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UNITED STATES ATOMIC ENERGY COMMISSION

VOLUME V.

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 :

Room 2022,
 Atomic Energy Commission,
 Building T-3,
 Washington, D. C.
 Friday, April 16, 1954.

The above entitled matter came on for hearing,
 pursuant to recess, before the Board, at 9:00 a.m.

PERSONNEL SECURITY BOARD:

MR. GORDON GRAY, Chairman.
 DR. WARD T. 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 proceeding will begin.

MR. GARRISON: Mr. Chairman, before we begin, I want to make one procedure question.

When we adjourn this afternoon at half past three, it would be very helpful to us if we could have copies of all the transcripts of the testimony to date, whether they have been cleared or not, to work on. I assume this can be arranged. In other words, we could work on them in the other room with the understanding that they will not be taken out of the building, so that we can do some work on them over the weekend. I think perhaps this afternoon, this evening and tomorrow would pretty well do it. Are they still going the rounds?

MR. ROBB: Frankly, Mr. Garrison, I don't know. I have had so many other things on my mind, I don't know what has been happening. I know somebody is reading them with a view to seeing what should be classified and what should not. Who has to do it and how many times it has to be read, I don't know. I have not read it myself.

MR. GARRISON: This is the end of the first week now. Next week is going to be a very concentrated string of witnesses. This is about the only time that we shall have to do any work on them. There was such a jumble of dates and names that it is pretty hard just from scribbled notes here to--

MR. GRAY: In response to the point raised by Mr. Garrison, I would have to say that I don't know what the situation is with respect to transcript and I will have to find out and we will respond.

MR. GARRISON: That is why I raised the point at this point of time. I assume that the only problem is they are going out of the building, because as far as we are concerned, we have heard it all.

MR. ROBB: It seems reasonable to me that Mr. Garrison should have access to them if they are available. As I say, there are higher powers than I.

MR. GRAY: We will respond to the request.

MR. ROBB: You have heard all the testimony, so why can't you read it?

MR. GARRISON: It would be far better if they were released and we could keep them.

MR. ROBB: Yes, but I don't have any control of that.

MR. GARRISON: The next request has to do with the transcripts of the interviews with Pash and Lansdale. I have personally not had time to go over them, but my associates have, and I would like very much to have an opportunity to go over them myself at the end of the afternnonn session.

MR. ROBB: Surely.

MR. GARRISON: Also, I would like to hear, and I

think I should be entitled to hear, the recordings, because it appears from these transcripts there are places where they just don't seem to make sense at all. There were quite a number of gaps and statements when one doesn't know which voice is what, just from the grammatical structure of the thing. I don't want to make too much about this at all, but I am worried about it as counsel.

MR. GRAY: We will receive this request along with the other, and we will respond to it in the course of the day.

MR. GARRISON: I am told that the Pash transcript says in a little box at the top of it, some indication that this does contain errors and is substantially correct, or words to that effect. I feel this particularly on my conscience because I think it may well be that if we had the sense of what that transcript was like at the time Dr. Oppenheimer was testifying, I am not at all sure his testimony at all points would have been quite as it was. I don't want to overdo that point, but I want you to feel that sense of urgency that I as counsel do about it.

MR. GRAY: I would make the observation, Mr. Garrison, that it is entirely possible that Dr. Oppenheimer's might not have been the same, but this is his testimony and not counsel's testimony.

MR. GARRISON: That is right.

MR. GRAY: I don't know that your having had an

opportunity to read these transcripts in advance and advise Mr. Oppenheimer, if it had changed his testimony essentially, it would not have been in the interest -- I don't suppose you meant to imply that.

MR. GARRISON: No, I didn't mean having them in advance and advising him before, but simply having them before me as they were read so I might see what these gaps and garbles were. I did have the sense of the testimony in connection with the Lansdale one had rather a different quality and the line of questioning perhaps. But I don't want to carry the argument any further or push it an inch beyond what it is entitled to. I just want to express my sense of urgency as counsel to do a good job.

MR. GRAY: I understand, and I have received the two requests, and we will respond to them.

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 (Resumed.)

BY MR. ROBB:

Q Doctor, I have one or two miscellaneous questions. You mentioned Mr. and Mrs. Serber yesterday. Did you know them very well?

A I did.

Q How long have you known them?

A He came as National Research Fellow to Berkeley. I think he held the fellowship two years. This may have been 1934-35. He stayed on as my research assistant I think for another two years. I got to know them during the period of this fellowship. I have known them ever since.

Q Did you know his wife, Charlotte?

A Sure.

Q You mentioned that she had a rather important position at Los Alamos. What was it?

A She was librarian.

Q Did that mean she had charge of all the technical publications and technical materials in the project there?

A She was in overall charge. The actual documentary stuff was in the immediate charge of another woman.

Q Who was the other woman?

A I have forgotten her name.

Q Was Mrs. Serber's position one which would be described as highly sensitive?

A Yes.

Q She had access to a great deal of important classified information?

A Yes.

Q What did you know about her background so far as Communist connections were concerned?

A I knew that she came of a radical family, the Leof family. I saw and heard in the transcript of my interview with Lansdale that I said she had been a member of the Communist Party. I have no current belief that this is true. I told you that she was very active in Spanish relief and that she and her husband had strong left wing views.

Q You knew that when she came to Los Alamos?

A Yes.

Q Were her activities and her beliefs such as those that we have described, I believe, as indicia of Communistic tendencies? Do I make myself plain?

A Only in part. I recollect, for instance, her expressing concern and dissatisfaction with the purge affairs, which I think was not a pro-Communist position. On the Spanish thing she was certainly very, very much engaged.

Q On the left wing side?

A On the Loyalist side, which was also the left wing side.

Q How did you know about her family in Philadelphia?

A I once met them. When I was in Philadelphia I met them on another affair. But this is something that over the years she gossiped about quite a lot.

Q You said you knew she was quite radical, I believe.

A Yes.

C Would you explain what you meant by radical?

A I will try. I believe Leof was an old time socialist. Probably he was a socialist when the various factions had no split. I believe that they also were very much concerned with the Spanish cause. I believe they also had left wing friends. But I do not know any details.

Q What did you mean when you spoke of the factions splitting, Doctor?

A The Socialist Party, the Communist Party, the Trotskyite Party, the Stalin Party, and so on.

Q Which faction did you understand that Leof went with?

A I didn't understand.

Q You were more or less familiar with those details of the factional disputes and debates in the Party?

A No, I was familiar with their existence.

Q Was Mr. Serber also at Los Alamos?

A Yes, he certainly was.

Q What was his position?

A He was head of a group in the theoretical physics division.

Q Likewise, I assume, in possession of a great deal of classified information?

A Indeed.

Q Did you have anything to do with bringing them there?

A Oh, yes, I was responsible.

Q What did you do to bring them there?

A I believe that they came to Berkeley for the summer study in 1942 along with the others that I mentioned. I think that they were still in Berkeley at the time we went to Los Alamos. They followed us there shortly after that.

Q At your suggestion?

A Yes.

Q Where are the Serbers now?

A At Columbia University.

Q Do you see them frequently?

A Very infrequently, to my regret.

Q You still consider them your friends.

A Oh, yes. I think they are no longer in any way left wing.

Q When did you last hear from them?

A It is quite some time. Not a year, but they had personal difficulties this autumn, and we were in communication with them about that. I had a note from him on recommending a candidate more recently.

Q Candidate for what?

A A membership in the Institute.

Q You mentioned a man named Philip Morrison, Doctor.

A Yes.

Q How well did you know him in 1943?

A In 1943? I had known him well when he was in Berkeley. He was away, I don't remember quite how many

years after leaving Berkeley. But I had known him very well at Berkeley.

Q In what connection?

A As a student and as a friend.

Q You saw him socially and shall we say officially?

A Yes. He was a student and then I believe he could not get a job, and we made some kind of an arrangement for him to stay on. I think he was probably in Berkeley four or five years.

Q Did you see Morrison at many of these left wing functions that you attended?

A Not so many, I should think. He was not a person who was going to give much money to the Spanish cause. He had no money.

Q What did you know about his political beliefs and affiliations in 1943?

A As of then, or as of an earlier time?

Q Beg pardon?

A As of then I knew nothing.

Q As of an earlier time.

A As of an earlier time I knew that he was very close to the Party and would have presumed that he might have been in the YCL or in the Party.

Q I believe you told us that yesterday. I believe you said yesterday that you either knew or assumed that he

was a member of the Young Communist League, is that right?

A No, I didn't say that yesterday.

Q Did you read Dr. Morrison's testimony before the Senate Committee on the Judiciary?

A I did not read it carefully. I think I was away when he testified. I am not sure. I know the substance of it.

Q You know that he testified that he had been a member of the Communist Party.

A Right.

Q That didn't surprise you?

A No.

Q It was in accord with what you previously had known about him in general, is that correct?

A It was.

Q Morrison was a man who I believe you said went over to Japan before the drop on Hiroshima?

A Not before. I think after.

Q For what purpose did he go there?

A I think to inspect damage. There was a team under General Farrell, and he wanted to see what the mess was that we had made.

Q In other words, they wanted to see how the thing you made had worked.

A Yes, and whether there was radiation; to make a good observation of the consequences.

Q Who else from Los Alamos went over at that time?

A Serber was also in Japan because he brought me a bottle from Nagasaki. I don't remember who else. Alvarez, I think.

Q Did you select Serber and Morrison for those missions?

A I don't recall how the selection was made. I would certainly not have been without responsibility for it, no matter how it was made. There may be a record of that.

Q They would not have gone had you not approved it?

A They would not have gone if I disapproved, that is certain.

Q How recently have you seen Philip Morrison?

A I think it may be a year ago.

Q What were the circumstances?

A I gave a lecture at the Rumford Bicentennial in Boston. I am not completely certain of this. I have not been in Ithica, and he has not been in -- well, I have not been in Ithica, and he has not visited me at Princeton for something like a year.

Q Has he visited you at Princeton since the war?

A I don't recollect. It would have been very natural that he should have.

Q Why do you say it would have been very natural?

A Princeton is a place that almost all physicists

visit. He and I are old friends. I mean no more than that.

Q And what?

A I mean no more than that. He has not spent the night at our house or anything like that.

Q But I assume that you had the occasion arise when you would have been happy to have offered him your hospitality for the night?

MR. GARRISON: Mr. Chairman.

THE WITNESS: This is not a question I feel capable of answering.

BY MR. ROBB:

Q You still consider him your friend?

A Yes. I don't feel very close to him. I suspect that though he is no longer at all close to the Communists, his views and mine do differ, and perhaps on matters on which he feels rather strongly.

Q You say he is no longer at all close to the Communists?

A That is my understanding.

Q Where did you get that understanding?

A We have many common friends.

Q Who told you that he was no longer close to the Communists?

A I don't think it is any one man. He worked at MIT last year, and several of the professors there talked to me

about him and several of the people from Ithica have talked to me about him.

Q Did you base that understanding in any part upon Morrison's testimony which he gave before the Senate Committee in May 1953?

A No. Perhaps I should have, but I didn't.

Q You have gone over that testimony?

A I have gone over it this way (gesturing).

MR. GARRISON: What was the answer?

THE WITNESS: I have gone over it not in great detail.

BY MR. ROBB:

Q I believe you said, Doctor, that you didn't think Morrison had visited you at Princeton during the last year. Was that your testimony?

A That is my recollection, yes, sir.

Q Had he visited you at Princeton prior to a year ago?

A You asked me the question and I said I supposed it was likely. I have no recollection of a visit.

Q Have you visited him or lunched or dined with him either in New York or Princeton or Ithica or wherever since the war?

A Yes. I had one dinner with him which I remember vividly. I think Mr. Marks --

Q Mr. who?

A Mr. Herbert Marks, Mr. Bacher, he and I had dinner together at the Hotel Brevoort. I may be wrong about Mr. Marks. Anyway, Bacher, Morrison and I had dinner together, and I think Mr. Marks was there. This was during the time when he was on a committee appointed by General Groves --

Q Who was on the committee?

A Morrison -- to consider the international control of atomic energy, and I was on a committee appointed by Mr. Byrnes to consider the international control of atomic energy. We were with encouragement as well as approval doing a little cross talking to see what ideas there were in the technical group.

I have also seen him at another time -- certainly more than once he lectured at Cornell in the spring of 1946 -- and I would presumably have seen him then, though I don't specifically recollect it. I lectured at Cornell later, and I am sure I saw him at the reception which was given for me at the time. We have attended conferences of physicists and I am sure I have seen him then. This is probably not a complete list, but that is what comes to mind.

Q Now, Doctor, I would like to turn to the matter of the thermonuclear problem.

A Right.

Q I think it might be helpful to the Board, sir, if

you gave, if possible, some categorical answers to some of the statements made in General Nichols' letter. I don't find that your letter of answer sharpens those issues, and I wonder if you can't sharpen them a bit. Do you have General Nichols letter before you?

A I will get out General Nichols' letter. But to questions that are badly phrased, categorical answers are not always possible.

Q Let us try, Doctor.

Page 6 of General Nichols' letter at the bottom of the page. Do you have it before you, sir?

A I have it before me.

Q "It was reported in 1945 you expressed the view that 'There is a reasonable possibility that it (the hydrogen bomb) can be made', but that the feasibility of the hydrogen bomb did not appear on theoretical grounds as certain as the fission bomb appeared certain on theoretical grounds when the Los Alamos Laboratory was started."

Is that a true statement, Doctor?

A You mean is this a true statement about the thermonuclear bomb or about my assertions?

Q Your assertions.

A It is a precise statement of what I thought.

Q In 1945.

A In 1945.

Q Did you express that view in 1945?

A I wrote a report. You see, I don't know to what document this refers. Is this in the Interim Committee Report? If you will tell me where this is alleged to have been written, I will confirm it. It is an exact quotation, or purports to be an exact quotation. I have no objection to saying that it is a reasonable quotation, but how can I confirm it without knowing whether this is testimony before the Joint Congressional Committee, or an interview with Colonel Lansdale or a report I wrote.

MR. GRAY: Can you identify the source of that?

MR. ROBB: I am looking for it right now.

THE WITNESS: Please don't misunderstand me. This is a good statement of what I believed. But I am being asked to say did I actually say it.

MR. GARRISON: Mr. Chairman, I think we are entering an area here where, if this is an inquiry and not a trial, great latitude should be allowed the witness to explain his answers. I am sure that nothing could be more misleading than to have a simply yes or no as in a trial to things that simply overflow the landscape and their surrounding factors.

MR. GRAY: I just make the observation that I don't recall, Mr. Garrison, at any point in this proceeding when the witness was interrupted in any way. Do you?

MR. GARRISON: No.

THE WITNESS: I was asked to make categorical answers and to some extent it might not be possible.

MR. ROBB: I said it would be helpful to the committee.

THE WITNESS: I will do the best I can.

BY MR. ROBB:

Q You will agree it would be helpful to the Board?

A I do not agree on that second point. I will gladly state that this first statement is a good expression of my overall view in 1945, that I had occasion to report to the government both to the Congressional committee, McMahon's committee, and to the War Department, and no doubt to other places and I would have expressed my view, and since this was it, I have no objection to taking this as an expression of my view.

C Very well. That answers the question.

Now, to continue: ". . . and that in the autumn of 1949 the General Advisory Committee expressed the view that 'an imaginative and concerted attack on the problem has a better than even chance of producing the weapon within five years.'"

A I think that is a direct quotation from the report of the October 29 meeting of the General Advisory Committee. I believe I wrote it myself. I think the committee had

agreed with this statement ahead of time. I believe we discussed the statement and it is an expression of the views of the committee and of me.

Q So that statement is true.

A It is true.

Q "It was further reported that in the autumn of 1949 and subsequently you strongly opposed the development of the hydrogen bomb: (1) On moral grounds; (2) By claiming it was not feasible; (3) by claiming that there were insufficient facilities and scientific personnel to carry on the development, and (4) that it was not politically desirable."

Is that statement true either in whole or in part?

A It is true in part. It is out of context and it gives a very misleading impression.

Q Now, would you please explain your answer and tell us what part is not true, what part is true?

A I would say that in the official 1949 report, which you have read, we evaluated the feasibility, as it is stated up above, namely, that there was a better than even chance that if you worked hard on it and had good ideas you would have something in five years. That was then our view.

In the same report, which you have read, we pointed up the moral and political arguments against making an allout effort. This was primarily in the annexes that were

attached to the report, rather than in the official report which I prepared.

I think it possible that similar arguments were repeated in the report of the next meeting of the General Advisory Committee.

Q Which would be when, Doctor?

A Between the end of October and the first of January. Probably early December, or something like that. We did not at that time claim that it was not feasible, and I believe that I have never claimed that the hydrogen bomb was not feasible. But I have indicated, starting with early 1950 and continuing until the spring of 1951, very strong doubts of the feasibility of anything that was then being worked on. These doubts were right.

Q Did you indicate such doubts prior to the GAC meeting of 1949?

A In 1948 we had a GAC meeting and in that we didn't say it was not feasible, but I think we said it didn't look good. Something --

Q Doctor, pardon me. I am talking about you. Did you say it was not feasible or it didn't look good?

A As a member and chairman of the General Advisory Committee, I said it didn't look good until some time in 1948.

Q 1948.

A Yes. This was a specific model and all of this

is about a specific model. We will try to do this without classified stuff.

Q Was that still your view at the time of the GAC meeting of October 29, 1949?

A That it didn't look good?

Q Yes.

Q If it had not been, we would not have said it would take five years and an imaginative and concerted attack.

Q Doctor, would you come back to the centers we are talking about?

A Right.

Q I think you have mentioned the moral grounds. May I ask a question about that before we proceed to something else?

Did you continue your attitude in respect to the moral grounds subsequent to the GAC meeting of October 29, 1949?

A I think we need to distinguish sharply as to whether I expressed in official reports or in dealings with the government any desire to re-raise the decision.

Q Doctor, you and I are getting along fine. That was going to be my next question, so will you answer that, too?

A I am quite sure we did not ask to have the decision reconsidered.

C Did you subsequent to the President's decision

in January 1950 ever express any opposition to the production of the hydrogen bomb on moral grounds?

A I would think that I could very well have said this is a dreadful weapon, or something like that. I have no specific recollection and would prefer it, if you would ask me or remind me of the context or conversation that you have in mind.

Q Why do you think you would well have said that?

A Because I have always thought it was a dreadful weapon. Even from a technical point of view it was a sweet and lovely and beautiful job, I have still thought it was a dreadful weapon.

Q And have said so?

A I would assume that I have said so, yes.

Q You mean you had a moral revulsion against the production of such a dreadful weapon?

A This is too strong.

Q Beg pardon?

A That is too strong.

Q Which is too strong, the weapon or my expression?

A Your expression. I had a grave concern and anxiety.

Q You had moral qualms about it, is that accurate?

A Let us leave the word "moral" out of it.

Q You had qualms about it.

A How could one not have qualms about it? I know no

one who doesn't have qualms about it.

Q Very well. Clause 3 of that sentence, "By claiming there were insufficient facilities and scientific personnel to carry on the development." Is that true?

A That is true in a very limited and circumscribed way. There were some conflicts of scheduling between fission weapon development and thermonuclear development. Where the thermonuclear development was directed toward the essential problem of feasibility, or what appeared clearly to me to be the essential problem of feasibility, I never had or could have any doubt that this should take priority, because that was the order under which we were operating.

Q That this -- which should take priority?

A That the thermonuclear development. Where it was a question of what appeared to me a fruitless by line, there I did question the relative priority of such by lines and rather of immediate fission weapon developments.

Q Did you ever claim that there were insufficient facilities and scientific personnel to carry on the development of the fusion weapon?

A Certainly not in that bald form, because it was not true. I never believed it and I therefore don't believe I could have claimed it.

Q "(4) and that it was not politically desirable."
Did you make such a claim?

A That was certainly a better statement of the general import of the GAC report -- of the annex to the GAC report -- than moral grounds.

Q Did you continue to express those views subsequent to the President's decision of January 1950?

A After the President's decision, I appeared on a broadcast program with Mrs. Roosevelt and Lillienthal and Bethe, and what I said indicated that I was not entirely happy, perhaps, with the procedures by which the decision was arrived at.

Q Would you tell us what you said?

A I can get hold of it.

Q Give us your best recollection of it, Doctor.

A I said that the decision is like the decision to seek international control of atomic energy or the decision to proceed with the hydrogen bomb had complicated technical background, but they also had important moral and human consequence; that there was danger in the fact that such decisions had to be taken secretly, not because the people who took the decisions were not wise, but because the very need, the very absence of criticism and discussion tended to corrode the decision making process. That these were hard decisions, that they were dealt with fearful things, that sometimes the answer to fear could not lie in explaining away the reasons for fear. Sometimes the only answer for

fear lay in courage.

This is probably not very accurate, but we can easily provide you with that.

Q About when was that, Doctor, that you made those statements?

A I would guess that it was within two months of the first of February 1950.

Q Did you make any other public statements along those same lines?

A Not quite. In addressing the Westinghouse Talent Search here in Washington -- this is a group of young people ostensibly who get rewarded for doing well in high school and get sent on to college, attended by dignitaries -- I talked about science and in the initial paragraph I said that I was not going to talk to them about the problem of the statutory requirements for AEC fellowships, or the problem of the hydrogen bomb. These were things that I hoped would not be in their minds very much when they grew up. I was going to talk to them immediately about pure science.

Q Did you make any other public statements along those lines? Pardon me. About when was that that you made that statement?

A I believe I said no more than this, but we also have a record of that.

Q About when did you make that statement?

A That would have been in the spring of 1950.

Q Did you make any other public statements along those lines?

A We have an almost complete record -- I think a complete record -- of everything public. I am not remembering anything else right now.

Q Doctor, you know, do you not, that you are a physicist who is largely admired and whose words have great weight with other physicists, don't you?

A With some.

Q Beg pardon?

A With some physicists.

Q With many physicists, don't you?

A Right.

Q And that is especially true of younger physicists?

A I know some old physicists.

Q Some old physicists, too.

A I don't think it is essentially true of younger physicists, because I am not longer in a very extensive -- the people who study with me or even under my auspices are not as they were before the war, a large fraction or a substantial fraction of the thermal physicists in the country. They are a very small fraction.

Q But as of 1950, you were certainly --

A No, this is still true.

Q Pardon?

A This was true then.

Q But in 1950 you were pretty much a hero to a substantial group of physicists in this country, weren't you?

A I should think that your knowledge of that was as complete as mine.

Q Wouldn't you agree with that statement, Doctor, laying aside your modesty?

A Well, you read to me yesterday -- no, you told me yesterday -- and could today have read in the papers a letter from one physicist who seems not to have regarded me as a hero by 1950.

MR. GARRISON: If you don't mind my interrupting a second about procedure, I think this can be off the record.

MR. GRAY: Yes.

(Discussion off the record.)

MR. GRAY: Would you proceed.

BY MR. ROBB:

Q Doctor, we were talking about your standing and influence with physicists as of 1950. Would you not agree, sir, that you were a hero to a very substantial party of physicists as of 1950?

(Mr. Garrison left the room.)

THE WITNESS: I don't know. I would think a judgment of what my position was in others' eyes should be

left out of this.

BY MR. ROBB:

Q What?

A A judgment of how I appeared to people should be left to those to whom I appeared, rather than to me.

Q Well, let us put it this way. Wouldn't you agree that anything said by you would have great weight with a great number of nuclear physicists?

A Would have some weight with quite a few people, physicists and non-physicists.

Q Doctor, let me ask you, sir, do you think that public statements which you have told us about and which you have summarized, tended to encourage other physicists to work on the hydrogen bomb?

A I should think that they were essentially neutral. I coupled the hydrogen bomb and the decision to seek international control of atomic energy first, so that there was no substantive criticism of the decision. In the effect I merely referred to the fact that the hydrogen bomb had been a very controversial thing as had the National Science Foundation fellowships.

Q You certainly didn't think those expressions by you were going to encourage physicists to work on the project?

A They were not intended to affect what physicists did on the project at all.

Q Doctor, I didn't ask you what you intended. I am asking you what you reasonably believe would be the result of those statements.

A I reasonably believe that the result of those statements would be nil as far as the activities of professional physicists on the hydrogen bomb project or any other aspect of the Atomic Energy Commission work.

Q Had a great many physicists at or about that time asked you your views on whether or not the hydrogen bomb should be produced?

A Not a great many, no.

Q Had some?

A Before the President's decision?

Q Yes.

A Yes, some had.

Q Who.

A I told you about Bethe and Teller, and their visit. Lawrence sent on Serber. That was about the same time. This was before the GAC meeting. Alvarez discussed it with me. Bacher discussed it with me. Lauritsen discussed it with me. Von Neumann discussed it with me.

Q Rabi?

A Rabi was a member of the General Advisory Committee.

Q Did he discuss it with you before the meeting?

A At least we referred to it. I don't know how much

of a discussion we had.

C DuBridge?

A Before the meeting?

Q Yes.

A I have no recollection of that. It is possible; I think it unlikely.

Q Conant? Of course, I know Conant is a chemist and not a physicist.

A Conant told me he was strongly opposed to it.

Q Did you express any views to Conant?

A I believe not.

Q In other words, he told you what his views were before you expressed yours to him?

A He told me what his views were before mine were clearly formulated.

Q I believe you testified the other day that at the time you heard from Conant, either by mail or orally, that you were in some doubt about the matter, that you had not made up your mind.

A Yes, that is right.

Q How long before the GAC meeting was that?

A I don't remember. Certainly not more than a month. It could not have been more than a month, and it probably was of the order of a week.

Q The next sentence of General Nichols' letter:

"It was further reported that even after it was determined as a matter of national policy to proceed with development of the hydrogen bomb, you continued to oppose the project and declined to cooperate fully in the project."

Are the statements made in that sentence true?

A Let us take the first one.

Q Yes, sir.

A I did not oppose the project. Let us take the second one.

Q You mean after --

A After the decision was made, I did not oppose the project.

Q Very well. Let us take the second one.

A I would need to know what cooperate fully, who asked me to cooperate, and what this meant, was, before I could answer it. I did not go out to Los Alamos and roll up my sleeves and maybe that is what cooperating fully means. I would like to know what this does mean.

Q Did you ever tell Teller that you could not work on the project?

A I told him I was not going out to Los Alamos to work on it.

Q Did you ever tell him that you could not work on it at all?

A That is far more sweeping than turned out to be

true, and I doubt if I would have said it.

Q What work did you do on the project?

A I did my official job of learning about it and advising about it and thinking about it.

Q You mean official job as Chairman of the GAC?

A Right, and of other committees.

Q Of learning about it?

A And of advising about it and of thinking about it.

Q Whom did you advise?

A The Atomic Energy Commission.

Q You mean the members of the Commission?

A The Commission as a body.

Q Did you do any scientific work on the project?

By that I mean calculations. The kind of scientific work you did on the atom bomb.

A No, not with anything like that intensity. I checked some qualitative things so I would be fairly sure I understood them. I did very little scientific work on the atom bomb after I assumed the direction of the Los Alamos Laboratory.

Q You made the decisions there, didn't you, Doctor?

A I did. In this case I won't say I made the decision, it was not my responsibility, but I certainly helped to make the decision which I believe got the thing started in the right direction. I didn't have the ideas.

There were a great many ideas I didn't have about the atom either.

Q The next sentence I believe you already commented on. That refers to the statement that you caused the distribution of the report at Los Alamos. You said that you did not do that, is that right?

A Right.

Q The next sentence refers or is the statement that you were instrumental in persuading other outstanding scientists not to work on the bomb. I believe you deny that, is that correct?

A I think I would be glad to deny it. I would like to know what outstanding scientist I might have persuaded not to work on the bomb.

MR. GRAY: I suppose the question could be answered. Did you attempt to persuade anyone not to work on the hydrogen bomb?

THE WITNESS: No.

BY MR. ROBB:

Q I will read you the last clause of that: "The opposition to the hydrogen bomb of which you are the most experienced, most powerful and effective member, has definitely slowed down its development."

Let us break that down. Would you agree that you are or were the most experienced, most powerful and most

effective member of the opposition to the hydrogen bomb?

A What time are we talking about?

Q At any time.

A Well, I would say I was not the most powerful, I was not the most experienced, and I was not the most influential. But if you take all three factors together perhaps I combined a little more experience, a little more power and a little more of influence than anyone else.

Q At what time?

A I am thinking of the period between the Russian test and the President's decision.

Q How about after the President's decision?

A There was not any opposition to the hydrogen bomb.

Q Weren't you still opposed to the development of the hydrogen bomb?

A No.

Q Do you think your opposition and the opposition of the group of people who agreed with you prior to the President's decision slowed down the development of the hydrogen bomb.

A I find it very hard to judge. I have testified -- let me testify as follows: There are two parts to a development like this. One is to have sensible ideas. These are partly a matter of scientific analysis and partly a matter of invention.. The other is to get plants built,

material produced, equipment shoved around and a host of technical and technological developments carried out.

With the atom bomb, the pacing factor was the second. We could have had the atom bomb as far as Ideas went considerably earlier than we could have it as far as hardware went.

(Mr. Garrison returned to the room.)

THE WITNESS: With the hydrogen bomb, I believe that the pacing factor was good ideas. If they had occurred earlier, the physical development of the weapon would not have been quite as rapid as it was in fact coming at a time when a great many of the auxiliary things had already been done. If they had occurred later, the development of technology which had occurred would not have done us any good. I therefore do not believe that any substantial delay in the actual date of our first successful thermonuclear test, or of our operational readiness in this field, derived from the three or four months of deliberations. Whether the GAC was responsible for these three or four months of deliberations, or whether that would have occurred in any case, I do not know.

BY MR. ROBB:

Q Doctor, I wish you would help me a little bit with my notes on your testimony to see if I have understood you correctly. Was it your testimony that you never learned

that the Russians were working on the hydrogen bomb?

A I never learned that the Russians were working on the hydrogen bomb, and I was never given any indication or any intelligence indication which even pointed strongly in that direction. I was told that the Russians had obtained from Fuchs, or might have obtained from Fuchs, information about what we were thinking about the hydrogen bomb in 1946.

Q When did you hear that, Doctor?

A At a GAC meeting, either from the Commissioners or from the intelligence officer. I have forgotten. After the President's decision.

Q Would it have been a fair conclusion of that, that the Russians knew that we were working on the hydrogen bomb?

A I am not sure. The British who knew all about it up to that point assumed that we were not and decided themselves not to.

Q I believe you testified that you learned that Fuchs had told the Russians that we were working on the hydrogen bomb, is that right?

A No. What I learned was that Fuchs had told them of some technical points.

Q Having to do with the hydrogen bomb?

A Having to do with the hydrogen bomb.

Q I believe Fuchs was present and took part in a conference at Los Alamos in the spring of 1946, is that correct?

A Right. I don't know the date. I couldn't go to it. I was invited, but I could not go.

Q Did you see a report of it?

A I believe I did, not a very detailed report.

Q That conference reviewed --

A What was then known.

Q What was then known?

A It was full of mistakes.

Q In all events, presumably what Fuchs knew, the Russians knew.

A Right.

Q Now, I have a note here, Doctor, that you testified that there was a surprising unanimity -- I believe that was your expression -- at the GAC meeting of October 29, 1949, that the United States ought not to take the initiative at that time in an all out thermonuclear program. Am I correct in my understanding of your testimony?

A Right.

Q In other words, everybody on the committee felt that way about it?

A Everybody on the committee expressed themselves that way.

Q Beg pardon?

A Everybody on the committee expressed themselves that way.

Q How many people were on the committee?

A There were nine on the committee, one man was absent in Sweden.

Q Who was that?

A Seaborg.

Q Where was he from, Doctor?

A University of California. He worked during the war at the University of Chicago.

Q He did not get to Washington at all?

A Not at that meeting.

Q So you didn't know how he felt about it?

A We did not.

Q You didn't know either how he felt about it.

He just was not there.

A He was in Sweden, and there was no communication with him.

Q Beg pardon?

A He was in Sweden and there was no communication with him.

Q You didn't poll him by mail or anything?

A This was not a convenient thing to do.

Q No, sir. I believe, Doctor, that you afterwards testified along those same lines before the Joint Committee of the House and Senate on Atomic Energy, that there was unanimity, but that Dr. Seaborg was not heard there, is that

right?

A It is true and I suppose I was asked.

Q I see.

A I may add that at later meetings, which Seaborg did attend, he expressed himself with great reserve and indicated that he would prefer not to say anything one way or the other of the hydrogen bomb issue.

Q Now, Doctor, I believe you testified the other day that in 1942 you foresaw the possibility of developing a thermonuclear weapon, is that right?

A Yes, we discussed it much of the summer of 1942.

Q That was at Berkeley?

A Yes.

Q Did you also discuss it at a meeting at Chicago?

A I don't recollect that, but it is quite likely.

Q I believe you said that you were quite enthusiastic at that time about the possibilities, is that correct?

A I think it would be better to say that we thought it would be much easier than it was.

Q The thermonuclear weapon was worked on at Berkeley?

A Thought about; just thought about.

Q When you got down to Los Alamos the thermonuclear was one of the first things that you began to work on?

A It never occupied a large part of the laboratory's effort. It could not. But it was kept on the back burner

throughout the war.

Q I believe you said you had one building, one of the first buildings constructed was -- what do you call it, cryogenics building?

A Cryagenetics building, which we used for quite different purposes.

Q But it was built for the purposes of working on the thermonuclear, wasn't it?

A Yes.

Q Work continued on the thermonuclear at Los Alamos under your direction throughout the war, didn't it?

A Yes.

Q Then in 1944, Doctor, you applied for a patent on the thermonuclear bomb, didn't you?

A I have forgotten that.

Q Did you?

A We discussed it and I do not know whether this actually went through. Was this with Teller and Bethe? If it was with Teller and Bethe, then I think it went through.

Q The patent was granted in 1946, I believe.

A Yes.

Q Do you remember that now?

A Yes. I was simply not sure whether we had gone through with it or not.

Q And then, I believe, your testimony was that even

after you left Los Alamos in 1945, the work on the Super continued there?

A Yes, it did.

Q And of course that had your approval and support?

A Yes, it did.

Q I believe you testified at the first meeting of the GAC the matter of the thermonuclear was discussed, is that correct?

A Right.

Q And you encouraged the Commission to get on with the work, as you put it, is that right?

A Yes. I think specifically what I testified was that we considered whether this long range and very unsure undertaking -- it is very difficult and which we thought of then as five years or more -- whether thinking about that and working on it would hurt or harm the other jobs at Los Alamos. We decided that it would probably not hurt or harm, but on the contrary help.

Q So they should get ahead with it.

A So we encouraged them to do this.

Q We use the expression "thermonuclear weapon".

By that you meant a weapon of vastly more power than the atom bomb, did you not?

A The original picture was that. Other pictures came in during the first year or so of the Commission and also

looked very practical.

Q When we say --

A You would like to leave out the small thermonuclear weapons if there are such things.

Q Yes. But the thing you were talking about in 1942, and working on at Los Alamos --

A Would be a very big explosive.

Q A tremendous explosive. I don't know whether it is classified or not but 10,000 times the power of the atom bomb, or something like that.

A Anyway, very large.

Q What would not be an exaggeration, would it, 10,000 times?

A This I think is classified.

Q Very well. Some weapon to use the technical expression in what we call the megaton range, is that right?

A That is right.

Q That is what you had in mind beginning in 1942?

A That is right.

Q Doctor, in your work and discussions in 1942, in your work on the thermonuclear weapon at Los Alamos in 1943 to 1944 and in your application for the patent of 1944, and in your advice which you as Chairman of the GAC gave to the Commission to get on with the work on this thermonuclear, at all those times and on all of those occasions, were you

suffering from or deterred by any moral scruples or qualms about the development of this weapon?

A Of course.

Q You were?

A Of course.

Q But you still got on with the work, didn't you?

A Yes, because this was a work of exploration. It was not the preparation of a weapon.

Q You mean it was just an academic excursion?

A It was an attempt at finding out what things could be done.

Q But you were going to spend millions of dollars of the taxpayers money on it, weren't you?

A It goes on all the time.

Q Were you going to spend millions if not billions of dollars of the taxpayers money just to find out for your satisfaction what was going on?

A We spent no such sums.

Q Did you propose to spend any such sums for a mere academic excursion?

A No. It is not an academic thing whether you can make a hydrogen bomb. It is a matter of life and death.

Q Beginning in 1942 and running through at least the first year or the first meeting of the GAC, you were actively and consciously pushing the development of the

thermonuclear bomb, weren't you? Isn't that your testimony?

A Pushing is not the right word. Supporting and working on it, yes.

Q Yes. When did these moral qualms become so strong that you opposed the development of the thermonuclear bomb?

A When it was suggested that it be the policy of the United States to make these things at all costs, without regard to the balance between these weapons and atomic weapons as a part of our arsenal.

Q What did moral qualms have to do with that?

A What did moral qualms have to do with it?

Q Yes, sir.

A We freely used the atomic bomb.

Q In fact, Doctor, you testified, did you not, that you assisted in selecting the target for the drop of the bomb on Japan?

A Right.

Q You knew, did you not, that the dropping of that atomic bomb on the target you had selected will kill or injure thousands of civilians, is that correct?

A Not as many as turned out.

Q How many were killed or injured?

A 70,000.

Q Did you have moral scruples about that?

A Terrible ones.

Q But you testified the other day, did you not, sir that the bombing of Hiroshima was very successful?

A Well, it was technically successful.

Q Oh, technically.

A It is also alleged to have helped end the war.

Q Would you have supported the dropping of a thermonuclear bomb on Hiroshima?

A It would make no sense at all.

Q Why?

A The target is too small.

Q The target is too small. Supposing there had been a target in Japan big enough for a thermonuclear weapon, would you have opposed dropping it?

A This was not a problem with which I was confronted.

Q I am confronting you with it now, sir.

A You are not confronting me with an actual problem. I was very relieved when Mr. Stimson removed from the target list Kyoto, which was the largest city and the most vulnerable target. I think this is the nearest thing that was really to your hypothetical question.

Q That is correct. Would you have opposed the dropping of a thermonuclear weapon on Japan because of moral scruples?

A I believe I would, sir.

Q Did you oppose the dropping of the atom bomb on Hiroshima because of moral scruples?

A We set forth our --

Q I am asking you about it, not "we".

A I set forth my anxieties and the arguments on the other side.

Q You mean you argued against dropping the bomb?

A I set forth arguments against dropping it.

Q Dropping the atom bomb?

A Yes. But I did not endorse them.

Q You mean having worked, as you put it, in your answer rather excellently, by night and by day for three or four years to develop the atom bomb, you then argued it should not be used?

A No, I didn't argue that it should not be used. I was asked to say by the Secretary of War what the views of scientists were. I gave the views against and the views for.

Q But you supported the dropping of the atom bomb on Japan, didn't you?

A What do you mean support?

Q You helped pick the target, didn't you?

A I did my job which was the job I was supposed to do. I was not in a policy making position at Los Alamos. I would have done anything that I was asked to do, including making the bombs in a different shape, if I had thought it was technically feasible.

Q You would have made the thermonuclear weapon, too,

wouldn't you?

A I couldn't.

Q I didn't ask you that, Doctor.

A I would have worked on it.

Q If you had discovered the thermonuclear weapon at Los Alamos, you would have done so. : If you could have discovered it, you would have done so, wouldn't you?

A Oh, yes.

Q You were working towards that end, weren't you?

A Yes. I think I need to point out that to run a laboratory is one thing. To advise the government is another.

Q I see.

A I think I need to point out that a great deal that happened between '45 and '49 -- I am not supposed to say to what extent -- but to a very, very massive extent, we had become armed atomically. The prevailing view was that what we had was too good -- too big -- for the best military use, rather than too small.

Q Doctor, would you refer to your answer, please, sir? One further question before we get into that.

Am I to gather from your testimony, sir, that in your opinion your function as a member and Chairman of the GAC included giving advice on political policies as well as technical advice?

A I have testified as to that.

Q Would you repeat it for me, sir?

A I will repeat it. Our statutory function was to give technical advice.

Q Yes, sir.

A We were often asked questions which went outside of this narrow frame. Sometimes we responded, sometimes we didn't. The reason why the general advice, I would call it, editorializing rather than political advice, contained in our annexes was in the annexes and not in the report because it did not seem a proper function for the General Advisory Committee to respond in these terms to the question that had been put to them.

Q Doctor, is it a fair summary of your answer -- and I refer you to page 37, and the following pages of your answer -- that what the GAC opposed in its October 29, 1949 meeting was merely a crash program for the development of the Super?

A Yes. I think it would be a better summary to say we opposed this crash program as the answer to the Soviet atomic bomb.

Q What did you mean by a crash program?

A On the basis of what was then known, plant be built, equipment be procured and a commitment be made to build this thing irrespective of further study and with a very high priority. A program in which alternatives would

not have an opportunity to be weighed because one had to get on and because we were not going to sacrifice time.

Q Doctor, isn't it true that the report of the GAC you wrote, didn't you --

A I wrote the main report, yes.

Q Isn't it true that the report of the GAC and the annex to which you subscribed unqualifiedly opposed the development of the Super at any time?

A At that time.

Q At any time?

A No. At least, let us say we were questioned about that in a discussion with the Commission, and we made it quite clear that this could not be an unqualified and permanent opposition. I think that in the reading of the report without the later discussions and reports it could be read that way. But in the light of what was later said, it could not be read that way.

Q Didn't the annex to which you subscribed say in so many words, "We believe a Super bomb should never be produced"?

A Yes, it did.

Q It did say that?

A Yes.

Q Do you interpret that as opposing only a crash program?

A No. It opposed the program. Obviously if we learned that the enemy was up to something, we could not prevent the production of a super bomb.

Q What did you mean by "never"?

A I didn't write those words.

Q You signed it, though, didn't you?

A I believe what we meant -- what I meant was that it would be a better world if there were no hydrogen bombs in it. That is what the whole context says.

Q Doctor, don't you think a fair interpretation of the record and the annex which you signed was an unqualified opposition to the production of Super at any time or under any circumstances?

A No, I don't.

Q That is your view?

A Yes.

Q In all events, Doctor, you did say in your report that no one could tell without an actual test whether the Super would work or whether it wouldn't, is that right?

A Yes.

Q You testified that you had no intimation from Dr. Seaborg prior to the GAC meeting of October 29, 1949, as to what his views on the subject were. I am going to show you a letter taken from your files at Princeton, returned by you to the Commission, dated October 14, 1949, addressed to you,

signed Glenn Seaborg, and ask you whether you received that letter prior to the meeting of October 29, 1949.

A I am going to say before I see that that I had no recollection of it.

Q I assumed that. May I interrupt your reading of it a moment?

A Yes.

MR. ROBB: Mr. Chairman, I have been told by the classification officer that there are two words here that I must not read. They are bracketed, and I am showing them to Dr. Oppenheimer, and when I read the letter I shall leave them out, but I want Dr. Oppenheimer to see them.

THE WITNESS: I would be sure of one thing, and that is if that letter reached me before the meeting, I read it to the committee.

BY MR. ROBB:

Q The letter was dated October 14, 1949.

A So it almost certainly reached me.

Q So presumably unless it came by wagon train, it reached you, didn't it?

A Right.

Q I will read this letter:

"University of California

"Radiation Laboratory

"Berkeley 4, California.

"October 14, 1949.

"Dr. J. Robert Oppenheimer

"The Institute for Advanced Study

"Princeton, New Jersey.

"Dear Robert:

"I will try to give you my thoughts for what they may be worth regarding the next GAC meeting, but I am afraid that there may be more questions than answers. Mr. Lilienthal's assignment to us is very broad and it seems to me that conclusions will be reached, if at all, only after a large amount of give and take discussion at the GAC meeting.

"A question which cannot be avoided, it seems to me, is that which was raised by Ernest Lawrence during his recent trip to Los Alamos and Washington. Are we in a race along this line and one in which we may already be somewhat behind so far as this particular new aspect is concerned?"

H He was talking about the thermonuclear, wasn't he?

A It would be obvious to me he was.

Q Continuing: "Apparently this possibility has begun to bother very seriously a number of people out here, several of whom came to this point of view independently. Although I deplore the prospects of our country putting a tremendous effort into this, I must confess that I have been unable to come to the conclusion that we should not. Some

people are thinking of a timescale of the order of 3 to 5 years which may, of course, be practically impossible and would surely involve an effort of greater magnitude than that of the Manhattan project. My present feeling would perhaps be best summarized by saying that I would have to hear some good arguments before I could take on sufficient courage to recommend not going toward such a program.

"If such a program were undertaken, a number of questions arise which would need early answers. How would the National Laboratories fit into the program? Wouldn't they have to reorient their present views considerably? The question as to who might build neutron producing reactors would arise. I am afraid that we could not realistically look to the present operators of Hanford to take this on. It would seem that a strong effort would have to be made to get the duPont Company back into the game. It would be imperative that the present views of the Reactor Safeguard Committee be substantially changed.

"I just do not know how to comment, without further reflection, on the question of how the present 'reactor program' should be modified, if it should. Probably, after much discussion, you will come to the same old conclusion that the present four reactors be carried on, but that an effort be made to speed up their actual construction, As you probably know, Ernest is willing to take on the

responsibility for the construction near Berkeley of a" -- and then I omit the two words -- "heavy water natural uranium reactor primarily for a neutron source and on a short time scale. I don't know whether it is possible to do what is planned here, but I can say that a lot of effort by the best people here is going into it. If the GAC is asked to comment on this proposal, it seems to me clear that we should heartily endorse it! So far as I can see, this program will not interfere with any of the other reactor building programs and will be good even if it does not finally serve exactly the purpose for which it was conceived; I have recently been tending toward the conviction that the United States should be doing more with heavy water reactors (we are doing almost nothing). In this connection, it seems to me that there might be a discussion concerning the heavy water production facilities and their possible expansion.

"Another question, and one on which perhaps I have formulated more of a definite opinion, is that of secrecy. It seems to me that we can't afford to continue to hamper ourselves by keeping secret as many things as we now do. I think that not only basic science should be subject to less secrecy regulation but also some places outside of this area. For example, it seems entirely pointless now to hamper the construction of certain types of new piles by keeping secret certain lattice dimensions. In case anything so trivial as

the conclusions reached at the recent International Meeting on declassification with the British and Canadians at Chalk River is referred to the GAC I might just add that I participated in these discussions and thoroughly agree with the changes suggested, with the reservation that perhaps they should go further toward removing secrecy.

"I have great doubt that this letter will be of much help to you, but I am afraid that it is the best that I can do at this time.

"Sincerely yours, Glenn" and below that in typing, "Glenn T. Seaborg."

So, Doctor, isn't it clear to you now that Dr. Seaborg did express himself on this matter before the meeting?

A Yes, it is clear now. Not in unequivocal terms, except on one point, and on that point the General Advisory Committee I think made the recommendation that he desired.

Q But he did express himself, didn't he?

A Absolutely.

Q In a communication to which he apparently had given some thought, is that correct?

A Right, and to which no doubt at the time I gave some thought.

Q That is right. You have no doubt that you received this before the General Advisory Committee meeting, is that correct?

A I don't see why I should not have.

Q Why did you tell the Joint Congressional Committee on Atomic Energy when you testified on January 29, 1950, that Dr. Seaborg had not expressed himself on the subject prior to the meeting?

A I am sure because it was my recollection.

Q That testimony was given in January 1950, wasn't it?

A That is right.

Q And this letter had been received by --

A Let me add one point. We had a second meeting on the hydrogen bomb which Seaborg attended and we asked him how he felt about it, and he said he would prefer not to express his views.

Q But weren't you asked, Doctor, or didn't you tell the Joint Committee that Dr. Seaborg had not expressed himself on this subject prior to the meeting of October 29, 1949?

A I would have to see the transcript. I don't remember that question and the answer.

Q If you did make that statement, it was not true, was it?

A It is clear that we had an expression, not unequivocal, from Seaborg, before the meeting of October 29.

Q Doctor, did you hear my question?

A I heard it, but I have heard that kind of question

too often.

Q I am sure of that, Doctor, but would you answer it, nevertheless?

MR. MARKS: Isn't Dr. Oppenheimer entitled to see the testimony which is being referred to, instead of answering a hypothetical question?

MR. ROBB: It is not a hypothetical question.

BY MR. ROBB:

Q If you told the Joint Committee, sir, that Dr. Seaborg had not expressed himself prior to the meeting of October 29, 1950, that was not true, was it?

A It would depend, entirely.

Q Yes or no.

A I will not say yes or no. It would depend entirely on the context of the question. The only two things in this letter that Seaborg is absolutely clear about is that we ought to build certain kinds of reactors and we ought to have less secrecy. On the question of the thermonuclear program he can't find good enough arguments against it, but he does have misgivings.

Q All right, Doctor. You told this Board this morning that Dr. Seaborg did not express himself prior to the meeting of October 29, 1949.

A That is right. That was my recollection.

Q Was that true?

A No, that was not true.

Q You told the Board this morning --

MR. GRAY: Are you pursuing the Seaborg matter now?

MR. ROBB: I thought I would come back to it, sir.

MR. GARRISON: Mr. Chairman, I think it would be fair since the question was raised, because of the implications that may be left that the actual questions put to Dr. Oppenheimer by the Joint Committee about Dr. Seaborg should be read into the record with sufficient context to show what it was about. Otherwise, we are left with a possible misapprehension as to what really did take place. I don't know. I have never seen the transcript.

MR. ROBB: Mr. Chairman, that is impossible unless we have a meeting of the Joint Committee and they authorize that to be done. ; But Dr. Oppenheimer this morning as the Board no doubt heard, recalled that he had so testified before the Joint Committee.

THE WITNESS: I had testified; I had not so testified.

MR. ROBB: The record will show what the Doctor testified.

THE WITNESS: If I testified that I recall so testifying, I would like to correct the transcript.

MR. ROBB: That was not correct, either?

MR. SILVERMAN: He didn't say it.

MR. ROBB: All right. The record will show what he

testified to.

MR. GARRISON: What is the procedural requirement for reading into the record the questions from that transcript?

MR. ROBB: That transcript will not be released, as I understand it, without the vote of the committee to do so, Mr. Garrison, which is why I was not able to read Dr. Oppenheimer what he said.

THE WITNESS: I think a lot depends on the nature of the question. Had Dr. Seaborg made up his mind, had he concurred with your view, or so on. It is clear from this letter he wanted to hear a discussion about it. That he saw it was a very tough question.

MR. ROBB: May I ask the Doctor one more question before we take a break on this Seaborg matter.

MR. GRAY: Yes.

BY MR. ROBB:

Q Doctor, are you sure that you read Dr. Seaborg's letter to your committee, the GAC committee, at the meeting of October 29, 1949?

A Since I forgot the existence of the letter, obviously I cannot remember reading it. I always read communications on matters before us to the committee.

Q Is there any reflection in the report of the committee that Dr. Seaborg had expressed himself in any way about this matter?

A No, there certainly is not.

Q I beg pardon?

A There isn't.

MR. ROBB: All right.

MR. GARRISON: May I ask the Chairman whether the Board has before it the transcript of the Joint Committee testimony? I ask merely because of the fact that if it has been released to the Board --

MR. GRAY: Let me respond to your question this way, Mr. Garrison, and say that after recess, which I propose to call in a moment, I should like to respond to that.

We will now recess.

(Brief recess.)

MR. GRAY: I would like to pursue the question which Mr. Garrison raised just before the recess.

The Board does not have before it a complete transcript of the testimony which was under discussion.

(Mr. Marks not present in the room.)

MR. GRAY: However, I can say to Dr. Oppenheimer and his counsel that the Board does understand from a source it believes to be reliable that Dr. Oppenheimer was asked a question with respect to the extent of unanimity of the views of the members of the GAC with respect to what we have been describing as the crash program. I am not sure whether it was so referred to in the testimony, but there was this

question.

In response to the question Dr. Oppenheimer stated that he thought it was pretty unanimous view, that one member of the committee, Dr. Seaborg, was away when the matter was discussed, and that he had not expressed himself on it, and further saying that the other members will agree with what he has said.

THE WITNESS: That is a little different from what I was told I said. I was told I said explicitly that Seaborg had said nothing about the matter before the meeting. This was several months after the meeting and I was asked whether Seaborg had expressed his views in connection with this meeting. I would think that the proper answer to that was not so far from what you quoted me as saying.

MR. GRAY: We are trying to develop what actually the facts were in the case, and I believe you did testify that you had no communication with respect to this matter from Dr. Seaborg or at least you said you did not recall a communication, I believe.

THE WITNESS: Is that what it says in the transcript?

MR. GRAY: No, I think that is what you said earlier this morning.

THE WITNESS: I would like to make a general protest. I am told I have said certain things. I don't recall it. I am asked if I said these what would that be.

This is an extremely difficult form for me to face a question. I don't know what I said. It is of record. I had it in my own vault for many years. It is not classified for reasons of national security, this conversation, and I have no sense that I could have wished to give any impression to the Joint Congressional Committee other than an exposition because when I testified I knew for a fact that the decision had been taken, I testified in order to explain as well as I could to the committee the grounds for the advice, the color of the advice, the arguments that we had in mind. It was not an attempt to persuade them. It was not in any way an attempt to alter the outcome. It was an attempt to describe what we had in mind. A few minutes after I testified, I believe, or shortly after I testified, the Presidential announcement came out, and I knew what it was going to be. So this was not a piece of advocacy. It was a piece of exposition.

I would like to add one other thing. Having no recollection of the Seaborg letter, I cannot say that I did this. But it would have been normal practice for me at one of the meetings with the Commission not merely to read the letter to the committee, but to read the letter or parts of it relevant to our discussion to the Commission and the committee.

BY MR. ROBB:

Q In other words, Doctor, if you didn't read this

Seaborg letter to your committee, it would have been quite unusual?

A Yes.

Q Doctor, will you help me a little bit on physics. I notice Dr. Seaborg in this letter talks about the reactor program. Was that program a necessary step in the development of the thermonuclear weapon?

A It was thought to be.

Q What was done, or what did the General Advisory Committee advise or urge to be done in respect of a reactor program subsequent to the President's decision of January 1950.

A Already in the October 29 report we urged that a reactor program to produce these neutrons, the number of which is classified, be expedited. We, however, said that this should be done not for the purpose of the Super program, but for many other purposes. We urged that the thing be built.

I believe after the Presidential decision, we urged that the reactor program be flexible because it was already apparent at that time that the ideas as they existed in October 29, 1949, were undergoing very serious modification. If you wish me to refresh my memory on the precise points, I would be glad to. I have not done so.

Q Doctor, am I correct in my memory of your earlier

testimony that the reactor program was one thing that you are now and were at that time dissatisfied with and did not go very well?

A That is quite a different thing. That is the development of reactors for power.

Q That was something else?

A That is something quite different. This is a production reactor. I would not say that we were satisfied with the production reactor picture.

Q It is a heavy water reactor, is what you need for this program?

A No, not necessarily. It is a possible way of going about it.

Q What progress was made in developing the reactors that were necessary for the hydrogen bomb?

A That were then thought to be necessary?

Q Yes.

A Great progress.

Q They were built, were they?

A Yes.

Q At Hanford?

A No.

Q Is that classified, Doctor?

A It is in all the papers. They were built at Savannah River.

Q I see.

A They were built I think with the early development and study undertaken at the Argonne Laboratory and the duPont laboratory facing into the engineering and construction phases.

Q Doctor, I want to show you a copy of a letter also taken from your files that you had at Princeton and turned back to the Commission. This is a copy of a letter dated October 21, 1949, bearing the typewritten signature Robert Oppenheimer, addressed to Dr. James B. Conant, President, Harvard University: "Dear Uncle Jim:" I ask you if you wrote that letter.

A October 21, 1949?

Q Yes, sir.

A I would like to look it over.

Q Certainly. That is why I handed it to you, Doctor. I want you to look it over carefully. Take your time.

A I wrote this letter.

Q You wrote that letter.

A Can we read it in full?

Q I am going to. You sent this letter on or about October 21, 1949.

A I have no reason to doubt it.

Q Doctor, in this letter as in the other, the classification officer has expurgated a few words which are

indicated by brackets. Will you look at them now so you will know what they are when I read it?

A Yes. Could we paraphrase this by saying for a number of applications of military importance?

Q I will tell you what, Doctor. When I get to that point, I will stop and you paraphrase it, because you can paraphrase that sort of stuff better than I can.

"Dear Uncle Jim:

"We are exploring the possibilities for our talk with the President on October 30th. All members of the advisory committee will come to the meeting Saturday except Seaborg, who must be in Sweden, and whose general views we have in written form. Many of us will do some preliminary palavering on the 28th.

"There is one bit of background which I would like you to have before we meet. When we last spoke, you thought perhaps the reactor program offered the most decisive example of the need for policy clarification. I was inclined to think that the super might also be relevant. On the technical side, as far as I can tell, the super is not very different from what it was when we first spoke of it more than seven years ago: a weapon of unknown design, cost, deliberability and military value. But a very great change has taken place in the climate of opinion. On the one hand, two experienced promoters have been at work, i.e., Ernest

Lawrence and Edward Teller. The project has long been dear to Teller's heart; and Ernest has convinced himself that we must learn from Operation Joe that the Russians will soon do the super, and that we had better beat them to it."

What was Operation Joe, the Washington explosion?

A Right.

(Mr. Marks entered the room.)

BY MR. ROBB:

Q Of September 1949?

A Right.

Q Continuing your letter: "On the technical side, he proposes to get some neutron producing heavy water reactors built; and to this, for a variety of reasons, I think we must say amen since" -- now would you paraphrase?

A There were three military applications other than the super which these reactors would serve.

Q "-- and many other things will all profit by the availability of neutrons.

"But the real development has not been of a technical nature. Ernest spoke to Knowland and McMahon, and to some at least of the joint chiefs. The Joint Congressional Committee, having tried to find something tangible to chew on every since September 23rd, has at last found its answer. We must have a super, and we must have it fast. A sub-committee is heading West to investigate this

problem at Los Alamos, and in Berkeley. The joint chiefs appear informally to have decided to give the development of the super overriding priority, though no formal request has come through. The climate of opinion among the competent physicists also shows signs of shifting. Bethe, for instance, is seriously considering return on a full time basis; and so surely are some others. I have had long talks with Bradbury and Manley, and with Von Neumann. Bethe, Teller, McCormack and LeBaron are all scheduled to turn up within the next 36 hours. I have agreed that if there is a conference on the super program at Los Alamos, I will make it my business to attend.

"What concerns me is really not the technical problem. I am not sure the miserable thing will work, nor that it can be gotten to a target except by ox cart. It seems likely to me even further to worsen the unbalance of our present war plans. What does worry me is that this thing appears to have caught the imagination, both of the congressional and of military people, as the answer to the problem posed by the Russian advance. It would be folly to oppose the exploration of this weapon. We have always known it had to be done; and it does have to be done, though it appears to be singularly proof against any form of experimental approach. But that we become committed to it as the way to save the country and the peace appears to me

full of dangers.

"We will be faced with all this at our meeting; and anything that we do or do not say to the President, will have to take it into consideration. I shall feel far more secure if you have had an opportunity to think about it.

"I still remember my visit with gratitude and affection.

"Robert Oppenheimer.

"Dr. James B. Conant, President,

"Harvard University,

"Cambridge 38, Mass."

Doctor, would it appear to you from that letter that you were in error in your previous testimony that you had not expressed your views to Dr. Conant before the meeting of October 29, 1949?

A Yes.

Q Beg pardon?

A Yes.

Q Do you wish now to amend your previous answer that Dr. Conant reached the views he expressed to you without any suggestion on your part?

A I don't know which preceded which.

Q Is there any indication to you in this letter which I have just read that Conant had previously expressed any views to you?

A I would say there is an indication that there had been discussion between us. I am not clear.

Q Why were you writing to Dr. Conant before the GAC meeting on this thing?

A I think the letter explains that.

Q You were not trying to propagandize him, were you?

A No.

Q Do you agree with me that this letter is susceptible of that interpretation, that you were trying to influence him?

A Not properly; not properly so susceptible.

Q You notice in this letter, Doctor, that you referred to Dr. Seaborg's letter, so you had it at that time, didn't you?

A Right.

Q And that must have been the letter we read this morning, is that correct?

A I would assume so.

Q Would you agree, Doctor, that your references to Dr. Lawrence and Dr. Teller and their enthusiasm for the super bomb, their work on the super bomb, that your references in this letter are a little bit belittling?

A Dr. Lawrence came to Washington. He did not talk to the Commission. He went and talked to the Joint Congressional Committee and to members of the military establishment. I think that deserves some belittling.

Q So you would agree that your references to those men in this letter were belittling?

A No. I pay my great respects to them as promoters. I don't think I did them justice.

Q You used the word "promoters" in an invidious sense, didn't you?

A I promoted lots of things in my time.

Q Doctor, would you answer my question? When you use the word "promoters" you meant it to be in a slightly invidious sense, didn't you?

A I have no idea.

Q When you use the word now with reference to Lawrence and Teller, don't you intend it to be invidious?

A No.

Q You think that their work of promotion was admirable, is that right?

A I think they did an admirable job of promotion.

Q Do you think it was admirable that they were promoting this project?

A I told you that I think that the methods -- I don't believe Teller was involved, Lawrence promoted it -- were not proper.

Q You objected to them going to Knowland and McMahon?

A I objected to their not going to the Commission.

Q Knowland and McMahon, by that you meant Senator

Knowland and Senator McMahon.

A Of course.

Q Did you go to any Senators about this?

A I appeared before the Senate at their request in my statutory function.

Q Did you go to any Senators privately about it?

A Certainly not before discussing it with the Commission. I do not know whether I discussed it with Senator McMahon. If so, it was at his request.

Q You said certainly not before discussing it with the Commission. Did you after discussing it with the Commission go to any Senator s privately about it?

A Privately?

Q Yes, sir.

A I don't remember whether I talked to McMahon or not.

Q Did you go to the President about it?

A No.

Q You mention in this letter a meeting with the President. Did that take place?

A No.

Q Did you ever talk to the President about the matter?

A No.

Q Do you know whether or not Mr. Lilienthal did?

A It is in the public press that he did and he told me that he did.

Q Did you discuss the matter with him before he went to see the President?

A The time that is in the public press is when he and Acheson and Johnson went over to call on the President.

Q That was just prior to the President's decision?

A Yes.

Q Did you discuss the matter with Lilienthal before that meeting?

A Before the meeting of October 29?

Q Before he went to see the President.

A We discussed it many times between October 29 and the President's decision.

Q Did you brief Mr. Lilienthal on your views about the thermonuclear weapon before he went to see the President?

A We talked over and over again -- I don't believe it was ever a question of briefing -- and I don't have -- I am fairly sure that this description of any talk we had was wrong.

Q Is there any doubt in your mind that when he saw the President, Mr. Lilienthal expressed to the President your views on this matter?

A That he spoke my views to the President?

Q Yes.

A I have no idea.

Q Did you talk with him after he had seen the President?

A At this meeting of three people?

Q Yes.

A Yes. He came back and told us about it. I think this was actually the General Advisory Committee, rather than me.

Q Didn't Mr. Lilienthal report to you in substance that the views he expressed to the President were the same ones you entertained?

A I don't remember that way of saying it. If it was, it would have been the committee and would have referred to the mass of documents, reports and so on, between the 29th of October and that time.

Q Was there any doubt in your mind that Mr. Lilienthal shared your views on this matter of the thermonuclear?

A We knew that he was opposed to the crash program. I was never entirely clear as to the components of this opposition.

Q Was there any question in your mind that in reaching that view Mr. Lilienthal gave great weight to your advice?

A He gave some weight to it. I doubt if he gave inordinate weight to it.

Q Aren't you sure, Doctor, that Mr. Lilienthal necessarily relied very heavily on you for advice in this matter?

A The matters that engaged his interest were not primarily the technical ones. On technical things of course he

relied on our advice.

Q Doctor, you begin your letter to Mr. Conant, whom you address as "Dear Uncle Jim" with this sentence: "We are exploring the possibilities for our talk with the President on October 30."

Wouldn't that indicate to you that you were opening this subject with him for the first time, that is, with Dr. Conant for the first time?

A That would indicate that we had discussed it earlier.

Q It would?

A Yes, sir. Otherwise, I would have said we are thinking of going to see the President, or what would you think of going to see the President. It refers toward the end to a visit.

MR. GRAY: May I ask, is this visit to the President a visit of the GAC?

THE WITNESS: Sure. We went to see him occasionally. This was a terrible flat. We had in mind that maybe we ought to go over to see him. We decided that this had better be handled through the responsible organs of the government and not by a group of outside advisors, and we did so. Whether this was the Commission's view or our view, I don't remember.

BY MR. ROBB:

Q Doctor, how did you know that Dr. Lawrence had talked to Senator Knowland and Senator McMahon, and some at

least of the Joint Chiefs?

A This was gossip and I have forgotten who gave it to me. Possibly Rabi, but I am not sure. I know that Lawrence talked to Rabi on his way home from Washington and I would assume that he told him something about it.

Q You say here, "The climate of opinion among the competent physicists also shows signs of shifting." What did you mean the "the climate of opinion"?

A What people were thinking.

Q What were they thinking?

A What they were thinking about the desirability of stepping up this program, I should think.

Q You mean that up to then competent physicists had been opposed to it?

A Had not been excited by it.

Q Had not been enthusiastic.

A Right.

Q Now they were beginning to get more enthusiasm for it, is that correct?

A Yes. I don't know whether enthusiasm or a feeling of necessity or so. I don't know the detail.

Q Did that cause you alarm?

A No.

Q Wasn't that what you were expressing to Dr. Conant in this letter?

A I was tellin him in what form that I thought the problem would come before us, what the surrounding circumstances were.

Q How did you know that Bethe was seriously considering return on a full time basis?

A He came to visit me at Princeton and talked to me.

Q "And so surely are some others"; whom did you have in mind?

A From the way that sounds, I would say I had no one specific in mind.

Q Doctor, how many reactors of any kind were built while you were Chairman of GAC?

A I don't know. I will start to think. A dozen and a half or something like that.

Q How many physicists did you discuss this matter of the thermonuclear with prior to the meeting of October 29, 1949?

A I clearly can't answer that question.

Q A large number?

A No, not a large number. I have tried to think of the ones that stuck in my memory. I have forgotten some things.

Q Did you talk to Dr. Rabi?

A Yes.

Q When did you see him and where?

A Either in Princeton or New York.

Q Did he come to see you?

A I don't remember. We saw a great deal of each other.

Q What was his attitude on the thermonuclear at the time you talked to him prior to the meeting?

A I believe to put it as accurately as I can it was one of somewhat quizzical enthusiasm.

Q What did you say when you found that out?

A I don't think I said much.

Q Did you encourage him in his enthusiasm.

A I don't see how I could have, but I don't remember the words I used.

Q You said you talked to Dr. Serber.

A Yes.

Q He came to see you at Princeton, didn't he?

A He was sent by Lawrence.

Q Sent by Lawrence and Alvarez?

A Sent by Lawrence.

Q Serber told you he was going to work on the thermonuclear, didn't he?

A No.

Q Did he come to ask you whether you would work on it or not?

A I never fully understood the mission. He said he had come to discuss it.

Q Do you know whether or not prior to his seeing you Serber had said that he would join the project and work on the thermonuclear?

A I don't know. I had the impression that he had not made a commitment of such a kind and didn't intend to.

Q Didn't he tell you he had come to see you to enlist your responsibility for the project?

A To enlist my support for it.

Q Yes, sir.

A No, I don't think so.

Q What had Lawrence sent him to see you for?

A To discuss it with me.

Q Just to discuss it with you?

A Yes.

Q That is all?

A Yes.

Q Did you encourage Serber to work on it?

A No, I don't think I did.

Q Did you discourage him?

A No, I don't think I did.

Q Did he work on it?

A No; I don't believe he did. He may have a little.

Q Did you talk with Dr. DuBridge about the matter before the meeting?

A I think so, but I am not quite sure.

Q Do you know what his view on it was before the meeting?

A No.

Q You didn't hear?

A I don't remember.

Q Did you talk with Bacher about the program before the meeting?

A Is that one of the names that is in the list?

Q What list?

A The list in my letter to Conant. I have forgotten.

Q No. You talked with Bradbury, Manley and von Neumann, you say in this letter.

A Right.

Q Do you recall whether you talked to Bacher at all?

A No, I don't. I did talk to him at a later stage I remember very well.

Q Were your long talks with Bradbury, Manley, von Neumann individual talks or did you talk in a group?

A With von Neumann since he was right next door, it would be alone, and with Bradbury and Manley it would have been together.

Q Can you tell us anything about what you said to them?

A No, I can't. I would guess I mostly asked them.

Q Would it not be reasonable, Doctor, to conclude that you expressed to them substantially the same views you expressed

to Dr. Conant in this letter of October 21?

A The situation was a little different. I would think that I would have got Bradbury to tell me as much as he could rather than to tell him what I thought.

Q Doctor, you say here you have had long talks,; presumably you talked too, didn't you?

A I always do.

Q Yes. So isn't it a fair conclusion, Doctor, that in your long talks with Bradbury, Manley and von Neumann, you expressed the same feelings and the same views which you set out in writing to Dr. Conant?

A I very strongly doubt it. The relations were quite different. With Conant we had a problem of advice before us. The views that I expressed there are not the views the committee adopted. The background was something I thought he ought to know about. I would guess that with von Neumann, Bradbury and Manley -- anyway, with Bradbury and von Neumann, the talk would have been much more on technical things. I remember von Neumann saying at this time, "I believe there is no such thing as saturation. I don't think any weapon can be too large. I have always been a believer in this." He was in favor of going ahead with it.

Q Did he afterwards work on the project?

A He did.

Q Do you recall what views you expressed to Serber

when he came to see you at Princeton?

A I would think possibly not far from those I expressed here, that this was a thing that one had to get straight, but it was not the answer. I am conjecturing now. An honest statement would be to say I don't recall.

Q Did you talk to Dr. Alvarez about the thermonuclear program about this time?

A I think I did more than once.

Q What views did you express to him about it?

A I remember once when I expressed negative views, but I think in a rather indiscreet form of telling him what other people were saying.

Q Would you tell us about that occasion and when it was?

A The occasion I remember is during the GAC meeting. Alvarez and Serber and I had lunch together. The discussion was in mid-progress and we had not reached a conclusion. I said quite strongly negative things on moral grounds were being said.

Q Did you specify what those negative things were?

A I don't remember.

Q Those were your views, too, weren't they?

A They were getting to be in the course of our discussion.

Q You felt strongly negative on moral grounds, didn't you?

A I did as the meeting came to an end. I think the views that are expressed in the letter to Conant probably are as measured and honest as any record could be, and I think my attempt to reconstruct what I thought at one or another moment in this time of flux would be less revealing than what you have read out loud.

Q Do you recall what Serber's attitude was at the time of this luncheon?

A No.

Q Do you recall whether or not Serber subsequently opposed the development of the thermonuclear?

A I know of no such opposition.

Q In all events he did work on it.

A He worked on it very little but not very hard or effectively.

Q But not what?

A Not very hard or effectively.

Q Doctor, you have testified, I believe the report of the GAC reflects, that it was impossible to tell without a test whether a thermonuclear device would work or not, is that correct?

A Right.

Q Did there come a time when some tests of a thermonuclear bomb were scheduled?

A In October of 1952? That is the time?

Q I think so, yes.

A Right.

Q Did you suggest that that test be postponed?

A I would like to haul off.

Q Like to what?

A I would like to pull back a little bit.

Q Very well.

A I was then a member of this panel of the State Department. Another member was Dr. Bush. He told me right before -- well, very early in the meeting of the panel -- that he had been to see the Secretary of State about his anxieties of the timing of this test. I did nothing whatever about it. When the panel was meeting during the summer and late autumn, we discussed this matter as relevant to our terms of reference in great detail. The panel insisted that we make our views known as to the advantages and disadvantages of the scheduled date to the Secretary. So we did.

I also inquired of Bradbury about what a postponement of a week or two weeks or so on would mean in a technical sense. I believe this is the summary of all that I had to do with it. The scheduled date was November 1st, before the Presidential election. It was at a time when it was clear that whatever administration was coming in was different from the outgoing administration.

Q You did favor the postponement of the test, is that

right?

A No, I think that is not right. I think I saw strong advantages in not holding it then and many strong disadvantages. I reported both.

Q You were at that time a member of the State Department panel on disammament, is that right?

A Yes.

Q In fact, you were chairman of the panel, weren't you?

A I was.

Q Did your panel make a report on this matter of the postponement of the test?

A It discussed it with the Secretary of State. It made no report.

Q You made no written report?

A Right.

Q Didn't you favor the postponement of the test, Doctor?

A I have explained to you that I saw strong arguments for it and strong arguments against it. I didn't think it was my decision or my job of advocacy.

Q I understand that, Doctor. I am asking for your opinion at the time. I think it is a rather simple, plain question. Did you or did you not favor postponement of the test?

A My candid opinion was that it was utterly

impractical to postpone the test, but that we nevertheless owed it to the Secretary of State what we thought was involved in holding it at that time.

Q Was one factor which you thought perhaps made a postponement advisable the reaction of the Soviet to the test?

A We thought that they would get a lot of information out of it.

Q How long was it suggested that the test be postponed, if it was postponed?

A Until the new administration either before or after its assumption of office could conduct it or could be involved in the responsibility for it.

Q Doctor, we are agreed, I take it, that in the absence of a test, it was impossible ever to determine whether a thermonuclear would or would not work, is that right?

A To be sure. At that stage, let me say we had quite different designs. I reported to the President that although you could not be certain of the performance of any one design, it was virtually assured that this could be done. The situation was wholly different in 1949 where the doubts would have been of a very much more acute character with that model. However, you don't have a weapon until you proof fire it.

Q No. Even in 1949, Doctor, could anybody have said that the thermonuclear would not work in the absence of a test?

A I could say a specific model would not work and that has been said, wholly without a test.

Q Could you in 1949 have said that no model of a thermonuclear could be made that would work?

A Of course not. You can't say that nobody will ever think of anything. I have the memorandum of the panel on this subject. It has no restricted data in it. If the panel would like a copy of that memorandum, I can make it available.

MR. GARRISON: You mean the Board.

THE WITNESS: If the Board would like a copy of the memorandum, I can make it available. I don't have it with me because although not free of restricted data, it obviously is a classified document.

MR. GRAY: Yes.

BY MR. ROBB:

Q One further matter, Doctor, so the record will be complete. It is a fact, is it not, that you opposed the establishment of a second laboratory?

A The General Advisory Committee and I opposed the plans during the winter of 1951-52 -- the suggestion then made -- but we approved the second laboratory as now conceived because there was an existing installation, and it could be done gradually and without harm to Los Alamos. There is a long record of our deliberations.

Q I understand that. There was a proposal made in 1951 to establish a second laboratory for the purpose of working on the thermonuclear.

A Right.

Q And for various reasons which you have explained you and the committee opposed the establishment of that laboratory.

A That is correct.

Q Do you think now that the reasons that you advanced then were sound ones?

A Yes. I think if we had thought that it was possible to take an existing Commission facility that was working on something that didn't amount to anything and convert it gradually into a weapons facility, the arguments we had then would not have applied. The proposal was to found something new in some new desert, and this we thought could not be done without taking a big bite into Los Alamos.

Q Who proposed establishing it in some new desert?

A This is the way in which the Commission presented it to us -- a second Los Alamos.

Q The fact that it was established in some new desert would have made it much more difficult to get personnel, would it not?

A That is right.

Q Did you suggest an alternative that they might

establish it in some place other than a desert?

A No. We suggested lots of places that were open to the Commission to get work on various aspects of this problem, and that Los Alamos use some contracting and delegation to a very much greater extent than they had. This is different only in a minor way from the arrangement now made in California.

Q Doctor, at the outset of your testimony, you took an oath to tell the truth, the whole truth, and nothing but the truth, so help you God.

A Yes.

Q Are you fully conscious of the solemn nature of that oath?

A Yes.

MR. GARRISON: Mr. Chairman, is this necessary?

MR. GRAY: I think the Chairman would have to say that the witness took the oath and had read to him the penalties prescribed. I see no reason for the record to reflect this question being asked again.

MR. ROBB: Very well. That is all I have at the moment, Mr. Chairman.

MR. GARRISON: Perhaps we could take a five minute recess.

MR. GRAY: It will be perfectly all right, because I have a couple of questions that I would like to ask and

maybe the Board members do. But a recess is quite satisfactory.

MR. GARRISON: You would like to continue questioning Mr. Oppenheimer.

MR. GRAY: Yes.

THE WITNESS: Let us get that over with.

MR. GRAY: Part of this, Dr. Oppenheimer, to complete what seems to be a slight gap -- at least my first question, this was in relation to the statutory function and mission of the GAC, and the question of whether there were departures from the technical and scientific advice.

I think twice you observed that the GAC on occasion failed to respond to questions.

THE WITNESS: Yes.

MR. GRAY: Or did not respond. There is no implication in my question.

THE WITNESS: Did not respond to non-technical questions.

MR. GRAY: That is correct. Could you give an example of that kind of thing?

THE WITNESS: Yes. We were asked whether the Armed Services or the Commission should have custody of atomic weapons. We didn't answer that question. We simply gave a few technical comments on it. We were asked sometimes questions about organization.

MR. GRAY: I see. I think that is what I had in

mind.

My next question is one which was not fully developed, I think, in the questioning of counsel. I don't think it is a new matter, and I think it is pertinent to the whole problem.

Is it your opinion, Doctor, that the Russians would not have sought to develop a hydrogen bomb unless they knew in one way or another, or from one source or another, that this country was proceeding with it?

THE WITNESS: That was my opinion in 1949. As of the moment I have no opinion. I don't know enough about the history of what they have been doing.

MR. GRAY: I don't think my question relates so much to historical events as to a view of the international situation and the problems with which this country was confronted. Would it not have been reasonable to expect at any time since the apparent intentions or the intentions of the USSR were clear to us that they would do anything to increase their military strength?

THE WITNESS: Right.

MR. GRAY: Whatever it might be.

THE WITNESS: Oh, sure.

MR. GRAY: So you don't intend to have this record suggest that you felt that if those who opposed the development of the hydrogen bomb prevailed that would

mean that the world would not be confronted with the hydrogen bomb?

THE WITNESS: It would not necessarily mean -- we thought on the whole it would make it less likely. That the Russians would attempt and less likely that they would succeed in the undertaking.

MR. GRAY: I would like to pursue that a little bit. That is two things. One, the likelihood of their success would we all hope still be related to their own capabilities and not to information they would receive from our efforts. So what you mean to say is that since they would not attempt it they would not succeed?

THE WITNESS: No. I believe what we then thought was that the incentive to do it would be far greater if they knew we were doing it, and we had succeeded. Let me, for instance, take a conjecture. Suppose we had not done anything about the atom during the war. I don't think you could guarantee that the Russians would never have had an atomic bomb. But I believe they would not have one as nearly as soon as they have. I think both the fact of our success, the immense amount of publicity, the prestige of the weapon, the espionage they collect, all of this made it an absolutely higher priority thing, and we thought similar circumstances might apply to the hydrogen bomb. We were always clear that there might be a Russian effort

whatever we did. We always understood that if we did not do this that an attempt would be made to get the Russians sewed up so that they would not either.

MR. GRAY: Further with respect to the hydrogen bomb, did in the end this turn out to be a larger weapon than you felt it might when it was under discussion and consideration in 1942 and 1943?

THE WITNESS: We were much foggier in 1942 and 1943. I think your imaginations ranged to the present figures.

MR. GRAY: I think I should disclose to you what I am after now. I am pursuing the matter of the moral scruples. Should they not have been as important in 1942 as they might have been in 1946 or 1948 or 1949?

THE WITNESS: Yes.

MR. GRAY: I am trying to get at what time did your strong moral convictions develop with respect to the hydrogen bomb?

THE WITNESS: When it became clear to me that we would tend to use any weapon we had.

MR. GRAY: Then may I ask this: Do you make a sharp distinction between the development of a weapon and the commitment to use it?

THE WITNESS: I think there is a sharp distinction but in fact we have not made it.

MR. GRAY: I have gathered from what you have said, this was something that underlay your thinking. The record

shows that you constantly, with greater intensity at varying times perhaps, encouraged the efforts toward some sort of development, but at the point when it seemed clear that we would use it if we developed it, then you said we should not go ahead with it. I don't want to be unfair, but is that it?

THE WITNESS: That is only a small part of it. That is a part of it. The other part of it is, of course, the very great hope that these methods of warfare would never have to be used by anybody, a hope which became vivid in the fall of 1949. The hope that we would find a policy for bringing that about, and going on with bigger and bigger bombs would move in the opposite direction. I think that is apparent in the little majority annex to the GAC report.

MR. GRAY: Was it your feeling when you were concerned officially and otherwise with a possible disarmament program that the United States and its allies would be in a better bargaining position with respect to the development of some sort of international machinery if it did not have the hydrogen bomb as a weapon in the arsenal, or is that relevant at all?

THE WITNESS: The kind of thing we had in mind is what one would do in 1949 and 1950.

MR. GRAY: This is quite a serious line of questioning as far as I am concerned, because it has been said -- I am not sure about the language of the Nichols letter--

by at least in this proceeding and later on in the press, that you frustrated the development of the hydrogen bomb. That has been said. There have been some implications, I suppose, that there were reasons which were not related to feasible, to cost, et cetera.

THE WITNESS: Right. I think I can answer your question.

MR. GRAY: Very well.

THE WITNESS: Clearly we could not do anything about the non-use or the elimination of atomic weapons unless we had non-atomic military strength to meet whatever threats we were faced with. I think in 1949 when we came to this meeting and talked about it, we thought we were at a parting of the ways, a parting of the ways in which either the reliance upon atomic weapons would increase further and further or in which it would be reduced. We hoped it would be reduced because without that there was no chance of not having them in combat.

MR. GRAY: Your deep concern about the use of the hydrogen bomb, if it were developed, and therefore your own views at the time as to whether we should proceed in a crash program to develop it -- your concern about this -- became greater, did it not, as the practicabilities became more clear? Is that an unfair statement?

THE WITNESS: I think it is the opposite of true.

Let us not say about use. But my feeling about development became quite different when the practicabilities became clear. When I saw how to do it, it was clear to me that one had to at least make the thing. Then the only problem was what would one do about them when one had them. The program we had in 1949 was a tortured thing that you could well argue did not make a great deal of technical sense.; It was therefore possible to argue also that you did not want it even if you could have it. The program in 1951 was technically so sweet that you could not argue about that. It was purely the military, the political and the humane problem of what you were going to do about it once you had it.

MR. GRAY: In further relation to the October 29 meeting of the GAC, I am asking now for information: From whom did the GAC receive the questions which the Commission wished the GAC to answer?

THE WITNESS: The Commission met with us. I think there was probably a letter to me from Mr. Lillenthal. This is not certain, but probable. But the record will show that.

In supplement of the letter calling us to the meeting, we were addressed by the Commission at the outset.

MR. GRAY: This communication signed by Mr. Pike, Acting Chairman, the date of the letter was the 21st.

THE WITNESS: Right.

MR. GRAY: So in part your instructions, if I may

use that term, at least came from a letter. I am unable to read it. In this letter there were raised a lot of questions. In your reply I believe to General Nichols and certainly your testimony here, you say that the GAC was asked to consider two questions: One, are we doing all we should; two, what about the crash program.

My question is was it in a meeting with the Commission that the agenda or proposed agenda items were refined to these two?

THE WITNESS: I would think that we would have been charged, so to speak, by the Commission with its formulation of what it wanted us to do.

MR. GRAY: And it was your clear understanding as Chairman that what they wanted you to do in that meeting --

THE WITNESS: Was to answer those two questions. I would be unhappy if many of the questions in Mr. Pike's letter remained unanswered in our answer, but I don't remember. It doesn't matter.

MR. GRAY: I would like to ask about one of these questions. This is not surprise material for Dr. Oppenheimer.

Do you remember, Dr. Oppenheimer, whether, when you went into your meeting, you expected to consider cost of the super in terms of scientific personnel, physical facilities and dollars?

THE WITNESS: We outlined in our answer -- I don't

know whether we expected to, I have seen our answer just two days ago -- in our answer we have four items saying what it would require to carry out the program.

MR. GRAY: I see.

THE WITNESS: Perhaps not the dollars. We were not very good on dollars.

MR. GRAY: May I ask you now to turn your mind to an entirely different kind of thing, the Chevalier incident, in which it would appear that at that time and under those circumstances within the framework of loyalty generally -- loyalty to an individual, broader loyalty to a country, and I am not talking about espionage -- in that case considerations of personal loyalty might have outweighed the broader loyalties.

THE WITNESS: I understand that it would appear that way. It is obvious from my behavior that I was in a very great conflict. It is obvious that I decided that with regard to Eltenton the danger was conceivably substantial and that I had an obligation to my country to talk about it. In the case of Chevalier, I would not think that I regarded it as a conflict of loyalties, but that I put too much confidence -- put an improper confidence in my own judgment that Chevalier was not a danger.

MR. GRAY: Another instance which has been discussed in the proceeding, the testimony with respect to Dr. Peters and your subsequent letter to the Rochester newspaper. In

writing that letter, which perhaps was motivated by a desire not to hurt the individual, or to make restitution --

THE WITNESS: Not to get him fired, anyway.

MR. GRAY: Not to get him fired. -- again was this the same kind of conflict that you had with respect to --

THE WITNESS: No, I think this was almost wholly a question of public things. Personal things were not involved. He was a good scientist doing according to everyone's account no political work of any kind, doing no harm, whatever his views. It was overwhelming belief of the community in which I lived that a man like that ought not to be fired either for his past or for his views, unless the past is criminal or the views lead him to wicked action. I think my effort was to compose the flap that I had produced in order that he could stay on and that this was not a question of my anguish about what I was doing to him.

MR. GRAY: As you know, this Board is asked to consider present and future circumstances. Do you feel that today where there became a conflict between loyalty to an individual and a desire to protect him and keep his job or have him keep his job -- whatever it might be -- and a broader obligation, and I consider it to be broader is the reason I put it that way, that you would follow this same kind of pattern with respect to other individuals in the future?

THE WITNESS: The Chevalier pattern, no, never.

The Peters pattern I do not believe that I violated a broader obligation in writing the letter. It was for the public interest that I wrote it.

MR. GRAY: You make a distinction between what is said about a man in executive session -- we are talking in terms of loyalty -- and what is said about a man for public consumption. Do you think on the basis of the same facts it is appropriate to say one thing in executive session, and another thing for public consumption?

THE WITNESS: It is very undesirable. I wish I had said more temperate, measured and accurate words in executive session. Then it would not have been necessary to say such very different words publicly.

MR. GRAY: I suppose my final question on that is related to the view you held at one time that a cessation -- correct me if I mistake this -- of Communist activities, as distinguished from Communist sympathies, was important in considering a man for important classified work. Is that your view today?

THE WITNESS: No, I have for a long time been clear that sympathy with the enemy is incompatible with responsible or secret work to the United States.

MR. GRAY: So it would not be sufficient to say to a man, stop making speeches, stop going to meetings; that would not be enough?

THE WITNESS: It was not in fact sufficient before. It was sufficient only if it was a man whose disengagement was dependable.

MR. GRAY: Disengagement as far as activities are concerned.

THE WITNESS: And to some extent conduct. Today it is a very simple thing, it seems to me, and has been for some years. We have a well defined enemy. Sympathy for him may be tolerable, but it is not tolerable in working for the people or the government of this country.

MR. GRAY: One other question, which relates to the record, and your reply to General Nichols, and that is with respect to whose initiative it was which led to the employment of Dr. Hawkins as assistant personnel officer or whatever his title was. Do you now recall whether you simply endorsed the notion of his employment, or whether you --

THE WITNESS: No, I said in my earlier testimony that I relied rather heavily -- that I relied on Hawkins' testimony under oath -- that he had been asked for by the personnel director. I don't recall how the discussion started.

MR. GRAY: Finally, and this is much less important than some of these other questions, when in 1946 you resigned from the ICCASP, in your letter of resignation you referred to your disagreement with their current position with respect to the extension of President Roosevelt's foreign

policy, despite the many constructive and decisive things that this organization was doing; I wondered what you had in mind.

THE WITNESS: I wondered when I heard it. There is in my file a reference to a panel of the committee that was advocating and speaking for a National Science Foundation; though that is only one thing, it has always seemed a constructive one.

MR. GRAY: Because you had testified that you did not know too much about what they were doing and had not been active.

THE WITNESS: This seems to be the only record I have.

DR. EVANS: Dr. Oppenheimer, did the Condon letter have much weight with you in changing your position on that security committee?

THE WITNESS: The Peters thing?

DR. EVANS: Yes.

THE WITNESS: No. The letters that had weight with me were from Bethe and Weiskopf. They were written in very moderate and dignified --

MR. EVANS: Condon did write a letter about it?

THE WITNESS: He did, and it has been published in the papers. It made me angry.

DR. EVANS: Another question: From a political point of view, did you consider the Super a bad project even

if it could be made?

THE WITNESS: I think your record says that if we could have a world without Supers it would be a better world.

DR. EVANS: Did you consider the fact that there would not be many targets for a Super?

THE WITNESS: We did indeed. We discussed that. We said we had many more than the Russians. We said we were more vulnerable to it, and went into the questions of delivering it by ship and so on.

DR. EVANS: There is one other question that I want to ask and perhaps you won't answer this and can't, and I wouldn't want you to in that case. Did you reach the conclusion that the Super would work purely from a mathematical point of view? In other words, you had not tested it as yet?

THE WITNESS: At what stage is this? When I did reach that conclusion?

DR. EVANS: Yes

THE WITNESS: Yes. I didn't reach the conclusion that the precise designs and details embodied in our first thing would work as well as it might, but I reached the conclusion that something along these lines could be made to work.

DR. EVANS: That is all.

MR. GARRISON: Could we just have the last question read?

DR. EVANS: I can restate it. Did you reach the

conclusion that the Super would work from a purely mathematical point of view because they had not made the test.

MR. GARRISON: Excuse me.

THE WITNESS: I believe in our report to the President we said though there is always in matters of this kind the possibility that a specific model will fail, we are confident that this program is going to be successful.

DR. EVANS: There was a delicate boundary there that you could not be quite sure?

THE WITNESS: You can never be quite sure of anything in the future.

MR. GRAY: It is 12:15 and you asked for a recess.

MR. GARRISON: I don't think a recess is necessary.

(Discussion off the record.)

(Witness excused temporarily.)

MR. GRAY: Dr. Glennan, do you care to testify under oath? You are not required to do so.

DR. GLENNAN: I don't understand you.

MR. GRAY: Do you care to testify under oath?

DR. GLENNAN: I would be glad to.

MR. GRAY: All right, sir. Would you be good enough to stand and hold up your right hand? What is your full name?

DR. GLENNAN: Thomas Keith Glennan.

MR. GRAY: Thomas Keith Glennan, do you 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?

DR. GLENNAN: I do.

Whereupon,

THOMAS KEITH GLENNAN

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

DR. GRAY: Now, you will forgive for an elementary lesson but I think I should remind you of the provisions of Section 1621 of Title 18 of the United States Code, known as the perjury statute, which makes it a crime punishable by a fine of up to \$2,000 and/or imprisonment up to five years for any person stating under oath any material matter which he does not believe to be true. It is also an offense under section 1001 of Title 18 of the United States Code, punishable by a fine of not more than \$10,000 or imprisonment for not more than five years or both for any person to make any false, fictitious, or fraudulent statement or representation in any matter within the jurisdiction of an agency of the United States.

I should also like to make the request that in the event it is necessary for you to discuss any restricted data in your testimony, that you let the Chairman know before any disclosure for reasons which probably are obvious.

I think those are the instructions I am to give you,

so you may proceed.

DIRECT EXAMINATION

BY MR. GARRISON:

Q Mr. Glennan, would you state your full name for the record?

A Thomas Keith Glennan.

Q You are president of Case Institute in Cleveland?

A I am.

Q Dr. Glennan, there was handed to me just now an affidavit by you which I will give you.

MR. GARRISON: Mr. Chairman, I had not thought to suggest to Dr. Glennan that he would read the statement which he has prepared because I had preferred to go along in the ordinary way by question and answer, but in the recess I discussed the matter with Dr. Glennan, and I thought in the interest of time it might be well if he would read this and then respond to any questions that anybody might like to put to him.

MR. GRAY: We should be glad to have him read it.

BY MR. GARRISON:

Q Mr. Glennan, is this statement that you prepared your own in toto?

A Without question.

Q Did you receive any drafting assistance from anyone representing Dr. Oppenheimer?

A No. The only drafting assistance I received was a question that I raised myself as to restricted data that might be in here, and with the help of Mr. Beckerley this morning I changed part of one sentence to remove that.

Q I simply ask you to speak of the work you have done with Dr. Oppenheimer, your relations with him and your views about him.

A That is right.

Q Perhaps you would read this statement to the Board.

A My name is Thomas Keith Glennan. I am 48 years old and I am President of Case Institute of Technology in Cleveland, Ohio. From 1 October 1950 until 1 November 1952, I was on leave of absence from Case, and served during that period as a member of the United States Atomic Energy Commission. I have read somewhat hastily the pertinent parts of a letter addressed recently by the General Manager of the Atomic Energy Commission to Dr. J. Robert Oppenheimer. That letter recites certain incidents reported by the FBI presumably which have caused serious questions to be raised by certain persons concerning the loyalty of Dr. Oppenheimer to the United States of America.

Shortly after taking office as a Commissioner, I met Dr. Oppenheimer for the first time. During the ensuing years our meetings were limited to those days when the General Advisory Committee was in session, to discussions at

Princeton in mid June 1951, which I shall mention later, and to such other groupmeetings which may have occurred at the offices of the Commission in Washington during the period noted. My contacts with Dr. Oppenheimer since November 1952 have been limited to correspondence at infrequent intervals.

My earliest recollection of a General Advisory Committee meeting had to do with a review in late 1950, as I recall it, of the first two important Atomic Energy Commission expansion programs.

If I might interpolate, I would say the first of the two important Atomic Energy Commission programs.

I was impressed as a new member of the Commission by the expressions of satisfaction on the part of Dr. Oppenheimer and other members of the General Advisory Committee, and I recall comments to the effect that the General Advisory Committee under Dr. Oppenheimer's chairmanship had been urging expansion in the fissionable materials and weapons field for some time. About this same time I first became aware of the problems posed for the Commission and in particular for the Los Alamos laboratory by the findings of the theoretical group there, that requirement for special materials appeared to be such that there would result a substantial reduction in the production of fissionable materials.

Q Perhaps you could read it a little more slowly.

A I learned, too, something of the disagreements that had taken place in late 1949 within the Commission itself, and within the General Advisory Committee, on the question of pursuing vigorously prosecution of the thermonuclear program. While it was apparent that certain moral questions had been raised in addition to questions of technical feasibility in these earlier debates, it seemed clear to me that the technical problems and the tremendous cost in terms of decreased plutonium production had been of very great concern to the scientists involved. In the balance was the question of exploiting at all possible speed the very promising developments in the fission field, and the rapid buildup of a stockpile of great effectiveness against the diversion of effort and material to an as yet unproven thermonuclear device.

It is to be remembered that theoretical studies and calculations were proceeding during this period following on the President's decision to proceed with the diffusion program in early 1950.

In the late spring of 1951, certain studies made at Los Alamos by Teller, Nordheim and others, began to show promise. A meeting was called, I believe jointly by the Commission and the General Advisory Committee, for the purpose of reviewing these new propulsions. The meeting was held at the Institute for Advanced Study at Princeton around the 19th

and 20th of June 1951. The top level of scientific personnel available to the Commission were in attendance, as were all the Commissioners. It was this meeting that gave new hope to all for the thermonuclear program. It is my recollection that Dr. Oppenheimer participated with vigor and that there was never apparent to me at that time or subsequently anything in his actions or words that indicated anything other than a recognition of important new theoretical findings, and the necessity for pursuing vigorously these promising new leads.

It is true that Dr. Oppenheimer opposed the immediate establishment of a second weapons laboratory. So did I, and on the ground that Los Alamos was in the best possible position to push forward on the new propositions. To create a new laboratory would have been a crushing blow to the morale of the Los Alamos staff members and much valuable time would have been lost. Need for expansion of research effort was apparent, however, and studies were begun shortly thereafter to determine the best methods by which such expansion could be accomplished.

In the meantime Los Alamos pressed forward with great urgency to develop fusion devices for early tests of the new theories.

I cite these instances because it may be that accusations of disloyalty have been made against Dr.

Oppenheimer --

MR. ROBB: Mr. Chairman, I hate to interrupt the witness, but I feel it my duty to call to the attention of the Chairman, the provisions of the procedure that no witness will be permitted to make an argument from the witness stand. I apprehend that Dr. Glennan is about to make such an argument. I am not of course intending to suggest that Dr. Glennan is not doing anything he does not believe to be entirely proper, but the Board procedures do provide under section 4.15, paragraph (f) "nor will the Board permit any person to argue from the witness stand." I merely want to bring that to the Board's attention, for whatever it might be worth.

MR. GARRISON: Mr. Chairman, Dr. Glennan, I believe, is about to state his opinion. Surely the Chair will not consider this to be an argument.

MR. GRAY: I would like to ask Dr. Glennan if all of his statement is directing himself specifically to the paragraph in the Nichols letter which you referred to at the outset, reporting certain positions, attitudes, and so on, of Dr. Oppenheimer, with respect to the development of the hydrogen bomb.

THE WITNESS: Since, Mr. Chairman, my knowledge of these matters is limited largely or limited wholly, I should say, to the time I was on the Commission, I am dealing

principally with that question.

MR. GRAY: Do you have something further?

MR. GARRISON: I was going to make the general observation, Mr. Chairman, that in the case of many, if not most of the witnesses who will follow Dr. Glennan, I have asked them to recall the circumstances under which they had occasion to work with Dr. Oppenheimer, the extent to which they knew him, what they did together, what their views of him as a man and an American were as a result of their contacts with him, and all this item to be highly pertinent to the question, the ultimate question of judgment which this Commission has to make.

MR. ROBB: Mr. Chairman, I thoroughly agree with that.

MR. GARRISON: One of the basic questions in weighing a man's loyalty and citizenship is what sort of things has he done for his country in a time when the country is hard beset by foreign intentions.

Another test is what men of standing and eminence and character believed him to be on the basis not merely of reputation -- community reputation -- but on the basis of actual contacts with him.

I can't conceive that any question would arise in the mind of the Chairman as to the relevance of testimony of this character.

MR. GRAY: I don't believe that counsel, Mr. Robb,

has raised a question of relevance.

MR. ROBB: Of course not.

MR. GRAY: He has addressed himself to the procedure which is not generally too well defined. Did you want to say something?

MR. ROBB: I thoroughly agree with all that Mr. Garrison has said. I have no intention of suggesting that those matters should not receive full discussion before this Board. I merely felt it my duty, Mr. Chairman, as I apprehended that Dr. Glennan was launching into what can be described as an argument, rather than a recital of facts and circumstances. Of course, I am afraid that this is something we get into when a witness does read a prepared statement. It is rather difficult for counsel to control what he says and it is very apt to become an argument or a speech rather than testimony.

MR. GARRISON: Mr. Chairman, I really am amazed that this question should be raised.

MR. GRAY: I think in this case, if only in the interest of economy of time, I am going to ask the witness to proceed with his prepared statement and we can argue these procedural questions later.

MR. GARRISON: I myself often thought of that provision of the rules, Mr. Chairman, during some of the questioning that has taken place, but I have refrained from

raising it.

THE WITNESS: May I proceed, sir?

MR. GRAY: If you will.

THE WITNESS: I cite these instances because it may be that accusations of disloyalty have been made against Dr. Oppenheimer in part because of his disagreements with others because of the feasibility of one technical program compared with another, or one method of attack on a problem as compared with another. At no time did I then nor do I know know of any evidence that would indicate that Dr. Oppenheimer had been disloyal. Disagreements of this kind on technical and administrative matters are not sufficient ground for accusations such as have been made. Rather they are the normal phenomena in development matters of this nature.

Of the history of Dr. Oppenheimer prior to 1950 I have only limited knowledge and can make no comment. In light of his diligence in the prosecution of the Commission's program and in so far as my personal contacts with him have been revealing, I believe Dr. Oppenheimer to be a loyal citizen of the United States.

BY MR. GARRISON:

Q And on the basis of these contacts, would you say that his continued employment as a consultant would be clearly consistent with the interests of national security?

A I would.

MR. GARRISON: That is all, Mr. Chairman.

MR. ROBB: I have no questions.

MR. GRAY: Does any member of the Board have any questions?

MR. MORGAN: No.

DR. EVANS: No.

MR. GRAY: Thank you very much.

THE WITNESS: Thank you.

(Witness excused.)

MR. GARRISON: If it is agreeable with the Board, Dr. Compton will not take long. Would you like to hear him now?

MR. GRAY: I think we might proceed with Dr. Compton.

(Discussion off the record.)

MR. GRAY: Do you wish to testify under oath? You are not requested to do so.

MR. COMPTON: I am perfectly willing to do so.

MR. GRAY: Will you stand, please, and raise your right hand? What are your initials?

DR. COMPTON: K. T.

MR. GRAY: K. T. Compton, do you 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?

DR. COMPTON: I do.

MR. GRAY: I must call your attention to the provisions of the perjury statutes which make it a crime punishable by fine up to \$2,000 and/or of imprisonment up to five years for any person to state under oath any material matter which he does not believe to be true, and also call your attention to the fact that it is an offense under the statutes punishable by fine of not more than \$10,000 or imprisonment for not more than five years or both for any person to make any false, fictitious or fraudulent statement or representation in any matter within the jurisdiction of an agency of the United States.

I should also, Dr. Compton, if it becomes necessary for you to make any reference to or to disclose restricted data in your discussion here, ask that you inform me in advance of the necessity to do so.

Finally, I should point out to you that we treat the proceedings of this Board as a matter which is confidential as between the Atomic Energy Commission and its officials and agencies and Dr. Oppenheimer and his representatives, and we hope that witnesses will be guided accordingly, as far as the press and others are concerned.

Mr. Garrison.

DIRECT EXAMINATION

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Q Dr. Compton, you were the president of the

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DIRECT EXAMINATION

BY MR. GARRISON:

Q Dr. Compton, you were the president of the

Massachusetts Institute of Technology from 1930 to 1948, I believe?

A Yes, sir.

Q Would you state briefly some of the positions which you have held in the government having to do with the defense effort?

A Probably most important of those was as a member of the National Defense Research Committee from 1940 to 1945 when I was in general charge of the developments in radar, fire control and instruments. Part of that time and only an early part of that time had to do with the atomic energy program.

I was later in 1945 -- in the first half of the year -- a member of Secretary Stimson's Committee on Atomic Energy which was advising President Truman. That was the committee which George Harrison of New York Life was Chairman.

Then in 1946, I was Chairman of the Joint Chiefs of Staff Evaluation Board on the first Bikini atom bomb test, and a member of the President's Evaluation Committee on that same test.

Then between a year and two years ago I was a member of the Committee under Lewis Strauss which was appointed by the late Senator McMahon to consider certain problems having to do with the capital facilities for atomic energy.

In that connection we made some appraisal of the

work at Savannah River and at Paducah. The committee was disbanded, however, shortly after Senator McMahon's death.

I should also mention that I was in 1947 and 1948 chairman of the Research and Development Board in the Department of Defense immediately following Dr. Bush in that position.

I think those are the principal positions.

Q Thank you. You first met Dr. Oppenheimer at Goettingen, I think you told me, in 1926.

A That is right, November and December, 1926. He was there as a post graduate student. I was there as a visitor working on a manuscript, and I saw quite a bit of Dr. Oppenheimer at that time.

Q You yourself were trained as a physicist?

A Right.

Q Would you tell the Board the nature of the undertakings in which Dr. Oppenheimer and you have worked together?

A Starting with Goettingen, our first undertaking -- we were a committee of some 20 American graduate students -- to organize a Thanksgiving Dinner to pay back the social debt to our German professors who had been very hospitable to us. That had its amusing incidents, but it has nothing to do with the atomic energy work.

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I have met Dr. Oppenheimer at professional meetings frequently from time to time. The last meeting with him until

this morning that I can recall was at Princeton in his office where I had been asked by Miss Shaver, the president of Lord and Taylor, to try to prevail on Einstein to accept one of the Lord and Taylor awards, and I called on Dr. Oppenheimer for advice on how best to approach Professor Einstein. My only contact that I can recall with Dr. Oppenheimer having to do with the atomic energy project was while on Secretary Stimson's committee in 1945.

One of the problems before us was to try to estimate the amount of time that it would take a foreign country, and particularly Russia, to produce an atomic bomb. At that time we called in two groups on two separate days. One group consisted of the presidents or chief engineers of the industrial companies that had been most engaged in the production of the atomic bomb plants, that is Eastman, duPont, Carbide and Carbon Chemicals, Westinghouse, as I recall.

The other meeting was with a group of scientists -- Fermi, Oppenheimer, Ernest Lawrence and my brother, Arthur. There may have been one other. I am not quite sure. It was at that meeting that as a result of those conferences that we came to the very rough estimate that it would require Russia a minimum of five years and a maximum of 20 and probably 10 to produce an atomic bomb.

In that connection, the predominant factor was not scientific information, because we realized that the

Russians could get that as well as we could, but it had to do with industrial capacity -- machine tools, to make tools, production of electronic control equipment, capacity to produce certain chemicals with the desired degree of purity, and things of that sort.

Q I think Dr. Oppenheimer was a member of the Atomic Energy Committee of the Research and Development Board under William Webster when you were Chairman of the Research and Development Board.

A That is correct.

Q Based on your acquaintance with Dr. Oppenheimer, your knowledge that you have of him, what would you say as to his loyalty to the United States?

A I have never had any question of it. I have no question of it now. He is completely loyal.

Q Again based on your experience with him and your knowledge of him, would you say that his continued employment as a consultant to the Atomic Energy Commission would be clearly consistent with the interests of national security?

A So far as I know the situation, I would say yes. I think I would have to qualify that by this fact. While my personal impression, my faith is sound, it would have to be subject to derogatory evidence that I don't know anything about, which I take it is the purpose of this committee to investigate.

Q Of course, that goes without saying. I am asking you for your judgment simply based on your own personal feeling about him and knowledge of him.

A Yes.

C As to that, you are clear in your mind.

A Perfectly clear, yes.

Q What in your judgment would be the effect, if any on the scientific community if Dr. Oppenheimer's clearance were to be revoked?

A I believe -- and I feel very certain of this -- that there would be a shock, there would be a discouragement, there would be confusion. I think the result would be very bad.

C Bad for the country?

A For the country.

MR. GARRISON: That is all:

MR. ROBB: I have no questions, Mr. Chairman.

MR. GRAY: Thank you very much, Doctor.

THE WITNESS: I would like to say this. If anything should come up later in connection with things in which my past contact with Oppenheimer might raise questions for future evaluation, I would of course be glad to come down and appear if I can be of any help.

(Witness excused.)

MR. GRAY: We are now in recess. I hope we can start at 2 o'clock.

(At 12:55 p.m., a recess was taken until 2:00 p.m.)

AFTERNOON SESSION

2 p.m.

MR. GRAY: The proceeding will begin. Do you wish to testify under oath, Mr. Lansdale? You are not required to do so.

MR. LANSDALE: I have no wish at all in that respect. I leave that to counsel or to the Board.

MR. GRAY: I might say to you the board imposes no requirement. All the witnesses to this point have testified under oath.

MR. LANSDALE: Then let us keep it uniform.

MR. GRAY: Would you stand and raise your right hand.

John Lansdale, Jr., do you 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?

MR. LANSDALE: I do.

MR. GRAY: Now, Mr. Lansdale, I am required to call you attention to the provisions of the United States Code which make it a crime punishable by fine and imprisonment for any person to state under oath any material matter which he does not believe to be true and to remind you it is also an offense under the Code punishable by a fine or imprisonment or both for any person to make any false, fictitious or fraudulent statement or representation in any matter within the jurisdiction of an agency of the United

2 States.

I should like to ask that in the event it becomes necessary for you to disclose what you believe to be classified data during your testimony you should advise me before such disclosure in order that we may take certain steps.

MR. LANSDALE: May I in that regard rely on Mr. Rolander because it has been since 1945 that I have had any acquaintance with what is classified or what is not.

I have heretofore adopted the practice that I considered everything I did was classified. I know that is not really true anymore.

MR. ROLANDER: Mr. Chairman, I think specific reference is being made with reference to restricted data, which is more in terms technical data. Mr. Lansdale, with respect to matters which were previously classified would probably be considering investigative data which was at that time classified. That would not at this time be considered as classified.

MR. GRAY: Perhaps I was in error to raise the question here. But you will be on the alert, Mr. Rolander.

MR. ROLANDER: Yes, sir.

MR. GRAY: Finally, Mr. Lansdale, I should point out to you that this Board considers the proceedings strictly confidential between the Commission and its officials and Dr. Oppenheimer and his representatives and witnesses. This

3 Board takes no initiative in the release of any information. Speaking for the Board I express the hope that witnesses will take the same view of the situation.

MR. LANSDALE: This witness will.

MR. GRAY: Mr. Garrison.

Whereupon,

JOHN LANSDALE, JR.

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

DIRECT EXAMINATION

BY MR. GARRISON:

Q Mr. Lansdale, you are presently a member of the law firm of Squire, Sanders and Dempsey in Cleveland, Ohio?

A Yes, sir.

Q You attended Virginia Military Institute and after that the Harvard University Law School?

A Yes, sir.

Q And during the war you were the Security Officer for the Manhattan District at Los Alamos?

A The question is inaccurate. I was responsible to General Groves for the overall security and intelligence of the atomic bomb project, not technically the Manhattan District which was an administrative organization.

Q But you were the top security officer for the atomic bomb project?

4

A Yes, sir.

Q Would you tell the Board how you happened to get into the security work which you were charged with by General Groves?

A I believe General Groves advised me that he requested me to take charge of that work because I had previously before the Army had been given responsibility for the atomic bomb project made a security investigation at Dr. Conant's request at Berkeley and thus by that accident I was one of the very few Army officers who had any knowledge of the existence and nature of the project.

Q Dr. Conant asked you to undertake this study of the situation at Berkeley in 1941, as I recall.

A It was either in December 1941 or January, 1942.

My recollection is a little fuzzy on the precise date but it was right in that time.

Q And you were attached at that time to General Robert Lee in G-2?

A Yes.

Q In the Counter-Intelligence work?

A I was in the so-called Counter-Intelligence Branch of the Office of Assistant Chief of Staff, G-2, War Department General Staff.

Q Will you tell the Board about your discussions with General Groves about Dr. Oppenheimer's background and

5 about his clearance?

A I cannot recall precisely when we first began to discuss Dr. Oppenheimer.

Q May I interrupt you one minute?

A Yes.

Q I would just like to ask you if you have discussed the subject matter of your general scope of testimony here today with representatives of the Commission who are assisting the Board in its deliberations as well as with us?

A That is right. I think it fair to say --

Q I don't mean every question I am going to put has been discussed.

A I think it fair to say that I have not discussed with the Commission Staff my testimony as such. I have very briefly last night and at greater length some days or weeks ago answered to the best of my ability every question that I could that they had about this background.

MR. ROBB: Mr. Chairman, for the sake of continuity in the record, I wonder if I might put one question at this point?

MR. GRAY: Yes.

MR. ROBB: Did we not also permit you to refresh your recollection by looking at certain portions of the file with which you had been concerned?

THE WITNESS: Oh, yes.

6

MR. ROBB: That is all.

THE WITNESS: There were several documents which you gave me to read to refresh my recollection and to mutually try to arrive at facts which were not apparent in the record.

In any event, Dr. Oppenheimer had been on the project prior to the time that the Army took over. When the Army took it over, the security was virtually non-existent and the program of personnel clearance was practically non-existent. I won't say it did not exist because it did, but it was very incomplete. One of the first things that we did was to attempt to get some investigation and set up some program for the clearance of the personnel that were received with the project, as it were.

I, myself, never was until fairly late in the game transferred to the Manhattan District. I remained with G-2 and performed my duties as a supervisory matter along with my other duties in G-2.

Then Lieutenant Calvert was assigned to the Manhattan District as the security officer and he conducted the Clearance Program.

In connection with that we received reports, primarily from the Federal Bureau of Investigation, as I remember, concerning Dr. Oppenheimer's associations and relatives, as well as himself. These caused us, needless to say, a great

7 deal of concern. I may be inexact in my dates, but my recollection is that this took place about the time that Los Alamos was being established and my recollection is that they had not yet moved up on the Hill, but still had the office or laboratory down in Santa Fe while we were constructing a road up there.

I brought up these, because of Dr. Oppenheimer's prominent position as the head of the Los Alamos laboratory, to the attention of General Groves and we discussed them at some length.

General Groves' view was (a) -- I wonder if I am permitted to say -- I don't know what his view was, of course, as I only know what he told me.

MR. GRAY: You certainly can say what he told you.

THE WITNESS: I would like to correct that. Obviously I don't know what was in the man's mind. All I know is what he told me.

General Groves' view, as I recall expressed, was (a) that Dr. Oppenheimer was essential; (b) that in his judgment -- and he had gotten to know Dr. Oppenheimer very well by that time -- he was loyal; and (c) we would clear him for this work whatever the reports said.

I will confess that I myself at that time had considerable doubts about it. Because of our worry, or my worry, let us say, about Dr. Oppenheimer, we continued to

8 the best of our ability to investigate him. We kept him under surveillance whenever he left the project. We opened his mail. We did all sorts of nasty things that we do or did on the project.

I interviewed him myself a number of times. As I recall, the recommendations of the security organization headed up by Captain Calvert were adverse to Dr. Oppenheimer. They recommended against clearance.

BY MR. GARRISON:

Q Who was Captain Calvert?

A I think his official title was District Security Officer. He was on General Nichols', then Colonel Nichols, staff. In any event, I full concurred with General Groves as our investigation went on with the fact that Dr. Oppenheimer was properly cleared.

Now, you asked to relate our discussions. That is difficult. Our discussions spread over many, many months. They continued when the name --

MR. GRAY: Excuse me, please. Did you say I asked to relate the discussions?

THE WITNESS: No; Mr. Garrison did.

MR. GRAY: Excuse me. A moment ago I thought when you asked whether you were privileged to say what General Groves said, I said that was all right.

THE WITNESS: No. I think that was your question,

9 wasn't it?

MR. GARRISON: Yes, it was.

THE WITNESS: I remember that I asked General Groves early in the game what would he do if it turned out that Dr. Oppenheimer was not loyal and that we could not trust him? His reply was that he would blow the whole thing wide open.

I do not mean to imply by that, that our conclusions as to clearance were necessarily dictated by indispensability. I wish to emphasize it for myself. I reached the conclusion that he was loyal and ought to be cleared.

BY MR. GARRISON:

Q You did have certain employees, did you not, that the project had at Los Alamos who were kept on the basis of what might be called a calculated risk?

A Yes, that is true. That is true of Los Alamos and other parts of the project.

Q Certain people who were known or believed to be communists?

A Yes, sir.

Q Why did the project employ some people of that character?

A My only answer to that is that we continually had to exercise judgment as between obvious all out security and the necessities of the project. It must be remembered that

10 the Germans were far ahead of us in the development of an atomic bomb. We believed that the nation which first obtained one would win the war. We were under, believe me, very terrible feeling of pressure. Every security decision we made with reference to important people was made in that background.

We had a number of persons who we believed were very likely to be communists, who we were persuaded were doing such useful work and such important work, that good judgment required that we keep them and let them do their work and surround them and insulate them to the best extent of our ability. That is what we did in a number of cases.

I can't answer it any better than that.

Q Dr. Oppenheimer was not in that category of calculated risk, I take it?

A Not in my judgment, no.

Q Did you ever know of any leakage of information from any of the persons of the sort you have mentioned to the outside?

A We never discovered any leakage of information from those persons that we deliberately kept as a calculated risk. I don't mean to assert that there was none. We discovered none and we used every effort we could to make it difficult for them.

For example, with many of them we made it perfectly obvious that we were watching their every move so as to be

12 generally for the whole project could be laid to one side, at least so far as the important people on the project were concerned.

It was believed that the establishment of the laboratory in an isolated place where means of egress and ingress could be easily controlled and means of communication monitored should be done, if feasible.

We did have certain compartmentalization there. As I remember, we had the so-called technical area where the actual laboratories were, and as I recall we had two kinds of badges, for example; those who could get in there and those who could not. To that extent we had compartmentalization.

Q You visited the project frequently, did you not?

A Many times, yes.

Q Did you form any judgment as to the wisdom in an overall point of view of the establishment of Los Alamos as a community in which work could be carried forward in the relatively free and less cramped manner that you have described than would have been the case at Oak Ridge, for example?

A Let me answer that this way. I do not conceive that I had then, nor do I have now sufficient technical knowledge to enable me to measure the difference between the speed of accomplishment and not. To my mind then, simple

13 logic dictated that it must be so, and I saw no reason to change my mind.

I wish to add that I thought then and later events as the project went on proved that this theory of an insulated city in the middle of a desert is more easily postulated in theory than it is carried out in actual practice. But nevertheless we did a fairly good job in that regard.

Q Was the job of administering this community a difficult one in your judgment as you observed it?

A It certainly was. The commanding officers were changed very rapidly.

Q What would you say as to the nature of the scientists and their human characteristics, as you saw them at work on the project in relations to the problem of administration?

A The scientists en masse presented an extremely difficult problem. The reason for it, as near as I can judge, is that with certain outstanding exceptions they lacked what I called breadth. They were extremely competent in their field but their extreme competence in their chosen field lead them falsely to believe that they were as competent in any other field.

The result when you got them together was to make administration pretty difficult because each one thought that he could administer the administrative aspects of the Army post better than any Army officer, for example, and

14 didn't hesitate to say so with respect to any detail of living or detail of security or anything else.

I hope my scientist friends will forgive me, but the very nature of them made things pretty difficult.

Q They were slightly restive under the confinement of the isolated city.

A Very. As time went on, more so. Towards the latter stages it became increasingly difficult to sit on the lid out there. During the early stages, no.

Q What was Dr. Oppenheimer's policy as an administrator in relation to keeping the morale going and keeping the natural restiveness of these people within bounds? Was he helpful?

A So far as I observed it, he was very helpful. The difficulty primarily arose from those that were one step below him, let us say, in the scientific side. Dr. Oppenheimer himself so far as security matters with which I was particularly concerned was extremely cooperative.

Q Could you give the Board a little picture of the actual security measures which were enforced there at Los Alamos?

A Yes. In the first place, physically we had -- I have forgotten how many -- some troops, a guard company or two companies, wasn't it, and we maintained patrols around the perimeter. We established a system of monitoring

15 telephone calls and mail. We established a post office, you might say, down in Santa Fe in an office. We censored all mail on a spot check basis, and the mail of the more important scientists and those upon whom we had derogatory information 100 per cent. We maintained, at least in the early days -- later it became a spot check basis, as I remember -- a continual monitoring of all means of communications, telephones calls, and thelike.

We attempted to be as careful as we could in the clearance of personnel who were sent there. It is quite true that there, as in other places, we stretched our clearance procedure when the pressure was on for personnel.

Those who have not been through it cannot conceive, again I say, the extreme pressure we were under -- when the recruitment program was on, and when we were actually building the weapon, not to let people go, because the clearance procedure took a long time, or it seemed so to those who were responsible for getting ahead with the job.

I have forgotten precisely what our restrictions were on visitation, but people were not permitted to go on trips unless it was officially necessary. We had rather rigid restrictions even on visiting Santa Fe. Those, I remember, were among the restrictions that we simply had to relax as the project went on. We countered that by placing men of our organization in all of the hotels in town as

16 desk clerks and the like and covering the city of Santa Fe as best we could.

We tried to make it the securest of our institutions. The inexcusable Greenglass case indicates that it was not so secure after all.

Q What do you recall of your interview with Dr. Oppenheimer on what we call here the Chevalier incident, if you know what I have reference to?

A Yes. That is one of the things which I have had the advantage of reading the transcript of some weeks ago and glancing at one page of it again last night.

I should say that I talked to Dr. Oppenheimer many times. In that particular case the interview was when he was in Washington and I now believe that the interview took place in General Groves' office, although that is a reconstruction. I have no precise recollection of it except that it was in Washington.

Do you wish me to relate the substance of it?

Q Yes.

A The substance of it was that Dr. Oppenheimer had advised our people on the West Coast that an approach had been made to someone on the project to secure information concerning the project, and that the approach had been made by one Eltenton who was well-known to us -- from Eltenton to a third person and from the third person to the project.

17

From reading the transcript and having my attention called to memoranda by Mr. Robb and Mr. Rolander, the information was that the contact was with three persons. It is perfectly obvious that was the story. It is a curious trick of memory but my recollection was one and that the one person was Dr. Oppenheimer's brother, Frank Oppenheimer. I have no explanation as to how I translate it from three into one.

I called General Groves last night and discussed it with him in an attempt to fathom that and I can't figure it out. But the record shows clearly that there were three.

My effort was to get Dr. Oppenheimer to tell me the identity of the person that was later identified as Chevalier. In that I was unsuccessful. Perhaps I was not as resourceful a questioner as I might have been. In any event I could not get him to tell me. That is the sum and substance of it.

I came back and told the General that it was up to him, that he just had to get the information for us, which the General undertook to do and later reported back the information. That goes on for pages. I am quite sure that I interrogated him concerning other persons on the project. I am quite sure it is a long statement as I read it in the transcript. Our discussion covered a wide range. That is my present recollection.

18

Q Was there any other instance in which Dr. Oppenheimer did not give you information that you asked for?

A I don't recall any.

Q Would you class this incident as an illustration of the characteristic of the scientific mind that you spoke of a while back as deciding in their own minds what properly they should do, what was required to be done in the public interest?

A Yes, I think that is a fair statement. I think this whole incident is a good illustration of that. I will confess that I was pretty fed up with Dr. Oppenheimer at that moment because of the background against which we were working of the Weinberg case out on the West Coast and the difficulties that we were having with this Federation of Architects, Engineers -- what is the name of that thing -- FAECT -- who were well organized in one of the oil company laboratories out there and had been making efforts to organize the Radiation Laboratory at Berkeley.

I had previously in connection -- let me say it this way -- in connection with Dr. Oppenheimer's recruitment program, the names of one or two persons who figured prominently in the attempted or actual espionage incident on the West Coast were among those that were slated for transfer to Los Alamos.

In order that there could be the least possible

19 furor about it, I went out to Los Alamos to talk to Dr. Oppenheimer so that there would be no pressure upon the part of him or his people to bring these persons out there. At that time I told Dr. Oppenheimer something of our difficulties in Berkeley. How much I cannot now recall except that I would have told him as little as I thought I needed to.

The fact that I had to do that indicates the kind of people we were dealing with, because these persons, and Dr. Oppenheimer was no exception, believed that their judgment as to what people needed to know, as to what was security and the like was as good or probably better than others.

It was subsequent to that conversation that Dr. Oppenheimer then, I assume, realizing the seriousness of the situation, advised our people on the West Coast of this attempt coming out of the FAECT, because Eltenton was well known to us as a communist, active in the communist apparatus on the West Coast, and a member of this laboratory group, this FAECT.

Dr. Oppenheimer then told us that Eltenton had made this approach. It was perfectly plain that Dr. Oppenheimer believed that it was quite unnecessary to our security problem to know the names of the person or persons -- the one who later turned out to be Chevalier -- got this contact with.

To my mind it was a sad exhibition of judgment, and

20 an exhibition of ego that is quite unwarranted, but nevertheless quite common. That is the way I regarded it then. It did not endear him to me at the time. That is the sort of incident that it appeared to me to be.

Q He did regard it as important and in the national interest for him to impart information that had come to him about Eltenton?

A I assume that he did, otherwise he would not have done it.

Q He took the initiative in doing that?

A That is my recollection. My recollection is that he went to Lyle Johnson who was then the security officer at the Radiation Laboratory. Am I correct about Lyle's position then? I believe he was the security officer there. We had a very large organization on the West Coast, the investigative organization headed by Boris Pash, and I think Lyle Johnson was the security officer of the laboratory. In any event he was in the security organization at that time.

Q Dr. Oppenheimer has testified to a visit that he paid Jean Tatlock in 1943 on a trip away from the project. Dr. Oppenheimer knew that he was under surveillance like everybody else when he left the project, did he not?

A I assume that he did. We never told him. But I assume he realized it..

Q Was it common knowledge that these security regulations

21 applied to travel outside the project?

A That question I can't answer. It was certainly common knowledge that travel outside of the project was not permitted except upon official business and prior terms. There were certain persons that we made no effort to conceal the fact from that they were under surveillance for the reason I mentioned. Dr. Oppenheimer was not in that category. We never advertised to him that he was under surveillance.

Our people, as I recall, who were handling that problem believed that he was aware of it.

Q Did he make any other visits outside of the one I mentioned to other people that you know of?

A Of course, he made visits to many people.

Q Let me take that back. Any people unconnected in some way with the governmental effort?

A As I recall, his trips at that time were primarily for recruiting personnel. We were aware of his visit to Miss Tatlock, I guess it was, and I do not now recall any other visit to persons that might be on the suspect list, let me put it that way. The record may dispute me on that, but I certainly don't recall any.

Q To go back a moment to the Chevalier conversation, it has been testified here that after Dr. Oppenheimer told General Groves about Chevalier that certain telegrams were sent by you and General Nichols, I think in December, 1943,

22 still referring to three contacts.

A That is right. One of those was shown to me last night.

Q Do you have any explanation of that? Is it possible that you yourself having had three in mind may have concluded that still obtained, or was there anything more precise about it that you can remember?

A I have been dredging my memory yesterday and today particularly about that. Unquestionably Dr. Oppenheimer told us there were three. The record shows that beyond dispute. There is no question that at a later time -- at least at a later time -- we were informed that there was one only and that one was Frank Oppenheimer, because I remember distinctly going over to the F.B.I. and visiting Mr. Tamm who was then, I believe assistant to J. Edgar Hoover, and Mr. Whitson, who was the F.B.I. communist expert, that it was Frank Oppenheimer and that we had got that information, or that General Groves had obtained that information on the express term that it would not be passed on.

General Groves told me that, but I found it necessary to violate General Groves' direction in that regard and to give to the Bureau the identity of Frank Oppenheimer.

Whether the General went back again at my request, or on his own and talked further with Dr. Oppenheimer, whether the General and I reached the conclusion that it must

23 have been Frank, I don't know -- we discussed it many times -- yet I distinctly remember this condition of secrecy.

DR. EVANS: Did you say General Groves told you that it was Frank Oppenheimer?

THE WITNESS: Yes, sir, it is my recollection that General Groves told me it was Frank Oppenheimer. What mystifies me, gentlemen, is that the record shows three and there is a complete gap there. There is no record at all of Frank or anything else. Yet nothing could be clearer in my memory than of that incident of going over at night and talking to Tamm and Whison. Nothing could be clearer in my memory than General Groves' direction that I was not to pass it on to anybody, which I promptly violated in a very un-military manner.

That gap or jump I have no explanation for. My memory is a complete blank.

BY MR. GARRISON:

Q Would it refresh your recollection or still further confuse you if I were to say to you that my recollection of the conversation with General Groves about this was that Dr. Oppenheimer named Chevalier to him as the man, but that he, General Groves, suspected that it was?

MR. ROBB: Mr. Chairman, may I interpose here? We had general Groves here yesterday called by Mr. Garrison and he was not asked about this. It is entirely all right with

24 me if Mr. Garrison wants to put testimony in this way. But if this is to be done, I think General Groves should be brought back and asked about it personally.

MR. GARRISON: I am not putting in this as testimony.

MR. ROBB: That is the effect of it.

MR. GARRISON: As I recall General Groves' testimony yesterday he said that the whole thing was so confused in his mind that he could not make head or tail out of it.

MR. ROBB: If that is the case, then I don't think Mr. Garrison ought to attempt to refresh the recollection of a witness by quoting General Groves.

THE WITNESS: Can I say this, or volunteer it? Last night it was around 11 o'clock when I left here and got back to the hotel room when I called General Groves on the telephone for the purpose of rehashing this very thing. As a result of my conversation with him, I am no further informed than I testified to. That is all I can say.

BY MR. GARRISON:

Q Is it possible that General Groves told you that he thought it was Frank rather than that it was Frank?

A Yes, it is possible. I say it is possible because it would have been characteristic of the General. The General had superb judgment in that regard. He was frighten-ly right an immense number of times in making such judgments. It is possible. It would have been characteristic of him.

25

Q Do you know of any other instance in which Dr. Oppenheimer was approached by anybody on the subject of obtaining information of improper character?

A No.

Q I don't mean to imply that in this particular interview about Chevalier about which he has testified that Chevalier asked him for information. He has testified to the contrary. I didn't mean to imply by my question any doubt as to that testimony.

What I merely wanted to ask you is whether in your surveillance of him outside of the project, did you have any occasion or did any approach to him come to your knowledge on the part of anybody with respect to the subject of obtaining information outside of what we are talking about?

A Not to my knowledge.

Q Do you know whether Dr. Oppenheimer requested the employment of his brother, Frank, on the project?

A No, I don't know. My impression is that Frank was already on it when the Army took over, but I would not be sure about that.

Q You had many interviews with both Dr. Oppenheimer and his wife during the course of the work on the project?

A Yes.

Q Did you endeavor in these interviews to form the most accurate and thorough going judgment possible as to his

26

political orientation? I will come to Mrs. Oppenheimer later. Did you search to find out what you could about his attachment or lack of attachment to communist ideology?

A Yes, sir, that was the purpose of my talks with him. I was working on that all the time.

Q What judgment did you form as to his political convictions at this time, that is, at the time of the project?

A May I qualify your question. You asked me as to my judgment as to his political convictions. I formed the judgment that he was not a communist.

Q How did you form that judgment?

A I would like to continue with that. My working definition of a communist is a person who is more loyal to Russia than to the United States. That is the definition I formed very early during my work on the communist problem in the War Department, and which I still think is a sound definition. You will note that has nothing to do with political ideas.

Unquestionably Dr. Oppenheimer was what we would characterize -- and as I have bound a Republican as myself characterizes -- as extremely liberal, not to say radical. Unfortunately, in this problem of determining who is and who is not a communist, determining who is loyal and who is not, the signs which point the way to persons to be investigated or to check on are very frequently political liberalism of an

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extreme kind. The difficult judgment is to distinguish between the person whose views are political and the person who is a communist, because communism is not a political thing at all.

Q You had an extensive experience in that kind of interrogation throughout the war, did you?

A Yes, sir; I certainly did.

Q Did you have enough experience at it to feel as confident as men can be about their judgments?

A I believe so. I was a lot younger then than I am now, and I am sure I had more confidence in my judgment then than I have now.

Q About many things?

A About many things. But my job in the War Department and up until the time I officially moved over to the atomic bomb project and severed all connections with the War Department in January 1944, was primarily concerned with the formation of judgment as to who were or were not communists in the loyalty sense in the Army.

Q You were satisfied on the basis of these interrogations and of all that you knew about Dr. Oppenheimer from surveillance and all other sources that he was not a communist as you have defined one in the sense of being more loyal to Russia than to the United States?

A Yes.

28

Q You were satisfied that he was a loyal American citizen?

A Yes.

Q Putting the interests of his country first?

A I believed that.

Q Did you form the same judgment about Mrs. Oppenheimer?

A Yes, in a different sense. Mrs. Oppenheimer, I believed then had unquestionably been either a member of the Communist Party or so close to it as to be substantially the same thing. Her first husband had been --

Q You say "had been". When?

A In the thirties, as I recall. As I recall, she had been an organizer out in Ohio somewhere during the depression. Her first husband had been -- what is his name?

Q Dallet.

A Dallet. Had been in the Abraham Lincoln Brigade during the Spanish War. That was always, particularly those who went in early and stayed long, a pretty fair index of then current attitude of people. Her background was not good. For that reason I took as many occasions as I could to talk to Mrs. Oppenheimer.

As I recall Mrs. Oppenheimer's background and associations subsequent to the thirties, they had not been different from that of Dr. Oppenheimer -- or materially different --

29 from that of Dr. Oppenheimer.

Mrs. Oppenheimer impressed me as a strong woman with strong convictions. She impressed me as the type of person who could have been, and I could see she certainly was, a communist. It requires a very strong person to be a real communist.

I formed the conviction over many interviews with her and many discussions with her that she had formed the conviction that Dr. Oppenheimer was the most important thing in her life and that his future required that he stay away from communist associations and associations with people of that ilk.

It was my belief that her strength of character -- I think strength of character is the wrong word -- her strength of will was a powerful influence in keeping Dr. Oppenheimer away from what we would regard as dangerous associations.

Q Did you have any doubt as to her own disassociation from the Communist Party?

A No, I don't think I did.

Q And to her prior disassociation from the party before coming to the project?

A That is right.

Q You regarded Mrs. Oppenheimer on the basis of your interrogation of her and all that you knew about her as

30

loyal to the United States of America?

A Yes, I did. I want to qualify that by saying that I think -- no, I won't qualify that at all. The answer is yes.

Q If you had the decision to clear or not to clear Dr. Oppenheimer today, based upon your experience with him during the war years and up until the time when your association with him ended, would you do so?

A I will answer that, yes, based upon the same criteria and standards that we used then. I am making no attempt to interpret the present law. Those criteria were loyalty and discretion.

Q What would you have to say as to his discretion as you saw it?

A I think it was very good. We always worried a little bit about how much he talked during his recruitment efforts. Certainly there were times when as a security officer I would have judged the amount of information that he felt he had to give to induce somebody to come on to the project to have been indiscreet. That is always a question of judgment and it was in the line of duty, so to speak.

Q Apart from the problem of recruitment, what would you say?

A Yes, I believed him to be discreet. I thought it was indiscreet of him to visit Miss Tatlock.

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MR. GARRISON: That is all at the moment, Mr.

Chairman.

MR. GRAY: Mr. Robb.

CROSS EXAMINATION

BY MR. ROBB:

Q Aa I understand it, Mr. Lansdale, you are not offering any opinion as to whether or not you would clear Dr. Oppenheimer on the basis of presently existing criteria?

A That is a standard that is strange to me. I don't know what it is. If somebody would interpret it for me -- isn't it getting pretty hypothetical?

I believed on the basis of information I had then that Dr. Oppenheimer was loyal and discreet. I have not changed my mind, although I have no knowledge of events transpiring since sometime in 1945.

Q You said that you thought Dr. Oppenheimer's discretion was very good, is that correct?

A Yes, sir.

Q You had no doubt, did you, that Jean Tatlock was a communist?

A She was certainly on our suspect list. I know now that she was a communist. I cannot recall at the moment whether we were sure she was a communist at that time.

Q Did your definition of very good discretion include spending the night with a known communist woman?

32

A No, it didn't. Our impression was that that interest was more romantic than otherwise, and it is the sole instance that I know of.

Q Were there some people called Barnett that you knew about on your suspect list?

A That name doesn't ring a bell with me.

Q Were the Serbers on your suspect list?

A Yes, sir.

Q High on it?

A Fairly so, yes.

Q Was Dr. Oppenheimer intimate with them?

A They were on the project at Los Alamos. The social life of that project, isolated as it was, was very close. The Serbers were, as I remember, friends of the Oppenheims.

Q There were friends of his?

A That is my recollection.

Q Were there some people named Morrison on your suspect list?

A Yes.

Q High on it?

A Phillip Morrison?

Q Yes, sir.

A I think so. I don't think he was out at Los Alamos. Was he?

33

Q Yes, I believe he was. Were they also good friends of the Oppenheimers?

A That I don't recall. May I stop? I am not supposed to interrogate the interrogator, am I?

Q Was there a man named David Hawkins on your suspect list?

A Yes, I believe so in a mild sort of way. I mean he was one of those persons we felt uneasy about without having anything definite.

Q You have since learned that Hawkins had been a communist?

A From what I read in the newspapers.

Q Was he an intimate of Dr. Oppenheimer?

A I don't now recall him as being. I know he came out to the project for personnel work.

Q Wasn't he sort of Dr. Oppenheimer's legman and assistant?

A My recollection was that David Hawkins was regarded as extremely important to the recruitment program which was one of Dr. Oppenheimer's primary responsibilities and in that sense, yes.

Q He was working right close to Dr. Oppenheimer.

A So far as recruitment is concerned, that is my recollection.

Q Were there some people named Woodward on your

34 suspect list?

A I believe so, although I remember nothing more about them.

Q By the way, when you say suspect list, you mean people who were suspected of being communists or close to communists?

A Or that we were uneasy about it. Perhaps suspect list should be security list.

Q Yes.

A People concerning whom we took more or less risk on, depending on the circumstances and the times.

Q Were the Woodwards intimates of Dr. Oppenheimer?

A As I told you, I remember the name. I remember nothing more about them now. Perhaps if you could recall some instance to me, I would remember.

Q Was a man named Lomanitz on your suspect list?

A Oh, very much.

Q He was one of your top suspects, wasn't he?

A Yes, sir.

Q Was he close to Dr. Oppenheimer?

A I don't recollect that he was. My recollection of Rossi Lomanitz is that he was a student of Dr. Oppenheimer. He was at the R-diation Laboratory until we had him inducted into the Army and thus got him off the project.

Q Do you recall Dr. Oppenheimer protesting about his

35

induction?

A I recall Dr. Oppenheimer raising a question about it. Indeed if I recall that was the occasion of at least one of my talks with Dr. Oppenheimer, that is, to ask him "for goodness sake to lay off Lomanitz and stop raising questions about it".

Q In other words, he had been raising questions about it?

A My recollection was that he had. Lomanitz was regarded as a brilliant young man and the people like Earnest Lawrence and Dr. Oppenheimer did not want to lose him. I remember Earnest Lawrence yelled and screamed louder than anybody else about us taking Lomanitz away from him.

Q Was a man named Bohm on your list?

A Yes.

Q Was he a friend of Dr. Oppenheimer?

A I have no recollection about that. He also came from Berkely. I assume Dr. Oppenheimer must have known him.

Q Was a man named Weinberg on your suspect list?

A Right at the top of the list.

Q In fact, Weinberg gave information to Steve Nelson, didn't he?

A That is our belief. We proved to our satisfaction that he gave information to Steve Nelson for money.

Q What was the relationship between him and Dr. Oppenheimer?

36

A my recollection is about the same as Lomanitz.

Q Now, Mr. Lansdale, when did you come into the Army?

A May, 1941.

Q What had been your experience prior to going into the Army?

A Lawyer.

Q How old were you then, sir?

A I was born in 1912. 29, wasn't it?

Q Had you had any previous experience as a security officer or investigator?

A No, sir, not other than in connection with trying law suits. I was a trial lawyer.

Q In other words, you were not a professional.

A I certainly was not.

Q How long had you been in the Army before you went on to this security work?

A About three minutes.

Q What was your rank when you started out?

A First Lieutenant. I was a reserve officer in the Field Artillery by reason of graduation from VMI.

Q After your interview of September 12, 1943, with Dr. Oppenheimer did you submit a copy of that to General Groves?

A The record so shows. I have no present recollection of it.

37

Q You have no doubt that you did?

A I have not^h doubt that I did.

Q Did you have any doubt that prior to doing that you read it over to make sure it was an accurate reflection of what had been said in your interview?

A I have no doubt that I read it over and I would have made any changes that I felt were erroneous in substance, but as I remember that was a recording. I would have made no attempt to correct English or reconstruct garbled portions.

Q But had you found anything in there which was not in accord with what had been said? In other words, had the stenographer not correctly transcribed the recording, you would certainly have made the correction, would you not?

A I can only say I am sure I would. We are reconstructing now. I have no present recollection.

Q I don't expect you to recall now independently, Mr. Lansdale. But as your past memory recorded, you have no doubt that transcript was accurate, do you?

A No, I really don't.

Q Mr. Garrison asked you some questions about the scientific mind in relation to that interview that you had with Dr. Oppenheimer and you responded, I think, that Dr. Oppenheimer's attitude might well have been a manifestation of the workings of a scientific mind; is that correct?

A Oh, yes; of which I came up against many examples.

38

Q Dr. Oppenheimer has testified here before this Board that he lied to you in that interview. You would not say that lying was one of the manifestations of a scientific mind, would you?

A Not necessarily, no.

Q It is not a characteristic --

A It was certainly a characteristic to decide that I didn't need to have certain information.

Q No. But the question is, Mr. Lansdale, you would not say that scientists as a group are liars, would you?

A No. I don't think persons as a group are liars.

Q No.

A I certainly can't over emphasize, however, the extremely frustrating, almost maddening, let me say, tendency of our more brilliant people to extend in their own mind their competence and independence of decision in fields in which they have no competence.

Q You were undertaking at the time you interviewed Dr. Oppenheimer to investigate what you believed to be a very serious attempt at espionage, is that right?

A Yes. Let me put it this way. No. Yes is a fair answer.

Q And Dr. Oppenheimer's refusal to give you the information that you asked him for was frustrating to you?

A Oh, certainly.

39

Q You felt that it seriously impeded your investigation, didn't you?

A Certainly. But he wasn't the first one that impeded my investigation, nor the last.

Q Mr. Lansdale, do you have any predisposition or feeling that you want to defend Dr. Oppenheimer here?

A I have been trying to analyze my own feelings on that.

Q I notice you volunteered that last remark, and I wondered why.

A I know, and it was probably a mistake. I have attempted as nearly as I can -- as nearly as it is possible -- to be objective.

Q Yes, sir.

A I do feel strongly that Dr. Oppenheimer at least to the extent of my knowledge is loyal. I am extremely disturbed by the current hysteria of the times of which this seems to be a manifestation.

Q You think this inquiry is a manifestation of hysteria?

A I think --

Q Yes or no?

A I won't answer that question yes or no. If you are tending to be that way -- if you will let me continue, I will be glad to answer your question.

40

Q All right.

A I think that the hysteria of the times over communism is extremely dangerous. I can only illustrate it by another dangerous attitude which was going on at the same time we were worrying about Dr. Oppenheimer's loyalty.

At the same time over in the War Department I was being subjected to pressure from military superiors, from the White House and from every other place because I dared to stop the commissioning of a group of 15 or 20 undoubted communists. I was being villified, being reviewed and re-reviewed by boards because of my efforts to get communists out of the Army and being frustrated by the blind, naive attitude of Mrs. Roosevelt and those around her in the White House, which resulted in serious and extreme damage to this country.

We are going through today the other extreme of the pendulum, which is in my judgment equally dangerous. The idea of what we are now doing, what so many people are now doing, are looking at events that transpired in 1940 and prior in the light of present feeling rather than in the light of the feeling existing then.

Now, do I think this inquiry is a manifestation of hysteria? No. I think the fact that so much doubt and so much -- let me put it this way. I think the fact that associations in 1940 are regarded with the same seriousness that

41 similar associations would be regarded today is a manifestation of hysteria.

Q Now, Mr. Lansdale, it is true, is it not --

A By golly, I stood up in front of General McNary then Deputy Chief of Staff of the Army and had him tell me that I was ruining peoples' careers and doing damage to the Army because I had stopped the commissioning of the political commissar of the Abraham Lincoln Brigade, and the guy was later commissioned on direct orders from the White House.

That stuff that went on did incalculable damage to this country, and not the rehashing of this stuff in 1940. That is what I mean by hysteria.

Q How do you know what this Board is doing is rehashing old stuff?

A I don't know. That is what I have been --

Q That is what?

A That is all that can be had from me because that is all I know.

Q Mr. Lansdale, it is true, is it not, that the security officers down the line below you in the Army hierarchy were unanimous in their opposition to the clearance of Dr. Oppenheimer?

A Virtually so, yes. I say virtually so because I cannot precisely now recall that it was unanimous. Certainly Captain Calvert -- I believe he was then a captain, who was

42 then the security officer -- I am quite certain recommended against it. He was Colonel Nichols' security officer. I am quite certain Colonel Pash felt so. I should think that the answer was yes.

Let me add this: That had I been confined to the bare record, I might possibly have reached the same conclusion. In other words, if Dr. Oppenheimer had not been as important as he was, I would certainly have stopped with the record and used my every endeavor to persuade the General that Dr. Oppenheimer ought to be dispensed with.

However, in view of his importance to the project we made a tremendous effort to reach a settled conclusion in our own minds. At least I did, and I am sure the General did.

Q You mean if he had not been an important figure you would just have discarded him as a nubbin and gone on to something else?

A Oh, absolutely.

Q Did you receive reports from the security officers at Los Alamos and Berkeley?

A I undoubtedly received many reports from them. Let me say this. Our organization administratively was that all of those reports went to Oak Ridge which was the District Engineer's office - first to New York and then when they moved to Oak Ridge, there. All of those reports did not come up to me. However, from Los Alamos they all came

43 directly to me because we held that more or less outside of the ordinary course of administration.

Q By the way, Mr. Lansdale, you said a little while ago that you now believed your interview of September 12 took place in the office of General Groves. How did you have your memory refreshed about that?

A Well, by this process. My memory was that it was in Washington. My memory was clear on that. It was reported to me that Mrs. O'Leary, who was the general secretary, seeing that transcript, believed that it looked like her typing. We had a concealed microphone in the General's office which we had set up for these purposes.

Dr. Oppenheimer tells me his recollection is that it was in the General's office. He recalled to my mind that I had met him at the train and gone up with him and that I clearly remember.

That is how I reconstruct it. It certainly happened either there or in my office at the Pentagon.

Q When did Dr. Oppenheimer tell you that?

A Last night.

Q He remembered that?

A He remembered that it had occurred in General Groves' office.

(Discussion off the record.)

MR. ROEB: Mr. Chairman, I would be an hour or so

44 more in examining Mr. Lausdale. I see that it is almost 3:30, the time that the Board indicated it planned to recess. However, I am at the disposal of the Board.

THE WITNESS: It is pretty important that I get through today.

MR. ROBB: I am sure you realize there are some things that are pretty important to go over.

THE WITNESS: Certainly. I am at your disposal and prepared to go into the night or return at a later date, but I have some court commitments for the rest of next week.

MR. GRAY: Off the record.

(DISCUSSION OFF THE RECORD.)

Mr. Gray. Let us break now for five minutes.

(Whereupon, a short recess was taken.)

Eowers fols.

MR. GRAY: Will you proceed?

BY MR. ROBB:

Q Mr. Lansdale, in referring to the scientific mind, were you basing your appraisal of a scientific mind upon your experience with that mind as represented by people like Lomanitz, Bohm and Weinberg?

A No. People like Ernest Lawrence and Fermi and Oppenheimer, and A. H. Compton, and the numerous people in the metallurgical laboratory.

Q Karl Compton?

A Karl Compton I had very little contact with.

Q Mr. Lansdale, I want to show you a memorandum dated 2 September 1943, entitled, "Subject: J. R. Oppenheimer. Memorandum for Lt. Col. Pash, and a covering memorandum from Colonel Pash to you, signed P. de S., dated 6 September, and ask you if that came to you in your official capacity?

A Yes, my initials are on it, also General Groves' initials. I have no present recollection, you understand, of it.

Q I understand.

A But unquestionably it did.

MR. GARRISON: May we see that?

MR. ROBB: Yes.

BY MR. ROBB:

Q You have no doubt that you gave consideration to that memorandum in your appraisal of Dr. Oppenheimer?

A I didn't examine the content of it.

MR. ROBB: Could the witness see the memorandum, please, Mr. Garrison. You are going to have plenty of time to look at it. I am trying to get along here in a hurry, Mr. Garrison.

MR. GARRISON: I understand.

THE WITNESS: Oh, yes, I am quite sure.

BY MR. ROBB:

Q Who was "P. de S."?

A That undoubtedly was Peer de Silva, who for some period of time, and I assume during this time, was security officer at Los Alamos.

Q Was he a regular Army officer?

A That is right. I believe he was a first lieutenant. He may have been a second lieutenant.

Q He was afterwards Colonel de Silva.

A That I don't know.

Q He was a professional, was he not?

A Oh, yes. He was a professional soldier. He was not a professional security officer, if that is the implication, except that we were all professionals.

Q He was certainly more of a professional than you were, wasn't he, Colonel?

A In what field?

Q The field he was working in, security.

A No.

Q No?

A No.

Q He was a graduate of West Point, wasn't he?

A Certainly. I am a graduate of VMI, too. You want to fight about that?

Q No, sir, I don't want to fight with you. I will show you a memorandum dated 12 August 1943, memorandum for General Groves, Subject: J. R. Oppenheimer; signed John Lansdale. Did you write that memorandum?

A That is unquestionably my signature. Let me read it.

MR. ROBB: May we go off the record.

(Discussion off the record.)

THE WITNESS: Yes, I not only wrote this memorandum; I now recall the interview. As a matter of fact, this is the --

BY MR. ROBB:

Q You are talking now about the memorandum of what?

A Memorandum dated 12 August 1943 from me to General Groves, concerning J. R. Oppenheimer. This appears to be when I went out and made a trip to quiet people down about Lomanitz. We were having a great deal of trouble with Ernest Lawrence about taking Lomanitz away from him. Then

Dr. Oppenheimer got in the picture, and I just went out to quiet things down.

Q Colonel, I detect a slight tendency on your part to blame Lawrence for Lomanitz exclusively. Isn't it a fact that Dr. Oppenheimer was also very much exercised about Lomanitz?

A I don't recall that he was exercised about Lomanitz-- yes, he was exercised about Lomanitz. We got word through Peer de Silva as I recall that Oppenheimer was raising a question about us permitting Lomanitz to be inducted into the Army. I suspect he didn't know we were moving heaven and earth to get him inducted. Our main row with Lawrence, we had more trouble with Ernest Lawrence about personnel than any four other people put together.

Q I will show you a photostat of a memorandum dated 14 September 1943, a memorandum for the file, subject "Discussion by General Groves and Dr. Oppenheimer", which bears the typewritten signature "John Lansdale, Jr., Lt. Col., Field Artillery." Did you write that memorandum?

A I unquestionably did. Unquestionably I did write it.

Q Does that memorandum or can you say with assurance that that memorandum accurately reflects that you had been told by General Groves about a discussion which he had had about Oppenheimer?

A Of course not. All I can say is that I would have

attempted as accurately as I could to record the substance of our conversation.

Q That is what I mean.

MR. GARRISON: Mr. Chairman, I really am getting disturbed about the problem we face of not knowing really what these questions are about. We haven't been supplied with copies of these.

MR. ROBB: I will hand it to you right now.

MR. GARRISON: If we can stop for a minute while we read them -- I don't want to delay matters, but I have to protect my client as a lawyer.

MR. ROBB: That is all right. I have plenty of time.

MR. GRAY: You will have an opportunity to read them. As I understand the questions which Mr. Robb has put they have been questions for identification, rather than substance.

MR. GARRISON: He is beginning to ask him questions about them, and I haven't the slightest idea what is in them.

MR. GRAY: You have them before you now.

MR. ROBB: You have them all now, have you not?

MR. GARRISON: There is an awful lot to read, Mr. Chairman.

MR. GRAY: Do you propose to ask questions about the contents of the memoranda?

MR. ROBB: No.

MR. GARRISON: We may ourselves wish to ask questions now that they have been introduced. You have asked to put them all into the record instead of reading them in, off the record, with knowledge that Colonel Lansdale apparently can come back next week.

MR. ROBB: I don't know whether he can or not. You called him here. I didn't call him.

MR. GARRISON: Yes, it is your request to put them in the record without reading them.

MR. ROBB: Do you want me to read them into the record and keep Colonel Lansdale here? I will do it.

MR. GRAY: Just a minute. We will read them into the record.

MR. GARRISON: I think we should.

MR. ROBB: It is entirely all right with me. I am trying to accomodate Mr. Lansdale.

MR. GRAY: The record will show at this point that Mr. Morgan, a member of the Board, is forced to leave the proceedings.

MR. GARRISON: Not permanently.

MR. GRAY: No.

(Mr. Morgan left the room.)

MR. GARRISON: Mr. Chairman, just for the sake of regularity even for three minutes, do you think it wise to proceed with a Board member absent? There may be questions

on this --

MR. GRAY: I take it that he will have the record before him, or the record will be available to him. He is leaving town.

MR. GARRISON: He is not coming back now.

MR. GRAY: No, he is not coming back this afternoon. The Board is trying to accomodate you and your witness. We can easily adjourn at this time and ask Mr. Lansdale to come back Monday.

MR. GARRISON: We were told, Mr. Chairman, that you were going to adjourn at 3:30 this afternoon.

MR. ROBB: And we sat overtime to accomodate Mr. Lansdale.

Mr. Chairman, it is quite obvious that it is going to take me I don't know how long to read these memoranda into the record, and it is now quarter of four, and I don't see any possibility of finishing with Colonel Lansdale this afternoon.

MR. GRAY: Certainly as far as Mr. Morgan's absence is concerned, it cannot be affected by reading memoranda into the record which he could read. There is no point in his hearing the memoranda. I am sure of that. So would you proceed?

MR. ROBB: Yes, sir. I will read the first memorandum that I showed Colonel Lansdale.

"Headquarters Wester Defense Command and Fourth Army

"Office of the Assistant Chief of Staff G-2

"Presidio of San Francisco, California.

"In reply refer to : (CIB)

"6 September 1943

"Subject: J. R. Oppenheimer

"To: Lieut. Colonel John Lansdale, Jr., Room 2C
654 Pentagon Building, Washington, D. C.

"1. Inclosed is a report on the evaluation of J. R. Oppenheimer, prepared in this office by Captain Peer deSilva, now engaged in evaluation for the DSM Project.

"2. This office is still of the opinion that Oppenheimer is not to be fully trusted and that his loyalty to a nation is divided. It is believed that the only undivided loyalty that he can give is to science and it is strongly felt that if in his position the Soviet Government could offer more for the advancement of his scientific cause he would select that Government as the one to which he would express his loyalty.

"3. This office does not intend to evaluate the importance or worth of Dr. Oppenheimer as a scientist on the project. It is the responsibility of this office to evaluate him from any possible subversive angle. Because of this the inclosed report is being submitted for your information.

"For the A C of S, G-2:

Signed "Boris T. Pash

"Boris T. Pash, Lt. Col, M.I. Chief, Counter
Intelligence Branch."

"Headquarters Western Defense Command and Fourth Army

"Office of the Assistant Chief of Staff G-2

"Presidio of San Francisco, California

"In reply refer to : (CIB)

"2 September 1943

"Memorandum for: Lt. Col. B. T. Pash

"Subject: J. R. Oppenheimer

"1. With regard to recent developments in the espionage case centering about the DSM project, the part played by J. R. Oppenheimer is believed to take on a more vital significance than has heretofore been apparent. Briefly, it may be said that Subject has just recently brought himself to the fore by volunteering scraps of information which are of vital interest in the investigation being conducted by this office. In conversation with Lt. L. E. Johnson, he had said that he had good reason to suspect that the Soviet Union was attempting to secure information about the project. In a subsequent conversation with Lt. Col. Pash, Subject elaborated on the matter and disclosed that about four months ago a Shell Development employee, one Eltenton, on behalf of a Soviet consular attache, had contacted a U.C. professor who in turn had attempted, on at least three occasions, to

secure sources of information within the Project who would transmit the information to Eltenton, who in turn would supply it to the Soviet consular agent, all to be done informally in order to circumvent a State Department policy of not cooperating with the Soviet Union, which policy is influenced by certain un-named State Department officials who were supposed to be anti-Soviet and who would not allow such action to be taken openly. Oppenheimer claims he does not condone such methods, and is satisfied that no information was passed by those channels. He did not disclose the name of the professor, as he thought that such an action would be unethical and would merely disturb some of his associates who were in no way guilty of any wrongdoing. Roughly, the above has been the extent of Oppenheimer's most recent activity.

"2. The writer wishes to go on record as saying that J. R. Oppenheimer is playing a key part in the attempts of the Soviet Union to secure, by espionage, highly secret information which is vital to the security of the United States. An attempt will be made to show the reasons for the above statement. It has been known, since 29 March 1943, that an overt act of espionage was committed by the Soviet Union. Subject's statements indicate that another attempt has been made, through Eltenton, Oppenheimer, himself having a rather lengthy record of Communist sympathy and activity, has actively engaged in the development of a secret project.

Most of his friends and professional associates are Communists or Communist sympathizers. He himself has gone on record as saying on two occasions, to Lt. Col. Lansdale and to Lt. Col. Pash, that Communist activity on the part of a Project employee is not compatible with the security necessary to the Project. To quote him, "and that is the reason I feel quite strongly that association with the Communist movement is not compatible with the job on a secret war project, it is just that two loyalties cannot go". To Lt. Col. Lansdale, he said that he knew that two Los Alamos employees had at one time been Communists, but that he was satisfied that they no longer were. Yet during the long period during which he has been in charge of the project, and in spite of the fact that he is perfectly competent to recognize the Communist attitude and philosophy, and further in spite of the fact that he, by choice as well as by professional necessity, is close to his key associates, and again in spite of the fact that he claims, in effect, not to feel confident of the loyalty of a Communist,-- in spite of all this, Oppenheimer has allowed a tight clique of known Communists or Communist sympathizers to grow up about him within the Project, until they comprise a large proportion of the key personnel in whose hands the success and security of the project is entrusted. In the opinion of this officer, Oppenheimer either must be incredibly naive and almost childlike in his sense of reality, or he himself is extremely

clever and disloyal. The former possibility is not borne out in the opinion of the officers who have spoken with him at length.

"3. To go further, the supposition will be raised that Subject has acted reasonably, according to his own viewpoint, and has voluntarily come forward and proffered valuable information (re Eltenton, etc.). To examine the background for such an action we find several incidents which may have had an influence on his action. First, the news of Lomanitz's cancellation of deferment was made known to Oppenheimer, together with the surmise, on Lomanitz's part, that his (Lomanitz's) radical activities had been investigated. Shortly thereafter, an officer from the Military Intelligence Service, War Department, called on him at Los Alamos. Both of the above actions were necessary and desirable, but nevertheless they could not avoid indicating to Oppenheimer that, very probably, some sort of a general investigation, more extensive than a routine security check, was under way. If he is disloyal, as believed by the writer, the most obvious and natural move would have been exactly what he actually did do -- on his next trip to Berkeley he let it drop to Lt. Johnson the piece of information indicating knowledge of an attempt at espionage, knowing that he would subsequently be contacted for further details by someone probably connected with the investigation. As it was absolutely necessary and

such contact was made, whereupon Subject elaborated on the incident, but in such a manner as to indicate that there was nothing seriously wrong, and never once indicating that espionage might have been involved. Although he had every opportunity to do so, he did not mention the fact that Steve Nelson visited him and solicited cooperation; instead, he revealed the channel of communication in which Eltenton played a part. He declined to name the professor involved, possibly intending to dole out that bit of information at a later date. He determined very definitely that Military Intelligence was conducting an investigation, and chose to cooperate to a certain extent, disclosing only what he desired to and relying on this apparent spirit of cooperation, together with his importance to the project, to protect himself. It is not inconceivable that he could, by intelligent manipulation, actually exercise a strong control over the extent and direction of the investigation. Add to the above proposition the fact that Oppenheimer, until alerted to the fact that an investigation was in progress, made absolutely no attempt to inform any responsible authority of the incidents which he definitely knew to have occurred and which he claims, he did not approve. To go further, he apparently made no attempt to resolve, for his own conscience and satisfaction, any doubts concerning the Communist affiliations of some of his employees whom he knew to have been so

affiliated at one time. At no time, to the knowledge of this officer, has Oppenheimer attempted, in any way, to report any such affiliation, known or suspected, for the information of the Army, nor has he taken anyone into his confidence concerning his views on the subject. None of this was done until it became obvious to him that an investigation was being conducted, and that unless he made the first move, he would ultimately be questioned, and would not be in the favorable position of having offered the information.

"4. It is the opinion of this officer that Oppenheimer is deeply concerned with gaining a world-wide reputation as a scientist, and a place in history, as a result of the DSM project. It is also believed that the Army is in the position of being able to allow him to do so or to destroy his name, reputation and career, if it should choose to do so. Such a possibility, if strongly presented to him, would possibly give him a different view of his position with respect to the Army, which has been, heretofore, one in which he has been dominant because of his supposed essentiality. If his attitude should be changed by such an action, a more wholesome and loyal attitude might, in turn, be injected into the lower echelons of employees. It is not impossible that a thorough review of the general opinion holding Oppenheimer irreplaceable might result in lending strength to the argument that he is a citizen working for the

United States, in this case represented by the War Department, and not an individual who cannot be held or restricted, while continuing independent scientific endeavor, to the normal definition of loyalty to his country."

Signed "P. de S."

I wonder if Mr. Rolander might spell me on this reading, Mr. Chairman.

MR. GRAY: Very well. Would you identify it?

MR. ROLANDER: This memorandum is dated 12 August 1943.

"War Department

"Military Intelligence Service

"Washington

"Memorandum for General Groves:

"Subject: J. R. Oppenheimer.

"1. Upon a recent visit to Los Alamos this officer had an opportunity for some private discussion with J. R. Oppenheimer on matters of general interest. During the course of this discussion the subject of the withdrawal of the deferment of G. R. Lomanitz came up. Mr. Oppenheimer stated that his interest in Lomanitz was purely scientific. He stated that Lomanitz was about to be made a group leader, and that he was engaged upon a type of work with which only two other persons were thoroughly familiar, and these two persons are now working for Oppenheimer. Oppenheimer

believed that if Lomanitz's services were lost, E. O. Lawrence would request Oppenheimer to release one of the latter's men for work at Berkeley. This Oppenheimer is unwilling to do, and wishes to avoid any issue in this respect with Lawrence.

"2. Oppenheimer stated that he knew very little about Lomanitz and had not, except upon one occasion, had any relationship with him other than that of professor and student, and, subsequently, employer and employee on the Project. Oppenheimer stated that at the time he asked Lomanitz to come on the Project, Lomanitz visited Oppenheimer at his home and did what Oppenheimer characterized as 'a good deal of soul searching.' Oppenheimer stated that he meant by this that Lomanitz was of the opinion that a very terrible weapon was being developed, and was fearful that there would not be adequate international control of this weapon. Furthermore, Lomanitz wondered whether his sense of duty did not require him to make a more direct contribution to the war effort by joining the Army or working in the shipping yards or some similar establishment. Oppenheimer stated that he gave Lomanitz 'a good talking to' and told him very definitely and strongly that the Project was important to the war effort, and that it must have his complete loyalty. Oppenheimer further stated that he told Lomanitz that he must forego all political activity if he came on to the Project.

Oppenheimer stated that he put this very strongly. He had previously stated that he knew that Lomanitz had been very much of a 'Red' as a boy when he first came to the University of California, but he professed to have no knowledge of his activities.

"3. Oppenheimer stated that two days later Lomanitz told him that he wanted to go onto the Project, and accepted all of the conditions laid down by Oppenheimer. Oppenheimer was curious as to why we were taking the action that we did, and also wondering if after Lomanitz was inducted into the Army he could not be returned to the Project either as a Reserve Officer or as a soldier.

"4. This officer told Dr. Oppenheimer that it was believed to be necessary to avoid making any further requests for deferment for Lomanitz because he had been guilty of indiscretions which could not be overlooked or condoned. This officer stated that these had nothing to do with any political activity. Oppenheimer was further told, however, that since the occurrence of the indiscretion upon which action was based, steps have been taken to determine rather completely Lomanitz's activities, and that it could be said that in the course of this investigation it had been learned that Lomanitz had not ceased his political activities. Oppenheimer said 'that makes me mad.'

"5. There then ensued a general discussion of the

Communist Party. Oppenheimer was told that from a Military Intelligence standpoint we were quite unconcerned with a man's political or social beliefs, and we were only concerned with preventing the transmission of classified information to unauthorized persons, wherever that person's loyalties might lie, or whatever his social, political, or religious beliefs might be. He we told that the underlying principles behind all of our security measures were that the United States so far as the development of any device or technique was concerned, was the sole party interested, although the benefit of the employment of any devices would, of course, redound to the benefit of all persons on the same side as this country.

"5. Oppenheimer concurred in the general principles stated, but stated that he did not agree with us with respect to the Communist Party. He stated that he did not want anybody working for him on the Project that was a member of the Communist Party. He stated that the reason for that was that "one always had a question of divided loyalty." He stated that the discipline of the Communist Party was very severe and was not compatible with complete loyalty to the Project. He made it clear he was not referring to people who had been members of the Communist Party, stating that he knew several now at Los Alamos who had been members. He was referring only to present membership in the Communist Party.

"7. A general discussion then ensued in which Oppenheimer deplored the manner in which the Russians had

let their people "down in France and in the United States."

"7a. The opportunity to secure the names of the former members of the Party known to Oppenheimer did not present itself, due to the entrance of a third party.

"Note: J. R. Oppenheimer gave every appearance of sincerity in this discussion. He was, however, extremely subtle in his allusions, and there was a good deal of delicacy evidenced both by this officer and by Dr. Oppenheimer in pursuing this discussion. Upon reviewing the discussion after leaving Dr. Oppenheimer, this officer came to the conclusion that what Dr. Oppenheimer was trying to convey was, in the case of Lomanitz, that Lomanitz had been worried about his obligations to the Party, and that Oppenheimer had told him that he must give up the Party if he came on the Project. This officer also had the definite impression that Oppenheimer was trying to indicate that he had been a member of the Party, and had definitely severed his connections upon engaging in this work. On the whole, it seemed that Oppenheimer, in a rather subtle way, was anxious to indicate to this officer his position in that regard.

"For the A. C. of S., G-2:"

Signed "John Lansdale, Jr.

"Lieut. Colonel, Field Artillery,

"Chief, Review Branch, CIG, MIS

The next communication is dated 14 September 1943.

"Memorandum for the file

"Subject: Discussion by General Groves and Dr. Oppenheimer.

"1. During a recent train ride between Cheyenne and Chicago, General Groves and Dr. Oppenheimer had a long discussion which covered in substance the following matters:

"a. Dr. Oppenheimer stated that because he felt responsible for the employment of Giovanni Rossi Lomanitz, and had secured a promise from him as a condition of employment to cease all outside activities and particularly those of a political nature, he wanted to have a talk with him. While Oppenheimer did not know the cause of objection by the Army to Lomanitz he did know that he had been indiscreet and that he was still engaged in political activities. Dr. Oppenheimer said that the interview with Lomanitz was very unsatisfactory, and that Lomanitz was defiant. Oppenheimer was sorry that he had ever had anything to do with him, and he did not desire any further connection with him.

"b. Oppenheimer also had a talk with Joseph Weinberg and David Bohm. This interview was sought by the latter two persons. They stated to Oppenheimer that they were disturbed by the evident pressure being brought to bear to force the induction of Lomanitz into the Army, and that inasmuch as they were close to Lomanitz and interested in union activities

they wanted Oppenheimer's advice as to whether they should resign their positions and seek employment elsewhere where their talents would be more appreciated.

"c. Oppenheimer told them that if they had continued to adhere to the promise made by them to him that they would cease all political activities, including Communist Party activities, then they had nothing to fear. Oppenheimer called E. O. Lawrence in at this point and secured from Lawrence confirmation of his previous statements. Dr. Oppenheimer stated at one point that Weinberg had expected to go to Site Y but that it was never his (Oppenheimer's) intention to have him there.

"d. Some discussion was had about Dr. Oppenheimer's previous relations to Col. Pash and Lt. Johnson about the Soviet attempt to secure information which had come to Oppenheimer's attention some time ago. Oppenheimer's attitude was that he would give the name of the intermediate contact at the University of California if pressed to do so, and told by General Groves that we had to have it, but that he did not want to do so because he did not believe that any further contacts had been made and was confident that the contacts that had been made with the Project had not produced any information. He intimated further that it was a question of getting friends of his into difficulties and causing unnecessary troubles when no useful purpose could be served.

In this connection it should be noted that General Groves asked Oppenheimer generally about several people at the University of California, among whom might be the contact, which had been supplied to him by Colonel Pash. Among these names was A. Flannigan, who now appears from subsequent developments to be the contact. With respect to Flannigan, Oppenheimer stated that he did not know him except casually, but that he had the reputation of being a real 'Red'.

"Oppenheimer stated that Mrs. Charlotte Serber came from a Communist family in Philadelphia, and probably at one time had been a Communist herself. However, he did not think that she was at this time. It is thought that he said that he had no intimation that Prof. Serber was or had ever been connected with the Communist Party. Oppenheimer reiterated his previous statements that membership in the Communist Party was incompatible with employment on the Project because of the divided loyalty which it involved. He expressed the opinion that transmission of information to any outside person or party on the part of the people on the Project would amount to treason.

"f. Oppenheimer categorically stated that he himself was not a Communist and never had been, but stated that he had probably belonged to every Communist front organization on the West Coast, and signed many petitions concerning matters in which Communists were interested. He

stated that while he did not know, he believed that his brother, Frank Oppenheimer, had at one time been a member of the Communist Party, but that he did not believe that Frank had had any connections with the Party for some time.

"g. He stated that his wife, Katherine, was born and raised in Germany, was a first cousin once removed of General Kietel of the German Army and that her mother had at one time been engaged to marry him and that her family were still on amicable terms with the Kietel family. He stated, also, that his wife's first husband had been killed in Spain while fighting for the Loyalist Armies, and that he understood that he had been a 'good guy'. No opinion was expressed by Oppenheimer as to whether this first husband had been a Communist.

"John Lansdale, Jr., Lt. Colonel, Field Artillery, Chief, Review Branch, CIG, MIS."

MR. ROBB: Mr. Chairman, I have perhaps a dozen more questions that I would like to ask Mr. Lansdale. If Mr. Garrison will agree to go ahead in the absence of Mr. Morgan, I will do so with the Chair's consent. Otherwise, I will hold them up.

MR. GARRISON: Quite agreeable.

MR. GRAY: I want to make certain of this now, Mr. Garrison. You raised the question.

MR. GARRISON: I did and I now waive it, Mr.

Chairman, in the interest of proceeding.

MR. GRAY: All right.

BY MR. ROBB:

Q Colonel, you spoke of your surveillance you instituted at Los Alamos and Berkeley, is that correct?

A Yes.

Q Is it not your testimony or your belief, is it, Colonel, that that surveillance would have prevented the passing of information?

A No, it would have, we hoped, detected and provided us with the opportunity to prevent it.

Q No surveillance could prevent a man from passing a note to another man at some time during the 24 hours of the day, could it?

A Not necessarily, no. Of course not.

Q This man David Greenglass that you mentioned, was an employee at Los Alamos?

A He was in a military organization we called the SED. I cannot recall what those initials stand for.

DR. OPPENHEIMER: May I coach the witness?
Special Engineer Detection. ;

THE WITNESS: That is correct.

BY MR. ROBB:

Q How long was he there?

A I don't know. I don't remember. He was in a group

of technicians, as I remember, machinists and the like. We formed this organization due to the shortage of personnel in order to recruit from the Army people with special skills that were needed at Los Alamos. All that I recall about David Greenglass is what I read in the papers or what I heard from Rolander and others during the Rosenberg trial. He is certainly an example of one we missed.

Q You certainly learned, didn't you, that Greenglass and Fuchs from Los Alamos had given to the Russians the entire story of our work at Los Alamos, or substantial portions of it?

A I certainly learned that they passed information. The characterization as the whole story or not, I have no --

Q You certainly learned that they passed vital information to the Russians?

A I certainly learned that they passed a sketch, as I remember, of the imposition device -- is that the right term? All I know is what Rolander told me in New York.

Q You learned that subsequently from talking to Mr. Rolander and reading the newspapers?

A That is right.

Q You did not learn it while you were the chief security officer?

A I sure didn't.

MR. ROBB: That is all. Thank you.

MR. ROLANDER: Mr. Chairman, may the record indicate that discussions relative to Greenglass and Rosenberg was during the preparation of the case that was presented in New York.

THE WITNESS: Yes, the Rosenberg spy trial.

MR. GRAY: I see. I have a couple of questions.

Do I understand that the security measure which were instituted, that trips away from Los Alamos, I understood you to say, had to be cleared in advance, and did you also say it had to be on official business?

THE WITNESS: Yes. My recollection may not be exact on this. I know we attempted particularly at the very start to restrict any trips away from Los Alamos to official business, or something like a death in a person's family where it appeared to be necessary to let them go. As time went on that became more relaxed. I can't measure the precise time, of course.

MR. GRAY: This is a change of subject now. In your discussion of the characteristics of scientists, I think I am correct in my recollection that you said you felt that Dr. Oppenheimer was making a decision which he felt he was competent to make with respect to the disclosure of the names of the persons who were approached by the unknown intermediary?

THE WITNESS: Yes.

MR. GRAY: I am simply asking this for the record. Weren't you seeking the name of the person who approached the person?

THE WITNESS: I was seeking both, yes, sir.

MR. GRAY: That answers my question. You were seeking both the name of the three, if there were three, and also the individual who subsequently turned out to be --

THE WITNESS: Chevalier. Certainly, that we regarded obtaining that as more important than obtaining the ones that were approached, although I don't want to say we didn't regard that as important.

MR. GRAY: I believe that clears the record. I believe when you read the transcript the emphasis was on the other.

THE WITNESS: I see.

MR. GRAY: This reverts to your observations about the swing of the pendulum.

THE WITNESS: Yes.

MR. GRAY: Certainly I think you are entitled to and should express your opinions about such matters. However, I wonder if you know the statute under which, or the regulations under which this Board is created?

THE WITNESS: At one time I have read them, sir. I was familiar with them at the time they were enacted, but I have not looked at that in years. The other night one of

these gentlemen here told me what the language was, but for the life of me I could not quote it now.

MR. GRAY: I really wouldn't expect you frankly to be familiar with it. We are charged, as I understand it, to consider the problem put before us with respect to the character, loyalty and associations of an individual. These are the criteria in the act.

THE WITNESS: Character, loyalty and association.

MR. GRAY: My question of you is perhaps of a philosophical nature. I think you rather suggested that this Board should not concern itself with associations perhaps in the Thirties or Forties?

THE WITNESS: I did not intend to convey that. Certainly the Board should concern itself with that. What I intended to convey was that the appraisal or evaluation of associations in the Forties must be viewed in the light of the atmosphere existing then, and not in the light of the atmosphere existing at the present time.

MR. GRAY: You did not mean to suggest that it was your opinion that you could only consider current associations in determining problems of this kind?

THE WITNESS: Of course not. Always our starting point, our leads to people who are disloyal, are such things as associations. For example, you can hardly put your finger on a scientist or a university professor or

people who tend to get into civic affairs, you can hardly find one anywhere who is now in his fifties or so that has not been on at least one list of an association which was later determined to be subversive or to have leanings that way. Nevertheless, those associations are most frequently the starting point or the leads for investigation go to further. You always have the question of determining the significance of those (a) the significance at the time of them, (b) whether, assuming that there was a sinister significance, it has continued.

I have never, strongly as I have felt and acted with reference to Communism, never adopted the assumption once a Communist sympathizer, always a Communist sympathizer. One of the finest things that Soviet Russia ever did for us was the quick switch of the on again off again with Germany. That did more than anything else to tell the men from the boys in the Communist Party. It would be a terrible mistake to assume that once having had sinister associations a man was forever thereafter damned. Yet once you uncover those, you must always exercise judgment. That judgment is always made up of a large body of intangibles. It is seldom you get anything concrete.

I am being a little vague, I know, but the whole subject is vague.

MR. GRAY: Because of your observation -- I don't

agree with what you state as a philosophy at all -- I am pointing out that you have come along way to be a witness to testify with events with which you are familiar, all of which took place some years ago.

THE WITNESS: Oh, yes.

MR. GRAY: But under the terms of the Act and the regulations under which this Board was constituted they are all relevant. That was my point.

THE WITNESS: I don't mean to convey they are not.

DR. EVANS: Colonel, I think you overstretched the meter when you said all professors have something like that in their background.

THE WITNESS: I said almost.

DR. EVANS: That is not true. Did you find men like Compton, Conant, Fermi, Bohr, and Hildebrandt, the peculiar type scientists?

THE WITNESS: What I referred to as the scientific mind?

DR. EVANS: Yes.

THE WITNESS: I would except from that A. H. Compton. A. H. Compton in my opinion frankly is one of the finest men I ever knew. He has breadth and judgment.

DR. EVANS: You are talking about Arthur and not Karl?

THE WITNESS: Yes. I scarcely knew Karl Compton.

I just met him.

DR. EVANS: I would like to ask you another thing. Do you think loyalty to an individual is of more importance than loyalty to a country?

THE WITNESS: No, sir, I don't. One of the characteristics of war and near war is the existence of that fact, loyalty to the country takes in my judgment and ought to take precedence above all. There are those that feel differently. We are all familiar, of course, with the device of placing a person in the position of choosing between loyalty to someone near and dear and loyalty to country and different people react differently to it, depending upon their strength of character and feeling of patriotism and the like.

DR. EVANS: I would like to ask you one more question.

THE WITNESS: I have never been in that position so I can only speak theoretically.

DR. EVANS: Do you as a rule dislike the scientific mind? Is it a peculiar thing?

THE WITNESS: I will say this, that during the war I came very strongly to dislike the characteristics which it exhibited.

DR. EVANS: That is all.

REDIRECT EXAMINATION

BY MR. GARRISON:

Q I have just one question, Mr. Lansdale.

Referring back to the confused incident of the Chevalier matter, what would you say on the basis of your total experience with Dr. Oppenheimer would be your general opinion as to his veracity?

A There is no question that -- I don't believe that he lied to us except about this one incident -- my general impression is that his veracity is good. I don't know of any other incident.

Q Just so there is no possible implication in the record, he had no responsibility for Mr. Greenglass in any way, shape or form, did he?

A I don't believe so. I will take full responsibility for that one. That was the outstanding blunder of the century.

CROSS EXAMINATION

BY MR. ROBB:

Q Colonel Lansdale, as a lawyer are you familiar with the legal maxim "Falsus in uno, Falsus in omnibus"?

A Yes, I am. Like all legal maxims, it is a generalization, and not of particular significance when applied to specifics.

Q When you are trying a jury case, and the veracity of a witness is in question, do you request the court to

give an instruction on that subject?

A Oh, certainly, don't you?

Q Certainly. I want to know what you do.

A The instruction usually is that the jury may, but does not have to, take that as an indication and the judgment is to be exercised in the particular case.

Q And when you are trying a jury case, and you examine a witness on the opposite side, and you demonstrate that he has lied, don't you argue to the jury from that that they should disregard his evidence?

A You are speaking now as to what I as an advocate do?

Q Yes.

A It depends on circumstances; usually I do.

Q Sure. Any lawyer worth his salt would.

A Particularly if it is my belief.

Q Yes, sir.

MR. ROBB: That is all.

MR. GRAY: The testimony will be made available to you here in the building. That I think answers the one question we discussed.

MR. GARRISON: This afternoon.

MR. GRAY: Yes.

MR. ROLANDER: I don't know whether it will be available this afternoon. I understood he wanted to review the material tomorrow. Will that be inconvenient?

MR. GARRISON: I want to get on it this afternoon so we perhaps can get done with it by tomorrow.

MR. GRAY: The second question was, you asked for permission to hear the recordings. As I understand, there is available to the Board a recording of the Pash interview. So far as I know, the recording of the Lansdale interview is not available, but if you desire the Board with Dr. Oppenheimer and counsel will listen to the record on Monday if this is important to you before you start redirect examination.

MR. GARRISON: As to the Pash recording, how are we to hear that?

MR. ROBB: Right here.

MR. GRAY: I think we must hear it in the proceeding. I believe that disposes of the two questions you asked?

MR. GARRISON: Yes. Thank you very much.

MR. GRAY: We will meet again at 9:30 on Monday morning.

(Thereupon at 4:35 p.m., a recess was taken until Monday, April 19, 1954, at 9:30 a.m.)