the same as that of Mrs. Serber's, sure she's all right but I know the Serbers and I am confident of them. Now I have worked on rather a personal basis. I don't know the Woodwards are members, I did not know that until General Groves mentioned it the other day that there was some

question of it. I feel that in the case of the Serbers I could understand that very well. But I just don't know in a general case, it's impossible to say. I don't know any of these people in Berkeley, I don't know Weinberg and Lomanitz well enough to swear . . .

"Lansdale: Why is he moving heaven and earth to keep out of the Army?

"Oppenheimer: He told me he thought he was being framed, and I said I think that's nonsense, why would you be framed, and he said, 'Well, part of the general scheme. . . maybe they're after bigger game than the Party.'

"Lansdale: Did you ask him what the bigger game was?

"Oppenheimer: He said he thought you were after the union.

"Lansdale: We're not.

"Oppenheimer: Well, I suggest you keep your eyes open. . . . I persuaded him, I think, that he should not try to stay on the Project there."

Do you recall that portion of your conversation with Lansdale?

A No.

Q Would you deny that took place?

A No.

Q Your answer is no?

A No.

MR. GARRISON: Do you know whether these dots represent words that the stenographer didn't catch?

MR. ROBB: I don't.

BY MR. ROBB:

Q Now, we go to page 22. Lansdale said:

"Can you tell me any more, did Weinberg, it was Weinberg and Bohm who came to you, wasn't it?

"Oppenheimer: Yes, they came to me in Lawrence's office.

"Lansdale: Yes. Did Weinberg and Bohm say anything? What did they say about the Party?

"Oppenheimer: They didn't say anything about the Party.

"Lansdale: They didn't? Did they talk about the union?

"Oppenheimer: They talked, well they didn't even talk about the union. They talked about, I think I've given you a fairly good, I don't know what they might have said if we had met in the woods some place, but we met after all where there were two secretaries in the room.

"Lansdale: Oh, they were there?

"Oppenheimer: I don't know whether the door was closed or not, but it was extremely open interview. I saw Lomanitz more or less, well I saw him first at one of the offices of a man, and we walked out to telegraph . . . but

his discussion was a little bit more uninhibited than the others. These two fellows were concerned with only one thing, they said they had worked closely with Rossi, they thought he was a good guy and that they thought he was being framed for his activities in the union and his political sympathies, and they thought that because of this they were also in danger of such a nature that they should get out of the Project into some other useful work or were they likely to be treated the same way.

"Lansdale: Now let me ask you this. From what you stated to them, if they were in fact not fulfilling the conditions which you mentioned to them, which you said to them would have been tantamount to telling, then if you are doing that you'd better get out.

"Oppenheimer: Yes.

"Lansdale: That is correct, isn't it?

"Oppenheimer: Yes, that is if they were violating any of the three rules which meant active in union, maintaining any contacts with Reds, not maintaining discretion, they were useless to the project."

Doctor, does that refresh your recollection about laying down some rules for Lomanitz, Bohm and Weinberg?

A It refreshes to the extent that these three things said to them in the summer of 1943 would have been natural for me to say. I don't believe these were rules

established by me long in advance. I think this refers to this conversation.

Q Don't you recall now that you had a conversation with at least Lomanitz in which you had told him prior to his coming on the project that he would have to abide by these rules?

A I don't remember those three rules at all. I think it natural that I talked to them at this time in those terms.

Q I see. Your mind is a blank of any talk you might have had with Lomanitz prior to his going on the project?

A No, it is not a blank. I have told you a little about it here, and I testified to the extent I can recall it.

Q Aside from that, you could not recall anything?

A Right.

C And your memory is not refreshed by what I read you?

A No, on the whole it is confused by it.

Q Very well. Doctor, did Maakon Chevalier tell you he had been interviewed by the FBI about the Eltenton Chevalier incident?

A He did.

Q When did he tell you that?

A June or July of 1946.

Q Shortly after he was interviewed?

A Fairly shortly after.

C Did he tell you how long before that he had been

interviewed?

A I don't remember.

C Did you get the impression that it had been very recent?

A I don't recollect the time interval. It was not a year or a month or month or anything -- or a half year.

Q What did he tell you about the interview?

A He told me that he and Eltenton had been interviewed simultaneously, that they had questioned him about his approach to me.

Q What else?

A That they had asked him if he had approached anyone else, and I think -- well, that they picked him up at Stinson Beach and had taken him into headquarters.

Q Anything else?

A That they pressed him about whether he talked to anyone else.

Q Did he tell you what he said?

A Not in any detail.

C How did he give you that information -- in person or by telephone or by letter, or what?

A What I recollect is that he came to our home.

Q In Berkeley?

A Yes.

Q Was that before or after you were interviewed by the

FBI?

A It was quite a while before.

Q So when you were interviewed by the FBI you knew substantially what Chevalier had told them?

A Not in great detail.

Q I said substantially.

A Yes, I think so.

Q Did you also learn what Eltenton had said?

A No.

Q Did you attempt to find out?

A No.

Q Now, you recall that you were interviewed by the FBI again in May 1950?

A Yes.

Q That was at Princeton, wasn't it?

A Yes.

Q Did you tell the agents on that occasion that you didn't know Weinberg was a Communist until it became a matter of public knowledge?

A I may have said I was not certain. My own recollection of it is contrary to this interview with Lansdale which is that the first time I was alerted to it was by the FBI in 1946. But it is clear that I learned something about it or it may be clear that I learned something about it during the war.

Q Didn't you tell the FBI agent on that occasion that you did not know that Weinberg was a Communist until it became a matter of public knowledge?

A I don't remember.

Q You don't remember whether you told them that or not?

A No.

Q When did it become a matter of public knowledge?

A It is still not.

Q Long after 1943, wasn't it?

A He still denied it and I don't quite know what this refers to.

Q Doctor, did you know prior to the time I began to read them to you that there existed transcripts of your interviews with Colonel Pash and Colonel Lansdale?

A I imagined that.

Q You think so?

A Oh, yes.

Q How do you think you found that out?

A I didn't know it. I said I imagined it.

Q You imagined it?

A I thought almost certain that there would be a transcript of security talks.

Q Had you asked anybody about it?

A I don't think so.

Q Were you interested?

A I should have been. I don't think I was.

Q In that same interview with the FBI in May 1950, did you tell the agent that you had made a big mistake in not dropping your Communist Party friend long before you did?

A I certainly don't recognize that.

Q Would you say you didn't tell them that?

A I need to know more of the context and when this was and what it was about.

Q It was may --

A I don't mean the date of the interview, but the context of the interview, and what time we were referring to. Taken in this bald form --

Q Did you say anything to that effect?

A I don't know.

Q Doctor, there came a time in 1949 when you testified before the House Uncommittee on Un-American Activities concerning Dr. Peters, didn't you?

A Right.

Q Your testimony was thereafter reported in the public press, wasn't it?

A Yes.

Q Do you recall what paper it was that it came out in?

A It was the Rochester paper.

Q Did you see that item in the Rochester paper?

A It was sent to me.

Q Who sent it to you?

A Oh, many people. Peters, probably Condon, several other people.

Q Was your testimony accurately reported in the press?

A As I remember, it was fairly accurately reported in the press. It was supposed to be secret testimony.

Q I have before me a photostat -- I am sorry I have not a copy, Mr. Garrison, but I will read most of it -- a story of the Rochester Times Union, Rochester, New York, June 15, 1949. The headline was: "Dr. Oppenheimer Once Termed Peters 'Quite Red'."

The lead off paragraph is: "Dr. J. Robert Oppenheimer, wartime director of the atom bomb laboratory at Los Alamos, New Mexico, recently testified that he once termed Dr. Bernard Peters of the University of Rochester 'a dangerous man and quite Red,' The Times-Union Washington Bureau reported today."

The story then continues after some explanatory paragraphs.

MR. GRAY: Let me interrupt to say, have you another photostat of this news story?

MR. GARRISON: I would like to see it if we could.

MR. ROBB: Surely.

MR. GARRISON: Is this question to be about Bernard Peters or Hannah Peters?

MR. ROBB: Bernard.

MR. GARRISON: The letter mentions Hannah Peters, and not Bernard.

MR. ROBB: Are you sticking to that technicality, Mr. Garrison?

MR. GARRISON: I was asking you if this was an inquiry into Bernard Peters' background.

MR. ROBB: In Dr. Oppenheimer's testimony we have been talking about Bernard Peters for a couple of days.

BY MR. ROBB:

Q The newspaper story continues after some explanatory paragraphs, "In his testimony, Dr. Oppenheimer said he became 'acquainted' with the existence of a Communist cell at Berkeley 'by disclosure of the intelligence agencies of the government. The quotes are not closed, but I assume they should be there.

"Concerning Dr. Peters, Dr. Oppenheimer said he had known the scientist as a graduate student in the physics department in the late 1930's.

"Said Dr. Oppenheimer:

"Dr. Peters was, I think, a German national. He was a member of the German National Communist Party. He was imprisoned by the Nazis, and escaped by a miracle. He came to this country. I know nothing of his early period in this country. He arrived in California, and violently denounced

the Communist Party as being a 'do-nothing party.'"

"Dr. Oppenheimer said he told Major DeSylva he believed Dr. Peters' background was filled with incidents that would point toward 'direct action.'

"Asked to explain this point, Oppenheimer observed:

"'Incidents in Germany where he had fought street battles against the National Socialists on account of Communists; being placed in a concentration camp; escaping by guile. It seemed to me those were past incidents not pointing to temperance.'

"Questioned specifically on his reference to 'direct action', Dr. Oppenheimer said of Dr. Peters:

"'I think I suggested his attack on the Communist Party as being too constitutional and conciliatory an organization, not sufficiently dedicated to the overthrow of the government by force and violence.'

"Asked the source of his information that Dr. Peters had been a member of the Communist Party in Germany, Dr. Oppenheimer replied:

"'It was well known. Among other things, he told me.'"

"Dr. Oppenheimer said he could 'affirm that there is no connection between his (Peters') work and any application of atomic energy that falls within the jurisdiction of the (Atomic Energy) Commission. . . . I would believe that

if Dr. Peters could teach what he knows to a young man capable of learning it, the country would be better off, because if Dr. Peters cannot be employed by the War Department, at least the young man could be employed by the War Department.'"

Doctor, are those quotations from the news story I have read you an accurate summary of your testimony?

A They are fairly accurate. I didn't have the transcript at the time. I believe that a collation was made by Mr. Volpe, who had the transcript, to see how accurate they were.

Q In other words, you checked it at the time to see if it was an accurate statement?

A Somewhat later. It is not a very inaccurate statement.

Q It is substantially accurate, isn't it?

A I think so.

Q Is there anything in there that you could point to and say that was out of line or inaccurate or incorrect?

A Not without the transcript and perhaps not with the transcript.

Q Did you at that time find anything to complain about in the accuracy?

A No, not in the accuracy. The fact of the publication.

Q Yes, you objected to that. Following the publication

of that story, did you hear from Dr. Peters?

A I did.

Q How did you hear from him?

A He wrote me -- I was on the way west, and I learned that he had called my office at Princeton and my secretary reported to me what was bothering him; when I got to Berkeley there was a letter from him.

Q What did he say?

A He said that he was appalled and how could I have done him such harm. I don't remember the words of the letter.

Q How long after you appeared and testified was that?

A About two weeks.

Q Did you hear from anybody else about this story?

A I did indeed.

Q Who?

A Professor Hans Bethe, Condon, my brother, Weiskopf, perhaps other people,

Q What did Condon have to say?

A He said I should not have hurt an innocent and loyal American in that way, that I must take him on at the Institute if he lost his job, that if he lost his job, it would be wholly my doing. That I must try to make resitution, and that he hated to believe that I could have said such a thing, and in an attempt to protect myself. I knew very well if my file were ever made public, it would

be a much bigger flap.

Q Was that by way of a letter?

A Yes, sir.

Q Where was Dr. Condon at that time?

A In Idaho Springs.

Q What business was it of Condon's what you said about Peters?

MR. GARRISON: Mr. Chairman, isn't this a new item of derogatory information that is being produced here?

MR. ROBB: Dr. Oppenheimer brought the name up; I didn't.

MR. GARRISON: Not in this connection.

MR. ROBB: Certainly he did.

MR. GARRISON: Not as an item of derogatory information.

MR. ROBB: Mr. Chairman, I don't think we have to sift this through such a fine sieve as that.

MR. GRAY: What is the objection, Mr. Garrison?

MR. GARRISON: This is a wholly new transaction it seems to me. I don't know what Mr. Robb is leading up to, but it seems to be embarking on a course of discussion of Dr. Oppenheimer's relations with Dr. Condon. If that is to be regarded as an item of derogatory information whatever may be said of it, which I don't know, I should think that we should be entitled to some notice of it.

MR. GRAY: I had not gathered, at least up to this point, that the discussion of Dr. Condon was of a derogatory nature. I believe Dr. Oppenheimer mentioned Dr. Condon's name. Do you need to refer at this point to Dr. Condon?

THE WITNESS: I don't mind answering the question unless my counsel tells me not to.

MR. GARRISON: I withdraw it.

THE WITNESS: I don't know what business it was of Dr. Condon's, except that he was outraged at any harm brought to a scientist.

BY MR. ROBB:

Q Is that the same Dr. Condon that wrote you about Lomanitz?

A Yes, sir.

Q And protested his draft deferment?

A Yes, the same Dr. Condon about whom General Groves spoke this morning.

Q Was Condon still on the project when he wrote about Lomanitz?

A I don't know. He was cleared for it. He was an employee of Westinghouse, and I don't know his exact status. He was not part of the Los Alamos.

Q Is that the same one as quoted as voicing absolute confidence and loyalty and integrity of Dr. Oppenheimer in the Princeton paper?

A I would not be the least bit astonished but I don't know.

Q You received that letter at Berkeley.

A Right.

Q At the same time did you see Peters at Berkeley?

A Peters came to see me.

Q Where did Peters come from?

A He came from Idaho Springs.

Q He went out with Condon?

A There was a conference of physicists. I was supposed to go. I could not make it, I went straight to the West Coast.

Q Did your brother go?

A No.

Q Did Peters come alone?

A His parents live in Berkeley.

Q What did he say?

A The general substance was: Was there any way in which I could help him to keep his job at the University. He also said I had misunderstood him about his being a member of the Communist Party in Germany. He worked with the Communists, he was not ashamed of it, but he was not actually a member and nobody could prove he was. He said, "You don't know my views about the American Communist Party" and I should not have quoted him.

Q You were sure he had told you he had been a member?

A I felt quite sure.

Q You were sure he had told you he had been a member?

A But I am not infallible in these things as is being made very clear in these proceedings.

Q What did you do after you received the letter from Dr. Condon and talked to Dr. Peters?

A I did a lot of things. I consulted Mr. Volpe over the phone who accompanied ^{me} to these hearings.

Q Who is Mr. Volpe?

A General Counsel of the Atomic Energy Commission. He had accompanied me to the hearings. I told him of the great disturbance and I then wrote a letter to the Rochester papers which you no doubt have, the purpose of which was to undo any injury that I should not have done to Peters. I think I also wrote or communicated with the officials of the University saying that I would be glad to talk to them when I got back.

Q Did you see Dr. Peters at Princeton before you saw him at Berkeley?

A I believe I did.

Q Did you tell him on that occasion that you had testified but that God had guided the questions so you didn't hurt him?

A I certainly didn't.

Q Or anything of that sort?

A No.

Q Did he come to see you at Princeton?

A Yes, he did.

Q About what?

A I don't remember. He had been down to testify before this same committee. I imagine it was in that connection.

Q He came to see you about your testimony and his testimony, didn't he?

A I don't -- I am sure he came to see me in connection with the testimony.

Q And you discussed it?

A I don't believe I discussed mine. It was in executive session.

Q Did you discuss his? You didn't tell him in substance that God guided the questions or that fortunately the questions were such that you didn't do him any damage?

A That would certainly not have been an accurate statement, and I don't remember making it.

Q You then wrote a letter after you saw Peters and received Dr. Condon's letter to the paper.

A Yes, sir.

Q And in that letter you retracted some of the testimony you had given, did you not?

A Right. I had that letter shown to the committee.

Q Just for the record, I will read the letter. Do you have it there, Mr. Garrison?

MR. GARRISON: No, but that is all right.

MR. ROBB: This is a photostat from the Rochester, New York Democratic Chronicle, July 6, 1949. The letter is dated June 30, 1949, headed "Dr. Oppenheimer Explains.

"Editor, Democrat and Chronicle:

"Recently the Democrat and Chronicle published an article based on reports of my testimony before an executive session of the House Committee on Un-American Activities, which it seems to me could be damaging to the good name of Dr. Bernard Peters, of the University of Rochester.

"I first knew Dr. Peters about 12 years ago during his student days in California. I knew him, not only as a brilliant student, but as a man of strong moral principles and of high ethical standards. During those years his political views were radical. He expressed them freely, and sometimes, I thought, without temperance. This seemed to me not unnatural in a man who had suffered as he had at Nazi hands. I have never known Dr. Peters to commit a dishonorable act, nor a disloyal one.

"Dr. Peters has recently informed me that I was right in believing that in the early days he had participated in the Communist Movement in Germany, but that I was wrong

in believing -- as the article stated -- that he had ever held a membership in the Communist party. That he has today no regrets for his actions in Nazi Germany he himself made clear in his statement that accompanied the publication of the article.

"From the published article one might conclude that Dr. Peters had advocated the violent overthrow of the constitutional government of the United States. He has given an eloquent denial of this in his published statement. I believe his statement.

"As indicated in the article, the questions which were put to me by the House Committee with regard to Dr. Peters arose in part because of reports of discussion between me and the Intelligence Officers at Los Alamos. These Los Alamos consultations took place in connection with confidential wartime assignments. I wish to make public my profound regret that anything said in the context should have been so misconstrued, and so abused, that it could damage Dr. Peters and threaten his distinguished future career as a scientist.

"Beyond this specific issue, there is ground for another, more general, and even greater concern. Political opinion, no matter how radical or how freely expressed, does not disqualify a scientist for a high career in science; it does not disqualify him as a teacher of science; it does not impugn his integrity nor his honor. We have seen in other

countries criteria of political orthodoxy applied to ruin scientists, and to put an end to their work. This has brought with it the attrition of science. Even more, it has been part of the destruction of freedom of inquiry, and of political freedom itself. This is no path to follow for a people determined to stay free.

"Robert Oppenheimer, Berkeley, California, June 30, 1949."

BY MR. ROBB:

Q Doctor, is that the letter you sent?

A It is.

Q How has your remark or testimony been misconstrued or abused?

A Well, for one thing they were abused by being made public. This was an executive session. I should not have talked in executive session without thinking what they might do publicly.

Q How had your testimony been misconstrued?

A It was being misconstrued to mean that he should not keep his job. I had explicitly said that I thought it was good he keep his job.

Q The report of your testimony was accurate, wasn't it?

A Yes.

Q And you have just told us that this letter was intended at least in part to repudiate that testimony, is that

correct?

A To repudiate is a little strong.

Q Is it now your testimony, Doctor, that your testimony before the House committee to which we have referred was not true?

A No, it is certainly not my testimony that it was not true. As to Peters' membership in the Communist Party in Germany, I have only really his word to go on. I am fairly sure of my initial recollection. I am very clear of his later denial. I don't think --

Q Doctor, when you testified before the House committee, you knew for you to say that Dr. Peters told you that he had been a member of the Communist Party was a matter of great seriousness, didn't you?

A Right.

Q You would not have said that, would you, had you not been absolutely sure it was true?

A I was convinced it was true, or I would not have said it.

Q Beg pardon?

A I was convinced it was true.

Q And yet when Peters came to see you and you received a letter from Dr. Condon, you in effect repudiated that testimony, didn't you?

A Does it say that I don't believe he was a member

of the Party?

Q I have just read it to you.

A I have forgotten.

MR. GARRISON: Do you mind if I show it to him?

MR. ROBB: Not at all.

THE WITNESS: I don't say I believe his denial.
I just say he denied it.

BY MR. ROBB:

Q Very well. Isn't the implication of your letter that you were wrong in believing that he had been a member of the Party?

A I think it leaves the matter open.

Q Was it your intention to convey that impression when you wrote the letter?

A I think the sum total of my intention was not to get this guy fired from the University of Rochester because of intemperate remarks I made before the House Committee.

Q You thought your remarks were intemperate?

A I think somewhat.

Q You thought the truth was intemperate?

A I think the phrasing of it was intemperate.

Q Was it intemperate for you to testify, believing it to be true, that Peters had told you he had been a member of the Communist Party?

A No.

Q Wasn't it your intention in writing this letter on June 30 to convey to the public the impression that you had been mistaken in saying that he told you he had been a member of the Party?

A I simply gave his own statement.

Q I know you did. But wasn't it your intention to give the public through the press the impression that you were mistaken?

A I had no specific intention.

Q When Dr. Condon wrote you about your own file what do you think he referred to by that?

A I should think the material before you.

Q Do you think you were being placed under any pressure by either Peters or Condon to retract what you said?

A No, the real pressure came from people who were not belligerent at all, but who were regretful.

Q Who were they?

A Bethe, Weiskopf, my brother. They wrote very, very nice letters saying, this guy was being put -- was suffering for something because I had done it and he should stay on his job.

Q And you were influenced by that pressure, were you not?

A Of course, I was.

Q Where is Peters now?

A He is in Tata Institute in Bombay.

Q When did you hear from him last?

A I had a note from him about physics, just an off print, about a year ago.

C Did you help him get that job?

A No.

Q Did he --

A Let's see. The man he works for -- I didn't help him get the job. I know the man he works for.

Q Who is that?

A Bhabha is the name.

Q Has he any Communist connection?

A No, I don't know. He is an Indian, he is a millionaire. I don't know what he is.

Q Do you hear from Dr. Peters frequently?

A Very infrequently. I think the communications have been scientific papers, and one question, because I said he made a mistake and he wanted to know what I meant. I didn't answer it.

MR. ROBB: Mr. Chairman, I have a subject that will take a few minute. Would the Chair want me to continue or would you want to adjourn?

MR. GRAY: It is now 25 minutes past four, I believe. We usually sit until 4:30. I should like to inquire of Dr. Oppenheimer, and counsel, what their wishes are? The

Board is prepared to sit further.

MR. GARRISON: Could we take a three minute recess?

MR. GRAY: We certainly may, and we are prepared in the interest of moving along to sit further if Dr. Oppenheimer feels up to it.

MR. GARRISON: Dr. Oppenheimer is ready to go on for about half an hour.

Mr. Chairman, I would just like to direct the Board's attention to a clipping I have just been handed from the New York Daily News for Thursday, April 15, 1954. The headline, "Two Letters Hit Oppenheimer as Informer." This is a news article by Jerry Green of the News Bureau, dated Washington, D. C., April 14. That is yesterday.

"The AEC problem of Dr. J. Robert Oppenheimer as a security risk tonight focused on two mysterious letters accusing the atomic scientist of turning informer in 1949 to protect himself. The letters bore the name of Dr. Hugh Condon", and so forth.

I know nothing more than to bring this to your attention.

MR. ROBB: What paper is that in?

MR. GARRISON: New York Daily News. It is today's paper but written dateline of yesterday, saying that this problem last night focused on the Condon letters, one of which at least has been the subject of testimony this morning.

DR. EVANS: I read that last night. I wondered about it.

MR. ROBB: They must have been clairvoyant. Could we proceed, Mr. Chairman?

MR. GRAY: Yes.

BY MR. ROBB:

Q Doctor, I would like to talk with you a bit about for convenience what I should call the Kenilworth Court incident. Are you familiar with what I am talking about?

A I do indeed.

Q You are quite familiar, are you not, with the testimony of Paul Crouch and Mrs. Crouch concerning that episode?

A I have read it. I have gone over part of it with counsel. I am certainly familiar with its general import.

Q I am not trying to trap you or anything, but merely trying to save time. If you are familiar with it, I won't need to rehearse it.

A There may be points that I will be unfamiliar with but let us raise those.

Q To recall that they testified in substance that they had been present at a closed Communist Party meeting in late July 1941 -- was it?

A Right.

Q At a house which you were the lessor at 10

Kenilworth Court, Berkeley, California. Crouch had addressed the meeting, explained the Communist Party line, and I believe they said that Joseph Weinberg was also present. Is that about it?

A That is at least part of it.

MR. GARRISON: The word is "lessee".

MR. ROBB: I said lessor; the lessee.

BY MR. ROBB:

Q I believe, Doctor, that the substance of your response in your answer at page 30 is that you were the lessee of the house at that time, but that you were in New Mexico, and did not attend such a meeting, is that correct?

A That is part of my answer. The rest of it is that I also didn't attend such a meeting at any time.

Q Yes, sir. You state in your answer, I believe, that you attempted to establish your whereabouts and with the assistance of counsel had found you were in New Mexico, is that correct?

A I stated that. My answer, I think took -- we will find the words, as near to July 23 as the central date.

Q That is page 30 and 31.

A I thought probably that at that time of that meeting which by then had been fixed by Crouch as approximately July 23, my wife and I were away from Berkeley. Shortly after with the aid of counsel --

Q Is it your testimony now, Doctor, that you did not attend that meeting or any similar meeting at which Crouch made a talk?

A Yes. A closed meeting of the Communist Party in my house at which people were introduced at which Crouch talked, I did not attend.

MR. SILVERMAN: At which people were not introduced.

THE WITNESS: Were not introduced.

BY MR. ROBB:

Q Had you ever attended a closed Communist Party meeting of any kind?

A I told you of the meeting at my brother's, which was not closed, because we were guests, but where everybody else I understood to be a Communist. I know of no other.

Q Except for the identity of the speaker, Doctor, was there any substantial difference between the meeting at your brother's which you described and the meeting which Crouch described.

A There was everything different. Crouch described a lecture. No one was introduced. It was at my house. It was to discuss, according to his description, high Communist policy. The meeting at my brother's house was a meeting at which people were introduced, at least to some extent, very friendly and not a lecture. They had

literature. There was no talk of literature at the Crouch description. Everybody at this other meeting knew everybody else, except the two visitors, who were introduced as visitors. No similarity that I can see.

Q What about the meeting at Louise Bransten's house? Was there a speaker there?

A There was.

Q Who was that?

A Schneiderman.

Q He was also the speaker at Haakon Chevalier's house, wasn't he?

A Right.

C What was the difference between those two meetings and the meeting that Crouch described, of course leaving out the fact that Crouch described a meeting at your house which we know.

A I had no impression and I know that the meetings at the Chevaliers and the Branstens were not intended as Communist Party meetings.

Q But at both meetings, both the Chevalier and Bransten, you had a talk from a high Communist Party functionary about the Communist Party line, didn't you?

A Right, absolutely.

Q So at least to that extent those meetings were similar to the one described by Crouch.

A Right.

Q And they were both at night in a private house, is that correct?

A Yes.

Q And the one described by Crouch was at night and in a private house?

A Yes.

Q I believe you told us that so far as you recall most everybody at the Bransten meeting and the Chevalier meeting was either a Communist or a fellow traveler.

A I said taking sympathizer in a broad sense, a sympathizer.

Q So that the Bransten meeting and the Chevalier meeting and the one described by Crouch were all meetings where a high Communist Party functionary was going to explain and expound the Communist Party line, is that correct?

A In that respect, correct. I believe there is a difference, because Crouch's description indicates that he was telling the comrades what to say and do. There was none of that quality in these other meetings.

Q You mean Schneiderman didn't tell the comrades anything?

A He said the Party stands for this, the Party decides, and so on, as a sort of exposition.

Q Do you have any doubt that any comrade there present

would have gathered from what Schneiderman said what Schneiderman was, what he was supposed to believe and say and do?

A I can testify that it had no such meaning for me, because I was not a comrade.

C That was not quite my question, Doctor. Would you read my question back to the Doctor?

(Question read by the reporter.)

THE WITNESS: I have a little doubt. I had more the feeling that this was a public relations show on Schneiderman's part.

BY MR. ROBB:

Q You thought it was necessary for a Communist Party functionary to engage in public relations with comrades?

A No, they weren't all comrades.

C A substantial number of them were, weren't they?

A I don't know.

Q Doctor, when you first heard about Crouch's testimony before the California committee, did you immediately deny categorically that you had been present at such a meeting?

A I first heard about it from the Federal Bureau of Investigation, not from the testimony.

Q When you first hear about it from the FBI, did you immediately categorically say, "No, I was not present?"

A I said it pretty strongly. It took a long time.

The investigators produced more and more detail and the more detail they produced, the more convinced I was that it had not occurred.

Q Whose investigators?

A The FBI investigators. I have forgotten their names.

Q You mean it was not until after an investigation had been made --

A No, the FBI came to see me about this matter before the California testimony.

Q Yes, sir.

A They started interrogating me. As their account of the details of the meeting, the suggested details of the meeting, developed, I became quite clear that it had not occurred. I promised to talk it over with my wife and see if she had any recollection of it, and I saw them a few days later, and said by then I was sure it did not occur.

Q It took you a little while to make up your mind whether you had been present or not, didn't it?

A I didn't know what it was that they were talking about. It did not come out in terms of a closed Communist meeting. You probably have the record of the interview, and I don't remember the details. But I remember that it wasn't until the thing had some shape that I knew what they were talking about.

Q As soon as you were told that the question was whether you had been at a closed Communist Party meeting and Paul Crouch had made a talk --

A I was not told about Paul Crouch.

Q As soon as you were told by anybody that the question was whether or not you had been at a closed Communist Party meeting where somebody had made a talk, did you immediately say "No, it couldn't have been true; I was not there"?

A I don't remember, and I don't know that is the form in which the incident occurred in the FBI interview.

Q Was that prior to the time when Crouch testified?

A Yes, I am sure that as a result of these two interviews with the FBI I did deny it. But I do not know in what sequence the itemization of this meeting occurred.

Q But, Doctor, isn't it a fair statement to say that it took you some little time before you finally denied that you had been at such a meeting?

A I don't -- it probably took me some time, but I don't know what the facts withheld from me were until I denied it. This is available to you, but it is not in my memory. I will say one thing. I believe it was late in the interview that I said this didn't happen. But I don't know in what order things occurred.

Q Do you recall telling the agents that you did

recall somebody asking you to "give us your house for a meeting of young people"?

A I have that in my answer.

Q Do you recall telling the agents that?

A No, I don't.

Q Do you recall telling that the person who requested such permission could have been Kenneth May, but you didn't recall that it was?

A Yes. Now I recollect. I said that to somebody. Whether it was to the U. S. Attorney or the agents, I don't remember.

Q What I am asking you about is an interview with two special agents of the FBI.

A Right.

Q I believe at San Francisco.

A No.

Q Pardon. Wasn't it? Was it Princeton?

A If it is the one I am thinking of, it was at Princeton.

Q Do you recall making that statement about possibly loaning your house to some young people, possibly Kenneth May being involved, making that statement in May 1952, to perhaps the United States Attorney's office here?

A Yes. In fact, I say that in my answer.

Q Did you categorically deny everhaving been at such

a meeting, Doctor, until after your representatives had made the investigation in New Mexico?

A I categorically denied it to the FBI in these two interviews.

Q Doctor, your position is that you could not have been there because you were in New Mexico, is that right?

A No. My position is a little more complicated than that. It is first that I recollect nothing about it, and that the circumstances are such that I don't believe I could fail to recollect it. It is second, that if I were there, it could not have been a closed meeting of the Communist Party, because I wasn't. It is, third, that at the time it is alleged to have occurred, and for a considerable time before and after that, we were not there.

The first point is important. I forget a lot, but the notion that I would forget a meeting in my own home at which a lecture has been given, I think that has never happened, is a little hard. The notion that I would forget a meeting in my own home filled with people at which no one was introduced is a little hard.

Q Doctor, you purchased your house at one Eagle Hill there from a Mrs. Damon?

A I did.

Q Those negotiations were going on during July of 1941, weren't they?

A Yes.

Q Do you recall meeting with Mrs. Damon at Berkeley to divide up some furniture that was in the house?

A Yes.

Q In the new house?

A Yes.

Q Do you recall when that was?

A Not with precision, but I should think the 8th of August was a pretty good guess. 10th of August, maybe. I am not sure.

Q Did you go back to New Mexico after that happened?

A No.

Q Did you stay in Berkeley?

A We stayed in Berkeley.

Q It would have been physically possible for you to fly back from New Mexico for a day or two to Berkeley and then return, would it not?

A Of course it would.

Q It would not have taken you very long to get back from New Mexico?

A No, especially for an important Communist meeting.

Q But your testimony is that you didn't do that.

A That is right.

MR. ROBB: I think that brings that item to a close.

MR. GRAY: Do you have one other line of questioning?

MR. ROBB: It will take quite a while.

MR. GRAY: It is not yet five. Maybe I can ask two or three miscellaneous questions, if I may.

THE WITNESS: Is there just one other major line of questioning?

MR. ROBB: I think so, Doctor, but don't hold me to that.

MR. GRAY: I was interested a while ago, and I suppose this is more curiosity than anything else, when you referred to being accompanied by counsel to the House Un-American Activities Committee, you mentioned Mr. Volpe.

THE WITNESS: That is right.

MR. GRAY: And identified him as General Counsel.

THE WITNESS: Right.

MR. GRAY: Was he at that time General Counsel?

THE WITNESS: He was. And I was Chairman of the General Advisory Committee.

MR. GRAY: It was in that capacity?

THE WITNESS: I think the Commission agreed or decided that this was a proper arrangement.

MR. GRAY: I don't know whether you know the answer to this question, Dr. Oppenheimer, but in reading the files, there appear references to closed meetings of the Communist Party. There also appear many references to meetings of people who were Communists or fellow travelers, which were

referred to as social gatherings. Without implying that you are an expert in these matters, but from conversations with your brother, perhaps, or Mrs. Oppenheimer and others, is there any real difference between a closed meeting and a social gathering if the same people are involved?

THE WITNESS: Let me tell you by what I mean by the words. The words "closed meeting" mean to me one to which only members of the Communist Party can come. I think that is a rather sharp distinction if you are trying to identify who is and who isn't a member of the Communist Party. I should suppose that the difference between a meeting and social gathering was rather wide. In a meeting it was business and it was transacted and there was probably a chairman and there might be dues collected and there might be literature. Anyway, this happened at the little meeting I saw at my brother's. I should think that a social gathering would be a lot of talk which could indeed be very bad talk, but which would not be organized or programatic. This is the sense in which I would interpret the words.

MR. GRAY: So these two meetings which have been the subject of some discussion at both of which I believe Mr. Schneiderman spoke, in the terms of the definitions which you have given, they would really have been social gatherings?

THE WITNESS: I would say they were neither. They were social gatherings ornamented by a special feature, namely,

this lecture or speech. An ordinary social gathering I don't think has a lecture even in Communist jargon.

MR. GRAY: I just had the impression about these functions that many of those that we referred to were social gatherings may have been meetings. That doesn't concern your attendance at all.

There is one question I have which relates to the security of the project itself. Very early in your testimony in some discussion about procedures or security measures which were taken after very careful thought, you made the observation obviously they did not succeed. Again this is not a direct quote. Do you mind amplifying on that just a moment?

THE WITNESS: Yes. I think of the known leakages of information, Fuchs is by far the most grave. It occurred out of Los Alamos. I won't attempt to assess responsibility for the surveillance of personnel who moved around there. Facilities for surveillance were available, and they could well have been used in following Fuchs rather than somebody else. That would not have prevented his prior espionage, but it would have prevented the espionage at that time. I can't imagine any more pinpointed leakage than if Fuchs had simply communicated what he was working on. I don't mean that this was the only secret, but I can't imagine any single little point that would be more helpful to an enemy than the job

he had himself. While not wishing to debate with General Groves either the necessity, the desirability or the dangers of compartmentalization, I would like to record that if Fuchs had been infinitely compartmentalized, what was inside his compartment would have done the damage.

MR. GRAY: Here is a rather sharp change of pace again. Do you know what was the source of the allegation that you caused to be circulated the GAC report at Los Alamos?

THE WITNESS: No. I would very much like to know the source of it. I have a conjecture, but I would prefer to be told and not to make the conjecture.

MR. ROBB: Might I ask this one question, Mr. Chairman, suggested by a question that you asked?

MR. GRAY: Yes.

BY MR. ROBB:

Q Dr. Oppenheimer, when did you tell the FBI about this meeting at Louise Bransten's house?

A I spoke of that earlier. I said at the latest 1952 and possibly earlier. I don't remember.

Q At one of the interviews that we have talked about, either in 1946, '50 or 1952, is that right?

A Yes, in 1952 I think it possible that it was an interview with my wife at which I was present.

Q You think that is when you told them about it?

A I know that it occurred not later than that

interview.

Q Have you been interviewed since 1952?

A Only minor ones, not protracted ones.

MR. GRAY: Again a shift of subject, and you may have answered a question about this, Dr. Oppenheimer. I am sure you testified that your brother Frank had told you that he joined the Communist Party.

THE WITNESS: Yes.

MR. GRAY: Were you questioned about your knowledge about his severing connection with the Communist Party? I don't want to plow over some old ground.

THE WITNESS: Was I questioned here? I think I was. I think it is in the transcript. As to the facts, I felt assured by talking to him in the fall of 1941 he was no longer a member. Whether that is because I asked him or because he told me --

MR. GRAY: Yes, I do remember that was covered. Were you also asked about Mrs. Frank Oppenheimer? Did she follow the same course?

THE WITNESS: I understood this went for both of them, but perhaps not quite so sharply.

MR. GRAY: One other unrelated question. We talked yesterday about your having dinner or at least a social visit with Dr. Chevalier in Paris in November or December. There was in the morning press a statement attributed to Dr.

Chevalier which had a St. Louis date line, I believe.

THE WITNESS: Yes.

MR. GRAY: Which indicated to me that he is in this country. Were you aware of the fact that he was back in this country?

THE WITNESS: No. In fact, I am skeptical of it.

MR. GRAY: I gather you are saying that you have no reason to believe that he is not still in Paris?

THE WITNESS: That is right.

MR. GRAY: I don't want to clutter up the record with the quotes of Dr. Chevalier, but am I right in thinking I read that in today's press?

MR. ROBB: You are correct.

MR. GRAY: It is now a couple of minutes after five. We will meet at nine in the morning at you will proceed with the questioning.

(Thereupon at 5:03 p.m., a recess was taken until Friday, April 16, 1954, at 9:00 a.m.)

