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UNITED STATES ATOMIC ENERGY COMMISSION
VOLUME XVI

In the Matter Of:

J. ROBERT OPPENHEIMER

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INDEX

Page

J. ROBERT OPPENHEIMER	Examination:	2983
Stipulation re Pash interview		2868
Transcript of Pash Interview		2868
Table of Corrections to Pash Interview		2896
Statement re Lansdale transcript		2929
Lansdale Transcript		2930

PAPICHBOW

UNITED STATES ATOMIC ENERGY COMMISSION

 In the Matter of :
 :
 J. ROBERT OPPENHEIMER :
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Room 2022,
 Atomic Energy Commission,
 Building T-3,
 Washington, D. C.
 Monday, May 3, 1954.

The above entitled matter came on for hearing,
 pursuant to recess, before the Board, at 2:30 p.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
 ALLAN 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: Mr. Garrison.

MR. GARRISON: Mr. Chairman, I would like to make a short statement, sir.

Over the weekend we have examined Mr. Borden's letter to Mr. Hoover of November 7, 1953, which he read into the record at the last session. Mr. Borden in his brief testimony stated that the letter constituted his conclusions, and that he had nothing to add. It is quite clear that the letter consists not of evidence, but of Mr. Borden's opinions arrived at from studying FBI reports and other unspecified data. These opinions relate essentially to the items contained in General Nichols' letter to Dr. Oppenheimer of December 23, 1953, which have been canvassed in the testimony, and the documents before this Board. It is apparent that except for Mr. Borden's conclusions about espionage, for which there is no evidence, and as to which the Chairman has assured us there is no evidence before the Board, Mr. Borden's opinions represent his interpretation of evidentiary matters which this Board has been hearing about for the past three weeks from persons who actually participated in the particular events which have been the subject matter of this investigation.

In view of these considerations, it has seemed to us that if we were now to ask Mr. Borden to develop further his opinions and conclusions, we would merely be inviting

argument about the interpretation of evidence.

While the Board has been lenient in permitting argument by witnesses, it hardly seems to us that we would be justified in provoking or inviting opinions and argument which could run the gamut of all the evidence before the Board.

For these reasons it has seemed to us appropriate to respond to Mr. Borden's letter in our rebuttal and summation as we expect to do. Consequently, we shall dispense with cross examination unless the Board should wish to ask Mr. Borden questions, in which event we would like to reserve the right to do ours when the Board is through.

MR. GRAY: Of course, it is the right of Dr. Oppenheimer and counsel to decline to cross examine any witness before this Board. Obviously there is nothing in our procedure which requires cross examination.

Mr. Garrison has stated that this letter constitutes conclusions of the witness which, I think he has stated, was the case on direct examination. I think, however, it appropriate that the record reflect the fact which would be very obvious to anyone who reads it, that there has been a great deal of testimony here of conclusions with respect to these matters which were contained in General Nichols' letter to Dr. Oppenheimer, and witnesses called by Dr. Oppenheimer, and his counsel, have repeatedly stated that they had certain conclusions with respect to these matters which related to

Dr. Oppenheimer's loyalty, character and associations.

I think the present witness has not sought to state anything other than these are his own conclusions.

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

I did not mean to suggest that other witnesses have not stated their conclusions and opinions. Of course they have. I meant merely to say that those conclusions were derived from testimony of their own with respect to matters in which they had participated either with Dr. Oppenheimer or in other connections from which they derived their conclusions.

MR. ROBB: Mr. Chairman, just one perhaps minor remark. I am sure Mr. Garrison did not mean it that way. He stated that there was no evidence of espionage. I think what the Chairman said, and I have the transcript before me, is, "I would say to you that the Board has no evidence before it that Dr. Oppenheimer volunteered espionage information to the Soviets or complied with a request for such information, that he has been functioning as an espionage agent."

I assume that is what Mr. Garrison referred to.

MR. GARRISON: That is to which I had reference.

MR. ROBB: Yes.

MR. GRAY: From the circumstances, I would say the witness is excused. Thank you very much, Mr. Borden. I offer the apologies of the Board for having kept you here through the weekend or having you required to return for this

purpose. Thank you very much.

MR. ROBB: That is all the testimony we have to offer, Mr. Chairman.

I would like to talk to Mr. Garrison and his colleagues about the so-called Pash and Lansdale transcripts. I think we finally worked out the final version of the Pash transcript. I would like to have them appear in the record at this point, if there is no objection.

MR. GARRISON: I have not seen whatever Mr. Rolander and Mr. Ecker worked out.

MR. ROBB: Neither have I.

MR. GARRISON: Subject to looking it over and possible conference that might be necessitated by that between us, I certainly have no objection to its going in. Before it is considered to be finally in, we should have an opportunity to look whatever they have agreed to over.

MR. ROBB: Surely.

MR. GRAY: The Chairman would like to make a comment on this. It certainly is to be hoped that counsel can agree. Perhaps I had misunderstood. I thought each of you had delegated.

MR. ROBB: I did, Mr. Chairman.

MR. GRAY: I had the understanding that whatever Mr. Rolander and Mr. Ecker agreed, was to be . If in your examination of it you think there is some material matter, of

course you will not be denied the opportunity to bring it to the attention of the Board.

MR. ROBB: So far as I am concerned, Mr. Chairman, Mr. Rolander's decision is it.

MR. GRAY: If Mr. Garrison feels compelled to raise questions, then I think it would be well for you to become "it".

MR. ROBB: Very well.

MR. GARRISON: I would just like an opportunity to read it over.

MR. ROLANDER: It is being typed now. There is a possibility for some typographical errors.

(Discussion off the record.)

MR. ROBB: Mr. Chairman, in the interest of completeness of the record we feel that the original typewritten transcript as prepared in the office of Col. Pash in 1943, as he has testified here, should also be set out in the record following the appended table, and I ask that be done.

MR. GRAY: Very well.

MR. ROBB: Mr. Chairman, in respect of the so-called Lansdale transcript, which is also being set out in the record, counsel for Dr. Oppenheimer wish the record to reflect that in agreeing to the printing of the Lansdale transcript of 12 September 1943 they do not concede its correctness since the original recording or tape from which the transcript was made is not available to counsel for purposes of comparison.

MR. GRAY: I take it that there is agreement among counsel with respect to these matters which you have read and the record will reflect that.

MR. ROBB: Yes, Mr. Chairman.

MR. GARRISON: Yes, Mr. Chairman.

STIPULATION

Counsel for Dr. Oppenheimer and counsel for the Atomic Energy Commission have compared the recording of the so-called Pash Interview of August 26, 1943, with the typewritten transcript, portions of which were used in the cross examination of Dr. Oppenheimer. The following is, as nearly as they can understand the recording, a correct transcription. Where portions did not appear to counsel for Dr. Oppenheimer and for the Commission to be reasonably decipherable, this has been indicated by three dots (. . .). The appended table reflects the changes from the typewritten transcript.

- - -

"Unclassified 4/19/54 CAR

San Francisco, California

August 27, 1943

MEMORANDUM FOR THE OFFICER IN CHARGE

Subject: D. S. M. Project

Re: Transcript of Conversation between Dr.

J. R. Oppenheimer, Lt. Col. Boris T. Pash,
and Lt. Lyall Johnson.

Transmitted, herewith, is the transcript of conversation between Dr. J. R. Oppenheimer, Lt. Col. Boris T. Pash, and Lt. Lyall Johnson, held in Lt. Johnson's office in the New Class Room Building, University of California, Berkeley, California on August 26, 1943. It is to be noted

that in some places the conversation was very indistinct and that the running commentary may be indecisive in these places, but the substance of the material discussed is, herewith, presented:

P: This is a pleasure, because I am interested to a certain extent in activities and I feel I have a certain responsibility in a child which I don't know anything about. General Groves has, more or less, I feel placed a certain responsibility in me and it's like having a child, that you can't see, by remote control. I don't mean to take much of your time -

O: That's perfectly all right. Whatever time you choose.

P: Mr. Johnson told me about the little incident, or conversation, taking place yesterday in which I am very much interested and it had me worried all day yesterday since he called me.

O: I was rather uncertain as to whether I should or should not talk to him (Rossi) when I was here. I was unwilling to do it without authorization. What I wanted to tell this fellow was that he had been indiscreet. I know that that's right that he had revealed information. I know that saying that much might in some cases embarrass him. It doesn't seem to have been capable of embarrassing him - to put it bluntly.

P: Well, that is not the particular interest I have.

It is something a little more, in my opinion, more serious. Mr. Johnson said there was a possibility that there may be some other groups interested.

O: I think that is true, but I have no first-hand knowledge that would be, for that reason, useful, but I think it is true that a man, whose name I never heard, who was attached to the Soviet Consul, has indicated indirectly through intermediary people concerned in this Project that he was in a position to transmit, without any danger of a leak, or scandal, or anything of that kind, information, which they might supply. I would take it that it is to be assumed that a man attached to the Soviet Consulate might be doing it but since I know it to be a fact, I have been particularly concerned about any indiscretions which took place in circles close enough to be in contact with it. To put it quite frankly - I would feel friendly to the idea of the Commander-in-Chief informing the Russians that we were working on this problem. At least, I can see that there might be some arguments for doing that, but I do not feel friendly to the idea of having it moved out the back door. I think that it might not hurt to be on the look-out for it.

P: Could you give me a little more specific information as to exactly what information you have? You can readily realize that phase would be, to me, as interesting, pretty near, as the whole project is to you.

O: Well, I might say that the approaches were always to other people, who were troubled by them, and sometimes came and discussed them with me; and that the approaches were always quite indirect so I feel that to give more, perhaps, than one name, would be to implicate people whose attitude was one of bewilderment rather than one of cooperation. I know of no case, and I am fairly sure that in all cases where I have heard of these contacts, would not have yielded a single thing. That's as far as I can go on that. Now there is a man, whose name was mentioned to me a couple of times - I don't know of my own knowledge that he was involved as an intermediary. It seems, however, not impossible and if you wanted to watch him it might be the appropriate thing to do. He spent quite a number of years in the Soviet Union. He's a English . . . I think he's a chemical engineer. He was - he may not be here now - at the time I was with him here, employed by the Shell Development. His name is Eltenton. I would think that there was a small chance - well, let me put it this way - He has probably been asked to do what he can to provide information, whether he is successful or not, I do not know, but he talked to a friend of his who is also an acquaintance of one of the men on the project, and that was one of the channels by which this thing went. Now I think that to go beyond that would be to put a lot of names down, of people who are not only innocent but whose attitude was 100% cooperative.

P: Now here's a point. You can readily realize that if we get information like that we have to work in an absolutely discreet manner. In other words we can't afford to even indicate -

O: That you are concerned.

P: That we are concerned or through whom we get information. However anything that we may get which would eliminate a lot of research work on our part would necessarily bring to a closer conclusion anything that we are doing.

O: Well, I'm giving you the one name that I think is, or isn't - I mean I don't know the name of the man attached to the Consulate - I think I may have been told or I may not have been told and I have, at least not purposely, but actually forgotten. He is -- and he may not be here now. These incidents occurred of the order of about 5, 6, 7 months ago.

J: I was wondering, Dr. Oppenheimer, if there was a particular person - maybe a person on the Project that they were trying to pump information from - that if we knew who those were, would at least know where to look for a leak, not from the standpoint of . . . , but looking at a certain picture.

P: Here's the point that I would feel

O: I would feel that the people that they tried to get information from were more or less an accident (interpolation) and I believe I would be making some harm by saying that

P: Yes. Here's the thing - we of course assume that the people who bring this information to you are 100% with you, and therefore, there is no question about their intentions. However, if -

O: Well, I'll tell you one thing - I have known of two or three cases, and I think two of the men were with me at Los Alamos - they are men who are very closely associated with me

P: Have they told you that either they thought they were contacted for that purpose or they were actually contacted for that purpose?

O: They told me they were contacted for that purpose.

P: For that purpose.

O: That is, let me give you the background. The background was -- well you know how difficult it is with the relations between these two allies, and there are a lot of people who don't feel very friendly to Russia, so that the information - a lot of our secret information, our Radar and so on, doesn't get to them, and they are battling for their lives and they would like to have an idea of what is going on and this is just to make up in other words for the defects of our official communication. That is the form in which it was presented.

P: Oh, I see.

O: Of course, the actual fact is that since it is not a communication which ought to be taking place, it is

treasonable. But it wasn't presented in that method. (Garble)
It is a method carrying out a policy which was more or less a
policy of the government and the form in which it came was
that an interview be arranged with this man Eltenton who had
very good contacts with a man from the Embassy attached to the
Consulate who was a very reliable guy (that's his story) and
who had a lot of experience in microfilm work, or whatever the
hell.

P: Well, now I may be getting back to a little
systematic picture. . . These people whom you mentioned, who
(two?) are down with you now . . . were they contacted by
Eltenton direct?

O: No.

P: Through another party?

O: Yes.

P: Well, now, could we know through whom that contact
was made?

O: I think it would be a mistake, that is, I think
I have told you where the initiative came from and that the
other things were almost purely accident and that it would
involve people who ought not be involved in this.

P: This will not involve the people but it would
indicate to us Eltenton's channel. We would have to, now that
this is definite on Eltenton. We of course

O: It is not definite in the sense that I have

seen him do the thing. He may have been misquoted. I don't believe so. Now Eltenton is a member of the FAECT or not?

P: That's the Union.

O: That's the CIO Union. He's a man whose sympathies are certainly very far "Left", whatever his affiliations, or he may or may not have regular contacts with a political group.

P: Well, here's how I feel

O: I doubt it. In any case, it is a safe thing to say that the channels that would be followed in this case are those involving people who have been generally sympathetic to the Soviet and somehow connected peripherally with the Communist Movements in this country. That's obvious. I don't need to tell you that.

P: Well, yes, the fact is, this second contact - the contact that Eltenton had to make with these other people -- Is that person also a member of the Project?

O: No.

P: That also is an outsider?

O: It's a member of the faculty, but not on the Project.

P: A member of the faculty here? Eltenton made it through a member of the faculty to the Project.

O: As far as I know - these approaches were - there may have been more than one person involved. I don't know.

P: Here's how I feel about this Leftist inclination. I think that whether a man has "left" or "Right" inclinations, if his character which is back of it - if he's willing to do this, it doesn't make any difference what his inclinations are. It's based on his character primarily and not

O: A thing like this going on, let us say, with the Nazis would have a somewhat different color. I don't mean to say that it would be any more deserving of attention, or any more dangerous, but it would involve rather different motives.

P: Oh, yes, sure.

O: I'm pretty sure that none of the guys here, with the possible exception of the Russian, who is doing probably his duty by his country - but the other guys really were just feeling they didn't do anything but they were considering the step, which they would have regarded as thoroughly in line with the policy of this government, just making up for the fact that there were a couple of guys in the State Department who might block such communications. You may or may not know that in many projects we share information with the British and some we do not, and there is a great deal of feeling about that, and I don't think that the issues involved here seem to the people very different, except that of course, the people on the Project realize the importance and that this is a little bigger and the whole procedure gets away (garbled)

P: Now. Do you feel that would affect - and there

could be continued attempts now to establish this type of contact?

O: I haven't any idea.

P: You haven't any idea?

O: As I say, if the guy that was here may by now be in some other town and all that I would have in mind is this - I understood that this man to whom I feel a sense of responsibility, Lomanitz, and I feel it for two reasons. One - he is doing work which he started and which he ought to continue and second since I more or less made a stir about it when the question of his induction came up, that this man may have been indiscreet in circles which would lead to trouble. That is the only thing that I have to say. Because I don't have any doubt that people often approached him, with whom he has contact, I mean whom he sees, might feel it their duty if they got word of something, to let it go further 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 the two loyalties cannot go.

P: Yes - well -

O: That is not an expression of political opinion, I think that a lot of very brilliant and thoughtful people have seen something in the Communist movement, and that they maybe belong there, maybe it is a good thing for the country. I hope it doesn't belong on the war project

P: I get your point. I don't want to seem to you insistent. I want to again sort of explore the possibility of getting the name of the person of the faculty - I'll tell you for what reason. Not for the purpose of taking him to task in any way whether its non-officially, officially, or openly or not but to try to see Eltenton's method of approach. You may not agree with me, but I can assure you that that is one of the most important steps.

O: I understand that, but I have to take the following points of view: I think in mentioning Eltenton's name I essentially said about the man that I think that he may be acting in a way which is dangerous to this country, and which should be watched. I'm not going to mention the name of anyone in the same breath, even if you say that you will make a distinction. I just can't do that, because in the other cases, I am convinced from the way in which they handled the thing that they themselves thought it was a bad business.

P: These other people, yes, I realize - but if - here the point - if that man is trying to make other contacts for Eltenton, it would take us some time to try to -

O: My honest opinion is that he probably isn't - that he ran into him at a party and they saw each other or something and Eltenton said, "Do you suppose you could help me?" This is a very serious thing because we know that important work is going on here, and we think this ought to be made

available to our allies, and would you see if any of those guys are willing to help us with it - and then it wouldn't have to be much." You see, that is the kind of thing -
(remaining statement unintelligible.)

P: Were these two people you mentioned - were they contacted at the same time?

O: They were contacted within a week of each other.

P: They were contacted at two different times?

O: Yes, but not in each other's presence.

P: That's right.

P: And then from what you first heard, there is someone else who probably still remains here who was contacted as well?

O: I think that is true.

P: What I am driving at is that means that there was a plan, at least for some length of time, to make these contacts - and we may not have known all the contacts.

O: That is certainly true. That is why I mentioned it. If I knew all about it, then I would say forget it. I thought it would be appropriate to call to your attention the fact that these channels at one time existed.

P: Yes.

O: I really think that I am drawing (garbled).

P: You see, you understand that I am sort of - you picture me as a bloodhound on the trail, and that I am trying

to get out of you everything I possibly can.

O: That's your duty to a certain extent.

P: You see what I mean.

O: It is also my duty not to implicate these people, who are acquaintances, or colleagues and so on of those position I am absolutely certain - myself and my duty is to protect them.

P: Oh yes.

O: If I thought that - I won't say it - it might be slightly off.

P: Well, then here's another point, Dr., if we find that in making these various contacts, that we get some information which would lead us to believe that certain of these men may have either considered it or are still considering it (mind you I do not even know these men, so it can't be personal) -

O: Well, none of them that I had anything to do with considered it. They were just upset about it. . . . (Garbled) They have a feeling toward this country and have signed the espionage act; they feel this way about it for I think that the intermediary between Eltenton and the Project, thought it was the wrong idea, but said that this was the situation. I don't think he supported it. In fact I know it.

P: He made about at least three contacts that we know of.

O: Well, I think that's right, yes.

P: And two of these contacts are down there.

That means we can assume at least there is one of these men contacted still on the Project here.

O: Yes, I believe that this man has gone, or is scheduled to go to Site X.

P: This third man?

O: I think so.

P: Well that is, as I say, if I can't get across that line, I even certainly appreciate this much, because it

O: I think it's a thing you ought to know

P: Oh, no doubt.

O: I think it's probably one of those sporadic things and I do not think - I have no way of thinking it was systematic but I got from the way in which it was handled, which was rather loosely, and frankly if I were an agent I would not put much confidence in people who are loose-mouthed or casual. I would not think that this was a very highly organized or very well put-together plan but I don't know and I was very much afraid when I heard of Lomanitz' indiscretion that it might very well be serious. I hope that isn't the case.

P: You mentioned that this man is a member of this FAECT. Do you think that, as a representative of the organization, he would sort of represent their attitude or do you think he is doing this individually?

O: Oh, the FAECT is quite a big Union and has got all sorts of people in it. I'm pretty sure and I don't think it is conceivable that he could be representing the attitude of the Union, but it is

P: Well, I don't know enough about it to

O: I think that at one time - well, I don't know - they had a strong branch up at the Shell Development Research Laboratories, the FAECT - and I believe it is the Union which has got organized on the Hill.

J: Yes, it has been around for some time.

P: This man Eltenton is a scientist.

O: I don't know, I would guess he was a sort of a chemical engineer.

P: Would he be in a position to understand the information furnished him?

O: I don't know that either. It would depend on how well it was furnished. I mean, he has some scientific training and certainly if you sat down with him and took a little time. My view about this whole damn thing, of course, is that the information that we are working on is probably known to all the governments that care to find out. The information about what we are doing is probably of no use because it is so damn complicated. I don't agree that the security problem on this Project is a bitter one, because if one means by the security problem preventing information of technical use to

another country from escaping. But I do think that the intensity of our effort and our concern with national investment involved - that is information which might alter the course of the other governments and don't think it would have any effect on Russia . . . it might have a very big effect on Germany, and I am convinced about that and that is as everyone else is.

P: Oh.

O: To give it roughly what we're after and I think they don't need to know the technical details because if they were going to do it they would do it in a different way. They wouldn't take our methods -- they couldn't because of certain geographical differences so I think the kind of thing that would do the greatest damage if it got out, would just be the magnitude of the problem and of the time schedules which we think we have and that kind of thing. To answer your question - Eltenton if you were picking a man which would be an intermediary he wouldn't be a bad choice, I would mention he had some kind of chemical engineering job in Russia. He was trained in England, was in Russia four or five years and things like that and here

P: Does he speak Russian do you know?

O: I don't know - I don't know. He speaks with a slight English accent.

P: If it is necessary would you mind and would it

interfere with your work much if I would have to come down and discuss this with you further. Counter assurance - I mean this is - ah

O: This is important?

P: Oh yes, I not only

O: If I may express my own opinion as well as my conviction this is not common knowledge.

P: No, it isn't.

J: You see a lot of people have reported it to us . . .

P: That's why Mr. Johnson called me up yesterday it sort of

O: Yes. I mentioned this to Col. Lansdale

P: You did

O: Yes.

P: Aha, well of course right now I say - ah - it is all new and -- it has come to me

O: Right now it means absolutely nothing but what you now find out at this

P: If - but

O: I would like to say that if I think that . . . certain affiliations that were incompatible to the best interests of this country and this business would die ..

P: It may be necessary for us to - to take certain steps in trying to trace this down and so forth - if anything would develop where we would have to or would be interested

in either your place down at Los Alamos or other places,
you feel it would be all right for me to contact you on it
so that -

O: Oh, certainly . . . certain precautions -

P: Oh, yeah, yes - what I mean is instead of going
out on certain steps which may

O: Yeah -

P: Come to your attention and be a little bit
disturbing to you, I would rather discuss those with you first
so that you will be aware of it. I think that, that - well
that -

O: Well, I hope that won't . . . If I had reason
to believe . . . I will if anything ever comes up that I am
convinced - I can always say that everything I know is
absolutely 100% negative.

P: If we should find any information which would
lead us to believe that there still may be some of that going
on, and if it would be important for us to then know a little
more in detail who the contacts were and everything and we
could show you and that is important to us, I hope you will
then find it possible to

O: I am only trying to define our future and I will
try to act reasonably.

P: Fine.

O: As I say I am trying to draw the line here

between people who took some responsibility and the people who were purely pushed around and since nothing occurred and the responses seem to have been 100% negative, I think I am perhaps justified in - in

P: I am not persistent (ha ha) but -

O: You are persistent and it is your duty.

P: That is, there is one point in there, that you say that the responses were 100% negative. Do you feel that you know everyone whom this intermediary contacted?

O: Well, no, but I think it is practical to say that it is not inconceivable that the people whom he contacted would be - would have come to my attention but I am not sure.

P: Well, I would like to say

O: Well, I think it would be (one word missing) to say that I just don't know.

P: I would like to leave this thought with you, Dr. Oppenheimer, if you at some time find it possible, we certainly would give a lot of thanks and appreciation for the name of that intermediary because it's going to - I tell you - the only reason why I would want it, is not for his sake but to see who his contacts are

O: Yes, I see

P: I can see that we are going to have to spend a lot of time and effort which we ordinarily would not in trying to

O: Well

P: in trying to run him down before we even can get o
to these others

O: You'd better check up on the Consulate because
that's the only one that Eltenton contacted and without that
contact there wouldn't be anything . . .

P: You say this man is not employed in the Consulate?

O: Eltenton?

P: No, no, I mean this man

O: I have never been introduced to him . . . or
heard his name or anything but I have been given to understand
that he is attached to the Consulate. But isn't it common
practice for a Consulate or a Legation to have some espionage
attached to them?

P: Oh, yes. Military Attaches are really
unofficially

O: Spies

P: That's their business

Q: Maybe this guy is a Military Attache - I don't know

P: You don't know anything about him?

O: I don't know anything about him and never have.
I may have been told the name, but it made no impression.

P: Is this member of the faculty in any way - Does
he in any way come in contact with your Project? Why would he
be contacted? Is it because he has contacted these people?

O: I think that Eltenton must have said to him . . .
I don't know - that would be my impression of the thing . . .

P: Well I think that

O: Well, I am sorry, I realize that you would like
more information but I have been under a little bit of
difficulty. The fact that I did not raise this (one word
omitted) for a long time -

P: That's right.

O: I have difficulty in . . . serious . . . what to
do . . . I think my general point of view is that there are
some things there which would bear watching.

P: That's right.

O: It is doubtful to me if there is anything there
which can't be uncovered.

P: Well that - I can see where . . . We will be hot
under the collar until we find out what is going on there.
I mean - that's the point of view we have to take

O: Well, I don't know . . . Well I would think . . .
that it's conceivable -- that it wouldn't hurt to have a
man in the local of this Union FAECT - to see what may happen
and what he can pick up.

P: You feel there could be something - not in the
organization itself but some

O: Within it.

P: Within it

O: I don't know, I am sure that if they had 20 members, 19 of them might not be involved in it. But I am not sure of the 20th, you see.

P: Yes.

O: 40 members correspondingly and - let me put it this way - the bonds that hold them together are very strong you see, and they talk over their problems with their sisters and brothers and it is rather difficult to maintain a complete security in an outfit like that.

P: Does this union that is up on the Hill, do they have members which are not connected with the Hill at all?

O: Oh yes, they have an international union and has representatives all over this country.

P: And the same group then, the same mixture would be of people off and on the Project would be in the same

O: Oh, I imagine so - I don't know, I don't know about that.

P: Well, we can -

O: Ordinarily I think that they would have their own local.

P: Which would be up there.

O: Maybe not. Maybe it is all one big local. I'm not sure, but that varies with the Union.

P: Well, that is certainly interesting a - you are

going to be here for some time?

O: Oh, no, I am leaving tonight.

P: Oh, you are, are you flying?

O: No I am not. I have orders not to fly.

P: At last you get some relaxation in between your Project. Well, I think that it may

O: I will be very glad to see you there. I have a feeling though, a fellow can be fooled you see. I feel responsible for every detail of this sort of thing down at our place and I will be willing to go quite far in saying that everything is 100% in order. That doesn't go for this place up here.

P: No.

O: I think that's the truth. If everything weren't being done and if everything weren't proper, I think that I would be perfectly willing to be shot if I had done anything wrong.

P: Well, ah

O: I don't say that about this place. It's a very different situation, a very much harder situation. I don't know the people but it's a hard situation; in particular was put together in a casual way and I think that the problem of being sure that there were no leaks . . . and that pressure can be brought with discretion.

P: I am then, as I say, I may have the pleasure

of visiting your place because it may

B: My motto is God Bless You.

P: Well, as I say, if this becomes serious, that is to say, I don't know anything about it, but if it becomes

O: My guess is that it wouldn't but if I weren't first absolutely sure that it wouldn't,--that it were not serious, I wouldn't

P: That's right. Well, if it does become serious I may come down with some of my persistency - I mean I would hate to -- I have a responsibility of running things down myself.

O: I also think the particular way this was - that if there is anything going on it would be very easy to find out. I am not worried about that - we can take care of that ourselves.

P: No you wouldn't

O: Well, I can handle in a way

P: But it is a situation which would have to be handled very delicately. That's what makes it so difficult. If it is something that's easy to handle and you don't have to worry about it, why you just sort of bull your way through, but these things one has to be very careful.

O: That's always the case - wanting to be very careful.

P: I am not the judge to well whether they should or should not get the information. My business is to stop it

going through illegally.

O: Well, I think -

O: I don't actually know whether, if you were in Washington - asking advice on the question how far should cooperation go. I don't know wherein the right answer lies. I have heard of cases with very strong arguments on both sides.

P: Yes

O: . . . we don't have to worry about . . .

P: Yes, that 's right.

O: Well, I wish good luck

P: We could work a hundred years (I mean) and never get this information. That's where we start you see - I mean - we get this information and we have something to start on - we have something to run down. I certainly appreciate this opportunity to visit you.

O: I hope it's not a waste of time

P: Well, I know it's not a waste of my time and ah

O: That's all I meant - perhaps as far as the project is concerned . . . a fair starting point

P: Could have

O: Why not take an about face?

P: Do you

O: and one could do anything about the Attache - that would be the natural thing to watch.

P: Do you know anyone - and because we like to

eliminate unnecessary work if we have to - do you know anyone who is on the Project who is connected with the FAECT, Dr. Oppenheimer?

O: Who would be willing to -

P: That's right.

O: I don't know who is in the Union at all. I have heard that a boy called Fox is President of it.

J: David Fox.

O: David Fox, but I would feel . . . I hope that the Trade Union isn't tied up in this - and they would not act like this because I think it would give them a very black eye and it is no love of mine from the start, and it might have consequences beyond the reasonable. I doubt whether anyone mixed with the Union in good faith would be very sympathetic.

P: Yes.

O: This isn't a suggestion that there is anything wrong. I have no reason at all to believe that there is, except that it is inevitable that any left Wingers still interested in Left Wing activity would join such a Union. I think I can be quite sure of it. And I don't think that it is due to Unions who are seeking a selected group of people

P: Yes

O: You might get some - of course, this is just my opinion that there is no harm in discussing it - well, I just

don't know.

P: May I just ask then, Dr., if you would please not discuss this with anyone - so that they would not be aware of this fact that -

O: No, I would not have raised the question if it had not seemed to me that it deserved looking into.

P: Yes.

O: And if I seem uncooperative I think that you can understand that it is because of my insistence in not getting people into trouble

P: I can assure you that if something comes to your attention out there -

O: Let me dispose of that statement which came over the long distance phone. Frankly, I got - from that boy a promise to stop all this sort of thing when he came on the job. . . . to that promise (garbled) . . . I do not know what he was doing it for but I thought there was a possibility. He said he understood that . . . I talked to him yesterday. He said he had no connection . . .

P: Well, what I mean, if anything does come to your attention in connection with this phase, if you can

O: It won't be really necessary,

P: If, in the first place, you will let me know, I will be glad to come down and discuss the matter with you

O: Well, I am very glad of that, and we may have

other problems which we would like to discuss.

P: Yes.

O: But I do not think that there will be any of this nature because really we have . . .

P: Well, something may come to your attention relating to this place up here. You may get it down there and I would really prefer to

O: There is almost no contact. I have official technical letters but really no personal letters from here. I don't know what's going on, and I think the chance of my being useful in that way is very slight. But you ought to be able to find people here who could have their eyes and ears open and who know what's going on. That would be, I would be, I would be fairly sure that there are quite a few here who would be willing to give you - who would realize the importance of it and - I can't advise you any further.

P: No, okey, as a matter of fact I am not formulating any plans, I am just going to have to digest the whole thing.

P: Well, we appreciate it and the best of luck

O: Thank you very much.

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STIPULATED TABLE OF CORRECTIONS OF TRANSCRIPT
OF RECORDING OF CONVERSATION BETWEEN DR. J. R.
OPPENHEIMER, LT. COLONEL BORIS T. PASH, AND
LT. LYALL JOHNSON OF AUGUST 26, 1943

Original Transcript, page 1, line 12 of dialogue:

"O: I was rather uncertain as to whether I should
or shouldn't talk to him (Rossi) when I was here

Should read:

"O: I was rather uncertain as to whether I should
or should talk to him /Rossi/ when I was here.

* * *

Original Transcript, page 1, line 21

"O: I think that is the case, but I have no first
hand knowledge that would be, for that reason, useful. But
I think it is useful for a man, whose name I never heard, who
was attached to the Soviet Consul, has indicated indirectly
through intermediate people concerned in this Project that
he was in a position to transmit, without any danger of a leak,
or scandal, or anything of that kind, information, which
they might supply. Since I know it to be a fact, I have been
particularly concerned about any indiscretions which took
place in aides close enough to be in contact with it. To
put it quite frankly - I would feel friendly to the idea of
the Commander-in-Chief informing the Russians who are working

on this problem. At least, I can see that there might be some arguments for doing that, but I don't like the idea of having it moved out the back door. I think that it might not be heard to be on the look-out for it.

Should read:

"O: I think that is true, but I have no first-hand knowledge that would be, for that reason, useful. But I think it is true that a man, whose name I never heard, who was attached to the Soviet Consul, has indicated indirectly through intermediate people concerned in this Project that he was in a position to transmit, without any danger of a leak, or scandal, or anything of that kind, information, which they might supply. I would take it that it is to be assumed that a man attached to the Soviet Consulate might be doing it, but since I know it to be a fact, I have been particularly concerned about any indiscretions which took place in circles close enough to come in contact with it. To put it quite frankly - I would feel friendly to the idea of the Commander-in-Chief informing the Russians that we were working on this problem. At least, I can see that there might be some arguments for doing that, but I do not feel friendly to the idea of having it moved out the back door. I think that it might not hurt to be on the look-out for it.

* * *

Original Transcript, page 2, line 13

"O: Well, I might say that the approaches were always through other people, who were troubled by them, and sometimes came and discussed them with me; and that the approaches were quite indirect so I feel that to give more, perhaps, than one name, would be to implicate people whose attitudes was one of bewilderment rather than one of cooperation. I know of no case, and I am fairly sure that in all cases where I have heard of these contacts, would not have yielded a single thing. That's as far as I can go on that. Now there is a man, whose name was mentioned to me a couple of times - I don't know of my own knowledge that he was involved as an intermediary. It seems, however, not impossible and if you wanted to watch him it might be the appropriate thing to do. He spent a number of years in the Soviet Union. I think he's a chemical engineer. He was -- he may not be here now -- at the time I was with him here, employed by the Shell Development. His name is Eltenton. I would think that there is a small chance - well, let me put it this way - He has probably been asked to do what he can to provide information. Whether he is successful or not, I do not know, but he talked to a friend of his who is also an acquaintance of one of the men on the Project, and that was one of the channels by which this thing went. Now I think that to go beyond that would be to put a lot of named down, of people who are

not only innocent but whose attitude was 100% cooperative.

Should read:

"O: Well, I might say that the approaches were always to other people, who were troubled by them, and sometimes came and discussed them with me; and that the approaches were always quite indirect so I feel that to give more, perhaps, than one name, would be to implicate people whose attitude was one of bewilderment rather than one of cooperation. I know of no case, and I am fairly sure that in all cases where I have heard of these contacts, would not have yielded a single thing. That's as far as I can go on that. Now there is a man, whose name was mentioned some a couple of times - I don't know of my own knowledge that he was involved as an intermediary. It seems, however, not impossible and if you wanted to watch him it might be the appropriate thing to do. He spent quite a number of years in the Soviet Union. He's an English ... I think he's a chemical engineer. He was - he may not be here now - at the time I was with him here, employed by the Shell Development. His name is Eltenton. I would think that there was a small chance - well, let me put it this way - he has probably been asked to do what he can to provide information. Whether he is successful or not, I do not know, but he talked to a friend of his who is also an acquaintance of one of the men on the Project, and that was one of the channels by which this thing went. Now I think

that to go beyond that would be to put a lot of names down, of people who are not only innocent but whose attitude was 100% cooperative.

* * *

Original Transcript, page 2, line 41

"O: Well, I am giving you the one name that I think is, or isn't -- I mean I don't know the name of the man attached to the Consulate -- I think I may have been told and I may not have been told, and I have, at least not purposely, forgotten. He is --and he might not be there now. These incidents occurred in the order of about 5, 6 or 7 months.

"J: I was wondering, Dr. Oppenheimer, if there is a particular person -- maybe a person on the Project that you were trying to pump information from - that if we knew who those were, would at least know where to look for a leak, not from the standpoint of fellow hate, but looking at a certain picture.

"P: Here's the point that I would feel

"O: I would feel that the people that tried to get information from were more or less an accident and I would be making some harm by saying that.

"P: Here's the thing -- we of course assume that the people that bring this information to you are 100% with you, and therefore, there is no question about their intention. However, if --

"O: Well, I'll tell you one thing -- I have known of two or three cases, and I think two of them are with me at Los Alamos -- they are men who are closely associated with me.

Should read:

"O: Well, I'm giving you the one name that I think is, or isn't -- I mean I don't know the name of the man attached to the Consulate - I think I may have been told or I may not have been told and I have, at least not purposely, but actually forgotten. He is -- and he may not be here now. These incidents occurred of the order of about 5, 6, 7 months ago.

"J: I was wondering, Dr. Oppenheimer, if there was a particular person -- maybe a person on the Project that they were trying to pump information from - that if we knew who those were, would at least know where to look for a leak, not from the standpoint of . . . , but looking at a certain picture.

"P: Here's the point that I would feel --

"O: I would feel that the people that they tried to get information from were more or less an accident /interpolation/ and I believe I would be making some harm by saying that.

"P: Yes. Here's the thing -- we of course assume that the people who bring this information to you are 100% with you, and therefore, there is no question about their intentions. However, if -

"O: Well, I'll tell you one thing - I have known

of two or three cases, and I think two of the men were with me at Los Alamos - they are men who are very closely associated with me.

* * *

Original Transcript, page 3, line 23

"O: That is, let me give you the background. The background was -- well, you know how difficult it is with the relations between these two allies, and there are a lot of people that don't feel very friendly toward the Russians so that the information -- a lot of our secret information, our Radar, and so on, doesn't get to them, and they are battling for their lives and they would like to have an idea of what is going on and this is just to make up in other words for the defects of our official communication. That is the form in which it was presented.

"P: Oh, I see

"O: Of course, the actual fact is that since it is not a communication that ought to be taking place, it is treasonable. But it wasn't presented in that method. It is a method that carrying out a policy which was more or less a policy of the government and the form in which it came was that could an interview be arranged with this man Eltenton who had very good contacts with a man from the Embassy attached to the Consulate who was a very reliable guy and who had a lot of experience with microfilm, that's the story.

"P: Well, now I may be getting back to a little systematic picture these people whom you mentioned, that are down there with you now ... were they contacted by Eltenton direct?

"O: No

"P: Through another party?

"O: Yes

Should read:

"O: That is, let me give you the background. The background was - well you know how difficult it is with the relations between these two allies, and there are a lot of people who don't feel very friendly to Russia, so that the information - a lot of our secret information, our Radar and so on, doesn't get to them, and they are battling for their lives and they would like to have an idea of what is going on and this is just to make up in other words for the defects of our official communication. That is the form in which it was presented.

"P: Oh, I see

"O: Of course, the actual fact is that since it is not a communication which ought to be taking place, it is treasonable. But it wasn't presented in that method.

[garbled] It is a method of carrying out a policy which was more or less a policy of the government and the form in which it came was that an interview be arranged with this man

Eltenton who had very good contacts with a man from the Embassy attached to the Consulate who was a very reliable guy (that's his story) and who had a lot of experience in microfilm work, or whatever the hell.

"P: Well, how I may be getting back to a little systematic picture ... these people whom you mentioned who two? are down there with you now ... were they contacted by Eltenton direct?

"O: No.

"P: Through another party?

"O: Yes

* * *

Original Transcript, page 4, line 16.

"O: It is not definite in the sense that I have seen him do the thing. He may have been misquoted. I don't believe so. Now Eltenton is the member of the FAECT.

"P: That's the union.

"O: That's the CIO union. He's a man whose sympathies are certainly very far Left, whatever his affiliations, and he may or may not have regular contacts with a political group. I doubt it. In any case, it is a safe thing to say that the channels to be followed in this case are those involving people who have been generally sympathetic to the Soviet and somehow connected peripherally with Communist movements in this country. That's obvious. I don't

need to tell you that.

Should read:

"O: It is not definite in the sense that I have seen him do the thing. He may have been misquoted. I don't believe so. Now Eltenton is a member of the FAECT? Or not?

"P: That's the Union.

"O: That's the CIO Union. He's a man whose sympathies are certainly very far "Left", whatever his affiliations, and he may or may not have regular contacts with a political group.

"P: Well, here's how I feel

"O: I doubt it. In any case, it is a safe thing to say that the channels that would be followed in this case are those involving people who have been generally sympathetic to the Soviet and somehow connected peripherally with Communist movements in this country. That's obvious. I don't need to tell you that.

* * *

Original Transcript, page 5, line 13.

"O: I am pretty sure that none of the guys here, with possible exception of the Russian, who is probably doing his duty by his country -- but the other guys really were just feeling they didn't do anything, but they were considering the step, which they would have regarded as thoroughly in line with the policy of this government, just

making up for the fact that there were a couple of guys in the State Department who would block such communications. You may or may not know that in many projects we share information with the British and some we do not, and there is a great deal of feeling about that and I don't think the issues involved here seemed to the people very different, except that of course the people on the Project realize the importance and that this is a little bigger and the whole procedure gets away from them.

Should read:

"O: I'm pretty sure that none of the guys here, with the possible exception of the Russian, who is doing probably his duty by his country - but the other guys really were just feeling they didn't do anything but they were considering the step, which they would have regarded as thoroughly in line with the policy of this government, just making up for the fact that there were a couple of guys in the State Department who might block such communications. You may or may not know that in many projects we share information with the British and some we do not, and there is a great deal of feeling about that, and I don't think that the issues involved here seem to the people very different, except that of course the people on the Project realize the importance and that is a little bigger and the whole procedure gets away garbled

* * *

Original Transcript, page 6, line 7.

"P: I get your point. I don't want to seem to you insistent. I want to again sort of explore the possibility of getting the name of the person of the faculty -- I'll tell you for what reason. Not for the purpose of taking him to task in any way whether its non-officially, officially, or openly or what but to try to see Eltenton's method of approach. You may not agree with me, but I can assure you that this is one of the more important steps

"O: I have to take the following points of view: I think in mentioning Eltenton's name I subsequently said about the man that I think that he may be acting in a way which is dangerous to this country and which should be watched. I am not going to mention the name of anyone in the same breath, even if you say that you will make a distinction. I just can't do that, because in the other cases, I am convinced from the way in which they handled the thing that they themselves thought it was a bad business.

Should read:

"P: I get your point. I don't want to seem to you insistent. I want to again sort of explore the possibility of getting the name of the person of the faculty - I'll tell you for what reason. Not for the purpose of taking him to task in any way whether it's non-officially, officially, or openly or not but to try to see Eltenton's method of approach. You

may not agree with me, but I can assure you that is one of the most important steps.

"O: I understand that, but I have to take the following points of view: I think in mentioning Eltenton's name I essentially said about the man that I think he may be acting in a way which is dangerous to this country, and which should be watched. I'm not going to mention the name of anyone in the same breath, even if you say that you will make a distinction. I just can't do that, because in the other cases, I am convinced from the way in which they handled the thing that they themselves thought it was a bad business.

* * *

Original Transcript, page 6, line 33.

"P: Were these two people you mentioned - were they contacted at the same time?

"O: Oh no. They were contacted within a week of each other.

Should read:

"P: Were these two people you mentioned - were they contacted at the same time?

"O: They were contacted within a week of each other.

* * *

Original Transcript, page 7, line 12.

"O: I really think that I am drawing a line in the right place.

Should read:

"O: I really think that I am drawing garbled

* * *

Original Transcript, page 7, line 18:

"O: It is also my duty not to implicate these people, acquaintances, or colleagues of whose position I am absolutely certain - myself and my duty is to protect them.

"P: O yes.

"O: If I thought that - I won't say it - it might be slightly off.

"P: Well then, here's another point, Dr., if we find that in making these various contacts, that we get some information which would lead us to believe that certain of these men may have either considered it or are still considering it (mind you, I do not even know these men, so it can't be personal) -

"O: Well, none of them that I had anything to do with even considered it. They were upset about it. They have a feeling toward this country and have signed the espionage act; they feel this way about it for I think that the intermediary between Eltenton and the Project, thought it was the wrong idea, but said that this was the situation. I don't think he supported it. In fact I know it.

Should read:

"O: It is also my duty not to implicate these people,

who are acquaintances, or colleagues, and so on of whose position I am absolutely certain - myself and my duty is to protect them.

"P: Oh yes.

"O: If I thought that - I won't say it - it might be slightly off.

"P: Well then, here's another point, Dr., if we find that in making these various contacts, that we get some information which would lead us to believe that certain of these men may have either considered it or are still considering it (mind you, I do not even know these men, so it can't be personal) -

"O: Well, none of them that I had anything to do with considered it. They were just upset about it
[garbled] They have a feeling toward this country and have signed the espionage act; they feel this way about it for I think that the intermediary between Eltenton and the Project, thought it was the wrong idea, but said that this was the situation. I don't think he supported it. In fact I know it.

* * *

Original Transcript, page 8, line 1.

"P: And two of these contacts are down there. That means we can assume at least there is one of these men contacted still on the Project here.

"O: Yes, I believe that this man has gone, or is

scheduled to go to Site X.

"P: This third man?

"O: That is right.

Should read:

"P: And two of these contacts are down there. That means we can assume at least there is one of these men contacted still on the Project?

"O: Yes, I believe this man has gone, or is scheduled to go to Site X.

"P: This third man?

"O: I think so.

* * *

Original transcript, page 8, line 29:

"P: This man Eitenton is a scientist?

"O: I don't know, I would guess he is some sort of a chemical engineer.

"P: Would he be in a position to understand the information furnished him?

"O: I don't know that either. It would depend on how well it was furnished. I mean, he has some scientific training and certainly if you sat down with him and took a little time. My view about this whole damn thing, of course, is that the information that we are working on is probably known to all the governments that care to find out. The information about what we are doing is probably of no use

because it is so damn complicated. I don't agree that the security problem on this Project is a bitter one, because if one means by the security problem prevent information of technical use to another country from escaping. But I do think that the intensity of our effort and our concern of the international investment involved -- that is information which might alter the course of the other governments and don't think it would have any effect on Russia . . . it might have a very big effect on Germany, and I am convinced about that and that is as everyone else is.

"P: Oh.

"O: To give it roughly, what we're after and I think they don't need to know the technical details because if they were going to do it they would do it in a different way. They wouldn't take our methods -- they couldn't because of certain geographical differences so I think the kind of thing that would do the greatest damage if it got out, would just be the magnitude of the problem and of the time schedules which we think we have of that kind.

"P: To answer your question - Eltenton if you were picking a man which would be an intermediary wouldn't be a bad choice, I would mention he had some kind of chemical engineering job in Russia, He was trained in England, also in Russia four or five years and things like that and here.

Should read:

"P: This man Eltenton is a scientist?

"O: I don't know, I would guess he was a sort of a chemical engineer.

"P: Would he be in a position to understand the information furnished him?

"O: I don't know that either. It would depend on how well it was furnished. I mean, he has some scientific training and certainly if you sat down with him and took a little time. My view about this whole damn thing, of course, is that the information that we are working on is probably known to all the governments that care to find out. The information about what we are doing is probably of no use because it is so damn complicated. I don't agree that the security problem of this Project is a bitter one, because if one means by the security problem preventing information of technical use to another country from escaping. But I do think that the intensity of our effort and our concern with national investment involved - that is information which might alter the course of the other governments and don't think it would have any effect on Russia it might have a very big effect on Germany, and I am convinced about that and that is as everyone else is.

"P: Oh.

"O: To give it roughly what we're after and I think

they don't need to know the technical details because if they were going to do it they would do it in a different way. They wouldn't take our methods - they couldn't because of certain geographical differences so I think the kind of thing that would do the greatest damage if it got out, would just be the magnitude of the problem and of the time schedules which we think we have and that kind of thing. To answer your question - Eltenton, if you were picking a man which would be an intermediary, he wouldn't be a bad choice, I would mention he had some kind of chemical engineering job in Russia. He was trained in England, was in Russia four or five years, and things like that and here.

* * *

Original Transcript, page 9, line 35:

"J: You see a lot of people have put it to us

Should read:

"J: You see a lot of people have reported it to us.

* * *

Page 10, Omission before line 1:

"P: You did

"O: Yes

* * *

Original Transcript, page 10, line 6

"O: I would like to say that if I think that if there are certain affiliations that were incompatible to the

best interests of the country and this business would retard.

Should read:

"O: I would like to say that if I think that . . .
certain affiliations that are incompatible to the interests
of this country and this business would die . . .

* * *

Original Transcript, page 10, line 14:

"O: Oh, certainly, it is perfectly obvious that
certain precautions --

Should read:

"B: Oh, certainly. . . certain precautions --

* * *

Original Transcript, page 10, line 21.

"O: Well, that won't. I most fervently hope
that they are not in any way and if I had reason to believe
that some technical men were involved I would certainly tell
you and I will if anything comes up that I am convinced I
can always say that I know everything is absolutely 100%
negative.

Should read:

"O: Well, I hope that won't . . . if I had reason
to believe . . . I will if anything ever comes up that I am
convinced -- I can always say that everything I know is
absolutely 100% negative.

* * *

Original Transcript, page 10, line 26:

"P: If we should find any information which would lead you to believe that there may be some of that going on, and that it would be important for us to know a little more in detail who the contacts were and everything and we could show you that that is important for us, I hope you then find it possible to

Should read:

"P: If we should find any information which would lead us to believe that there may still be some of that going on, and if it would be important for us to then know a little more in detail who the contacts were and everything and we could show you that that is important to us, I hope you will then find it possible to

* * *

Original Transcript, page 10, line 33:

"O: As I say I am trying to draw the line here between people who took some responsibility and the people who were purely pushed around and since nothing occurred and the responses seemed to have been 100% negative, I think I am perhaps justified in -- in

Should read:

"O: As I say I am trying to draw the line here between people who took some responsibility and the people who were purely pushed around and since nothing occurred and the

responses seem to have been 100% negative, I think I am perhaps justified in -- in

* * *

Original Transcript, page 11, line 3:

"P: That is, there is one in there, that you say that the responses were 100% negative. Do you feel that you know everyone whom this intermediary contacted?

Should read:

"P: That is, there is one point in there, that you say that the responses were 100% negative. Do you feel that you know everyone whom this intermediary contacted?

* * *

Original Transcript, page 11, line 10:

"O: Well, I think it would be creditable to say that I just don't know.

Should read:

"O: Well, I think it would be one word missing to say that I just don't know.

* * *

Original Transcript, page 11, line 11:

"P: I would like to leave this thought with you, Dr. Oppenheimer, if you at some time find it possible we certainly would give a lot of thanks and appreciation for the name of that intermediary and I am going to explain to you -- I tell you -- if it is going to -- The only reason I would

want it, is not for his sake but to see who his contacts are

Should read:

"P: I would like to leave this thought with you
Dr. Oppenheimer, if you at some time find it possible we
certainly would give a lot of thanks and appreciation for the
name of that intermediary because it's going to -- I tell you --
The only reason why I would want it, is not for his sake
but to see who his contact are

* * *

Original Transcript, page 11, line 20:

"P: in trying to run him down before we even go on
this

Should read:

"P: in trying to run him down before we even can
get on to these others

* * *

Original Transcript, page 11, line 21:

"O: You'd better check up on the Consulate because
that's the only one that Eltenton contacted and without that
contact he would be inefficient and that would be my

Should read:

"O: You'd better check up on the Consulate because
that is the only one that Eltenton contacted and without that
contact there wouldn't be anything ...

* * *

Original Transcript, page 11, line 27

"O: I have never been introduced to him

"P: Have you ever heard his name mentioned?

"O: I have never heard his name mentioned, but I have been given to understand that he is attached to the Consulate. But isn't it common practice for a Consulate or a Legation to have someone attached to them?

"P: Oh, yes. Military Attaches are really unofficially.

"O: Maybe this guy is a Military Attache -- I don't know

Should read:

"O: I have never been introduced to him . . . or heard his name or anything, but I have been given to understand that he is attached to the Consulate. But isn't it common practice for a Consulate or a Legation to have some espionage attached to them?

"P: Oh, yes. Military Attaches are really unofficially

"O: Spies

"P: That's their business

"O: Maybe this guy is a Military Attache -- I don't know.

* * *

Original Transcript, page 12, line 8:

"O: I think that Eltenton must -- I said to him 'what can you do about it?' I don't know -- that would be my impression of the thing.

Should read:

"O: I think that Eltenton must have said to him . . . I don't know -- that would be my impression of the thing . . .

* * *

Original Transcript, page 12, line 11:

"O: Well, I am sorry, I realize you would like more information but I am under a little bit of difficulty deciding what to do about it. The fact that I did not raise this question for a long time --

"P: That's right.

"O: I have been in difficulty about what to do realizing how serious it is. I think my general point of view is that there are some things there which would bear watching.

"P: That's right.

"O: It is doubtful to me if there is anything there which can't be uncovered.

"P: Well, that -- I can see where it would be highly difficult to find out what's going on. We will be hot under the collar until we find out what is going on there. I mean -- that's the point we have to take

"O: Well I don't know what a job like this -- well I would think it's conceivable -- that it wouldn't hurt to have a man in the local of this union, FAECT -- to see what may happen and what he can pick up.

"P: You feel there could be something in the organization itself?

"O: Within it

Should read:

"Well, I am sorry, I realize that you would like more information but I have been under a little bit of difficulty. The fact that I did not raise this one word omitted for a long time --

"P: That's right.

"O: I have difficulty in . . . serious . . . what to do . . . I think my general point of view is that there are some things there which would bear watching.

"P: That's right.

"O: It is doubtful to me if there is anything there which can't be uncovered.

"P: Well that -- I can see where . . . we will be hot under the collar until we find out what is going on there. I mean -- that is the point of view we have to take.

"O: Well, I don't know . . . well I would think . . . that it's conceivable -- that it wouldn't hurt to have a man in the local of this Union, FAECT -- to see what may happen and

what he can pick up.

"P: You feel there could be something not in the organization itself but some

"O: Within it

* * *

Original Transcript, page 13, line 5:

"P: Does this union that is up on the Hill, is it not connected with the Hill at all?

"O: Oh yes. It is an international union and has representatives all over this country.

Should read:

"P: Does this union that is up on the Hill, do they have members which are not connected with the Hill at all?

"O: Oh yes, they have an international union and has representatives all over this country.

* * *

Original Transcript, page 13, line 11:

"O: Oh, I imagine so. I don't know, I don't know about that.

Should read:

"J: Oh, I imagine so.

"O: I don't know. I don't know about that.

* * *

Original Transcript, page 13, line 33:

"P: Well, ah

"B: It's a very different situation, a very much harder situation. I don't know the people but it is a hard situation and in particular to put together in a casual way and I think that the problem of being sure that there are no leaks there is a real problem and that pressure can be brought with discretion.

Should read:

"P: Well, ah

"O: I don't say that about this place. It's a very different situation, a very much harder situation. I don't know the people, but it is a hard situation; in particular was put together in a casual way and I think that the problem of being sure that there are no leaks . . . and that pressure can be brought with discretion.

* * *

Original Transcript, page 14, line 12:

"P: That's right. Well, if it does become serious I may come down with some of my persistency -- I mean I would hate to -- I have a responsibility of running things down there.

"B: I also think the particular way this way -- that if there is anything going on it would be very easy to find out. I am not worried about that, -- we can take care of that ourselves.

"P: No you wouldn't.

"O: Well, I meant in a way which you think best.

"P: But it is a situation which would have to be handled very delicately. That's what makes it so difficult. If it is something that's easy to handle and you don't have to worry about it, why you just sort of bull your way through, but these things have to be, one has to be careful.

Should read:

"P: That's right. Well, if it does become serious I may come down with some of my persistency -- I mean I would hate to -- I have a responsibility of running things down myself.

"O: I also think the particular way this was -- that if there is anything going on it would be very easy to find out. I am not worried about that -- we can take care of that ourselves.

"P: No you wouldn't

"O: Well, I can handle it in a way . . .

"P: But it is a situation which would have to be handled very delicately. That's what makes it so difficult. If it is something that's easy to handle and you don't have to worry about it, why you just sort of bull your way through, but these things, one has to be very careful.

* * *

Original Transcript, page 14, line 29:

"O: I don't actually know whether, if you were in

Washington -- after advice on the question how far should cooperation go. I don't know wherein the right answer lies. I have heard of cases with very strong arguments on both sides.

"P: Yes

"O: That's a particular we don't have to worry about, but in Washington there are more ticklish situations

Should read:

"O: I don't actually know whether, if you were in Washington -- asking advice on the question how far should cooperation go. I don't know wherein the right answer lies. I have heard of cases with very strong arguments on both sides.

"P: Yes

"O: . . . we don't have to worry about . . .

* * *

Original Transcript, page 14

Omission after last line (after words "more ticklish situations")

Should read:

Insert: (after words; "to worry about. . .")

"P: Yes, that's right.

"O: Well, I wish good luck.

"P: We could work a hundred years (I mean) and never get this information. That's where we start you see -- I mean we get this information and we have something to start on -- we have something to run down. I certainly appreciate this

opportunity to visit you.

"O: I hope it's not a waste of time.

"P: Well, I know it's not a waste of my time and ah

"B: That's all -- I meant -- perhaps as far as the project is concerned . . . a fair starting point

"P: Could have

"O: Why not take an about face?

"P: Do you

"O: and one could do anything about the Attache - that would be the natural thing to watch

* * *

Original Transcript, page 15, line 1:

"P: Do you know anyone -- and because we like to eliminate unnecessary work if we have to -- do you know anyone on the project who is connected with the FAECT, Dr. Oppenheimer?

"O: Who would be willing to --

"P: That's right.

"O: I don't know who is in the Union at all. I have heard that a boy called Fox is President of it.

"J: David Fox.

"O: David Fox, but I would feel that that boy could do the trick. I hope that the Trade Union isn't tied up in this -- and they would not act like this because I think it would give them a very black eye and it is no love of mine from the start, and it might have consequences beyond the reasonable.

I doubt whether anyone mixed with the Union in good faith would be very sympathetic.

Should read:

"P: Do you know anyone -- and because we like to eliminate unnecessary work if we have to -- do you know anyone on the project who is connected with the FAECT, Dr. Oppenheimer?

"O: Who would be willing to --

"P: That's right.

"O: I don't know who is in the Union at all. I have heard that a boy called Fox is President of it.

"J: David Fox

"O: David Fox, but I would feel -- I hope that the Trade Union isn't tied up in this -- and they would not act like this because I think it would give them a very black eye and it is no love of mine from the start, and it might have consequences beyond the reasonable. I doubt whether anyone mixed with the Union in good faith would be very sympathetic.

* * *

Original Transcript, page 15, line 27:

"O: No, I would not have raised the question if it didn't seem to me that it deserved looking into

"P: Yes

"O: And if I seem uncooperative I think that you can understand that it is because of my insistence in not getting

people into trouble

"P: I can assure you that if anything comes to the attention out there --

"B: Now, wait a minute, let me dispose of that statement which came over the long distance phone. When I first talked with this boy I extracted from him a promise to stop all this kind of thing when he came on the job. Of course, I can't hold him to that promise. . . (unintelligible)

"P: Well, what I mean, if anything does come to your attention in connection with this phase if you can

Should read:

"O: No, I would not have raised the question if it had not seemed to me that it deserved looking into

"P: Yes

"O: And if I seem uncooperative I think that you can understand that it is because of my insistence on not getting people into trouble.

"P: I can assure you that if something comes to your attention out there --

"O: Let me dispose of that statement which came over the long distance phone. Frankly, I got -- I extracted from that boy a promise to stop all this sort of thing when he came on the job + . . . to that promise . . . I did not know what he was doing it for but I thought that there was a possibility . . . he said he understood that . . . I talked

to him yesterday. He said he had no connection . . .

"P: Well, what I mean, if anything does come to your attention in connection with this phase if you can

* * *

Original Transcript, page 16, line 10:

"O: But I do not think there will be any of this nature because really we have very little incentive

Should read:

"O: But I do not think there will be any of this nature because really we have . . .

(The original typewritten transcript as prepared
in the office of Col. Pash in 1943 is as follows:)

San Francisco, California

August 27, 1943

MEMORANDUM FOR THE OFFICER IN CHARGE:

Subject: D.S.M. Project

Re : Transcript of Conversation between Dr. J.
R. Oppenheimer, Lt. Col. Boris T. Pash,
and Lt. Lyall Johnson.

Transmitted, herewith, is the transcript of conversation between Dr. J. R. Oppenheimer, Lt. Col. Boris T. Pash, and Lt. Lyall Johnson held in Lt. Johnson's office in the New Class Room Building, University of California, Berkeley, California on August 26, 1943. It is to be noted that in some places the conversation was very indistinct and that the running commentary may be indecisive in these places, but the substance of the material discussed is, herewith, presented:

P: This is a pleasure, because I am interested to a certain extent in activities and I feel I have a certain responsibility in a child which I don't know anything about. General Grove has, more or less, I feel placed a certain responsibility in me and it's like having a child, that you can't see, by remote control. I don't mean to take much of your time -

2

O. That's perfectly all right. Whatever time you choose.

P: Mr. Johnson told me about the little incident, or conversation, taking place yesterday in which I am very much interested and it had me worried all day yesterday since he called me.

O: I was rather uncertain as to whether I should or should not talk to him (Rossi) when I was here. I was unwilling to do it without authorization. What I wanted to tell this fellow was that he had been indiscreet. I know that that's right that he had revealed information. I know that saying that much might in some cases embarrass him. It doesn't seem to have been capable of embarrassing him - to put it bluntly.

P: Well, that is not the particular interest I have. It is something a little more, in my opinion, more serious. Mr. Johnson said there was a possibility that there may be some other groups interested.

O: I think that is the case, but I have no first-hand knowledge that would be, for that reason, useful, but I think it is true that a man, whose name I never heard, who was attached to the Soviet Consul, has indicated indirectly through intermediate people concerned in this Project that he was in a position to transmit, without any danger of a leak, or scandal, or anything of that kind, information, which they

might supply. Since I know it to be a fact, I have been particularly concerned about any indiscretions which took place in aides close enough to be in contact with it. To put it quite frankly -- I would feel friendly to the idea of the Commander-in-Chief informing the Russians who are working on this problem. At least, I can see that there might be some arguments for doing that, but I don't like the idea of having it moved out the back door. I think that it might not hurt to be on the look-out for it.

P: Could you give me a little more specific information as to exactly what information you have. You can readily realize that phase would be, to me, as interesting, pretty near, as the whole project is to you.

O: Well, I might say that the approaches were always through other people, who were troubled by them, and sometimes came and discussed them with me; and that the approaches were quite indirect so I feel that to give more, perhaps, than one name, would be to implicate people whose attitudes were one of bewilderment rather than one of cooperation. I know of no case, and I am fairly sure that in all cases where I have heard of these contacts, would not have yielded a single thing. That's as far as I can go on that. Now there is a man, whose name was mentioned to me a couple of times -- I don't know of my own knowledge that he was involved as an intermediary. It seems, however, not impossible and if you wanted to watch him it might be the appropriate thing to do. He spent a number of years in the Soviet Union. I think he's a chemical engineer.

He was - he may not be here now - at the time I was with him here, employed by the Shell Development. His name is Eltenton. I would think that there is a small chance - well, let me put it this way - He has probably been asked to do what he can to provide information. Whether he is successful or not, I do not know, but he talked to a friend of his who is also an acquaintance of one of the men on the Project, and that was one of the channels by which this thing went. Now I think that to go beyond that would be to put a lot of names down, of people who are not only innocent but whose attitude was 100% cooperative.

P: Now here's a point. You can readily realize that if we get information like that we have to work in an absolutely discreet manner. In other words we can't afford to even indicate -

O: That you are concerned.

P: That we are concerned or through whom we get information. However, anything that we may get which would eliminate a lot of research work on our part would necessarily bring to a closer conclusion anything that we are doing.

O: Well, I'm giving you the one name that I think is, or isn't - I mean I don't know the name of the man attached to the Consulate -- I think I may have been told and I may not have been told and I have, at least not purposely, but actually forgotten. He is - and he may not be here now. These incidents

occurred in the order of about 5, 6, or 7 months.

J: I was wondering, Dr. Oppenheimer, if there is a particular person - maybe a person on the Project that you were trying to pump information from - that if we knew who those were, would at least know where to look for a lead, not from the standpoint of fellow hate, but looking at a certain picture.

P: Here's the point that I would feel

O: I would feel that the people that tried to get information from were more or less an accident and I would be making some harm by saying that.

P: Here's the think - we of course assume that the people who bring this information to you are 100% with you, and therefore, there is no question about their intentions. However, if -

O: Well, I'll tell you one thing - I have known of two or three cases, and I think two of them are with me at Los Alamos - they are men who are closely associated with me.

P: Have they told you that either they thought that they were contacted for that purpose or they were actually contacted for that purpose?

O: They told me they were contacted for that purpose.

P: For that purpose.

O: That is, let me give you the background. The background was - well you know how difficult it is with the

relations between these two allies, and there are a lot of people that don't feel very friendly toward the Russians, so that the information - a lot of our secret information, our Radar and so on, doesn't get to them, and they are battling for their lives and they would like to have an idea of what is going on and this is just to make up in other words for the defects of our official communication. That is the form in which it was presented.

P: Oh, I see.

O: Of course, the actual fact is that since it is not a communication that ought to be taking place, it is treasonable. But it wasn't presented in that method. It is a method that carrying out a policy which was more or less a policy of the government and the form in which it came was that could an interview be arranged with this man Eltenton who had very good contacts with a man from the Embassy attached to the Consulate who was a very reliable guy and who had a lot of experience with microfilm, that's the story.

P: Well, now I may be getting back to a little systematic picture.... These people whom you mentioned, two are down there with you now.. were they contacted by Eltenton direct?

O: No.

P: Through another party?

O: Yes.

P: Well now, could we know through whom that contact was made?

O: I think it would be a mistake, that is, I think I have told you where the initiative came from and that the other things were almost purely accident and that it would involve people who ought not be involved in this.

P: This would not involve the people but it would indicate to us Eltenton's channel. We would have to, now that this is definite on Eltenton.

O: It is not definite in the sense that I have seen him do the thing. He may have been misquoted. I don't believe so. Now Eltenton is the member of the FAECT.

P: That's the Union.

O: That's the CIO Union. He's a man whose sympathies are certainly very far "Left", whatever his affiliations, and he may or may not have regular contacts with a political group. I doubt it. In any case, it is a safe think to say that the channels to be followed in this case are those involving people who have been generally sympathetic to the Soviet and somehow connected peripherally with Communist movements in this country. That's obvious. I don't need to tell you that.

P: Well, yes, The fact is, this second contact - the contact that Eltenton had to make with these other people - Is that person also a member of the project?

O: No.

P: That also is an outsider.

O: It's a member of the faculty, but not on the Project.

P: A member of the faculty here? Eltenton made it through a member of the faculty to the Project.

O: As far as I know - these approaches were - there may have been more than one person involved. I don't know.

P: Here's how I feel about this Leftist inclination. I think that whether a man has "Left" or "Right" inclinations, if his character which is back of it - if he's willing to do this, it doesn't make any difference what his inclinations are. It's based on his character primarily and not

O: I think like this going on, let us say, with the Nazis would have a somewhat different color. I don't mean to say that it would be any more deserving of attention, or any more dangerous, but it would involve rather different motives.

P: Oh, yes, sure.

O: I'm pretty sure that none of the guys here, with possible exception of the Russian, who is doing probably his duty by his country - but the other guys really were just feeling they didn't do anything but they were considering the step, which they would have regarded as thoroughly in line with the policy of this government, just making up for the fact that there were a couple of guys in the State Department who would block such communications. You may or may not know that in

many projects we share information with the British and some we do not, and there is a great deal of feeling about that, and I don't think that the issues involved here seem to the people very different, except that of course, the people on the Project realize the importance and that this is a little bigger and the whole procedure gets away from them.

P: Now. Do you feel that would affect - and there could be continued attempts now to establish this type of contact?

O: I haven't any idea.

P: You haven't any idea?

O: As I say, if the guy that was here may by now be in some other town and all that I would have in mind is this - I understood that this man to whom I feel a sense of responsibility, Lomanitz, and I feel it for two reasons. One - he is doing work which he started and which he ought to continue and second since I more or less made a stir about it when the question of his induction came up, that this man may have been indiscreet in circles which would lead to trouble. That is the only thing that I have to say. Because I don't have any doubt that people often approached him, with whom he has contacted, I mean whom he sees, might feel it their duty if they got word of something, to let it go further 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 the two loyalties cannot go.

P: Yes - well -

O: That is not an expression of political opinion, I think that a lot of very brilliant and thoughtful people have seen something in the Communist movement, and that they may be belong there, maybe it is a good thing for the country. They hope that it doesn't belong on the war project

P: I get your point. I don't want to seem to you insistent. I want to again sort of explore the possibility of getting the name of the person of the faculty - I'll tell you for what reason. Not for the purpose of taking him to task in any way whether its non-officially, officially, or openly or what but to try to see Eltenton's method of approach. You may not agree with me, but I can assure you that that is one of the more important steps.

O: I have to take the following points of view: I think in mentioning Eltenton's name I subsequently said about the man that I think that he may be acting in a way which is dangerous to this country, and which should be watched. I'm not going to mention the name of anyone in the same breath, even if you say that you will make a distinction. I just can't do that, because in the other cases, I am convinced from the way in which they handled the thing that they themselves thought it was a bad business.

P: These other people, yes, I realize -- but if - here's the point - if that man is trying to make other contacts

for Eltenton, it would take us some time to try to -

O: My honest opinion is that he probably isn't - that he ran into him at a party and they saw each other or something and Eltenton said, "Do you suppose you could help me? This is a very serious thing because we know that important work is going on here, and we think this ought to be made available to our allies, and would you see if any of those guys are willing to help us with it - and then it wouldn't have to be much." You see, that is the kind of thing - (remaining statement unintelligible.)

P: Were these two people you mentioned - were they contacted at the same time?

O: Oh no. They were contacted within a week of each other.

P: They were contacted at two different times?

O: Yes, but not in each other's presence.

P: That's right.

P: And then from what you first heard, there is someone else who probably still remains here who was contacted as well.

O: I think that is true.

P: What I am driving at is that there was a plan, at least for some length of time, to make these contacts - and we may not have known all the contacts.

O: That is certainly true. That is why I mentioned

it. If I knew all about it, then I would say forget it. I thought it would be appropriate to call to your attention the fact that these channels at one time existed.

P: Yes.

O: I really think that I am drawing a line in the right place.

P: You see, you understand that I am sort of - You picture me as a bloodhound on the trail, and that I am trying to get out of you everything I possibly can.

O: That's your duty to a certain extent.

P: You see what I mean

O: It is also my duty not to implicate these people, acquaintances, or colleagues of who position I am absolutely certain - myself and my duty is to protect them.

P: Oh yes.

O: If I thought that - I won't say it - it might be slightly off.

P: Well then, here's another point, Dr., if we find that in making these various contacts, that we get some information which would lead us to believe that certain of these men may have either considered it or are still considering it (mind you, I do not even know these men, so it can't be personal) -

O: Well, none of them that I had anything to do with even considered it. They were upset about it. They have a

feeling toward this country and have signed the espionage act; they feel this way about it for I think that the intermediary between Eltenton and the Project, thought it was the wrong idea, but said that this was the situation. I don't think he supported it. In fact I know it.

P: He made about at least three contact that we know of.

O: Well, I think that's right, yes.

P: And two of these contacts are down there. That means we can assume at least there is one of these men contacted still on the Project here.

O: Yes, I believe that this man has gone, or is scheduled to go to Site X.

P: This third man?

O: That is right.

P: Well that is, as I say, if I can't get across that line, I even certainly appreciate this much, because it

O: I think it's a thing you ought to know

P: Oh, no doubt

O: I think it's probably one of those sporadic things and I do not think - I have no way of thinking it was systematic but I got from the way it was handled, which was rather loosely, and frankly if I were an Agent I would not put much confidence in people who are loose-mouthed or casual. I would not think that this was a very highly organized or very well put-together plan but I don't know and I was very much

afraid when I heard of Lomanitz' indiscretion that it might very well be serious I hope that isn't the case.

P: You mentioned that this man may be of this FAECT. Do you think that, as a representative of this organization, he would sort of represent their attitude or do you think he is doing this individually?

O: Oh, the FAECT is quite a big Union and has all sorts of people in it. I'm pretty sure and I don't think it is conceivable that he could be representing the attitude of the Union, but it is

P: Well, I don't know enough about it to

O: I think that at one time they had a strong branch up at the Shell Development Research Laboratories, the FAECT - and I believe it is the Union which has got organized on the Hill.

J: Yes, it has been around for some time.

P: This man Eltenton is a scientist?

O: I don't know, I would guess he is some sort of a chemical engineer.

P: Would he be in a position to understand the information furnished him?

O: I don't know that either. It would depend on how well it was furnished. I mean, he has some scientific training and certainly if you sat down with him and took a little time. My view about this whole damn thing, of course, is that the

information that we are working on is probably known to all the governments that care to find out. The information about what we are doing is probably of no use because it is so damn complicated. I don't agree that the security problem on the Project is a bitter one, because if one means by the security problem preventing information of technical use to another country from escaping. But I do think that the intensity of our effort and our concern of the international investment involved - that is information which might alter the course of the other governments and don't think it would have any effect on Russia it might have a very big effect on Germany, and I am convinced about that and that is as everyone else is.

P: Oh.

O: To give it roughly what we're after and I think they don't need to know the technical details because if they were going to do it they would do it in a different way. They wouldn't take our methods - they couldn't because of certain geographical differences so that I think the kind of thing that would do the greatest damage if it got out, would just be the magnitude of the problem and of the time schedules which we think we have of that kind.

P: To answer your question - Eltenton if you were picking a man which would be an intermediary he wouldn't be a bad choice, I would mention he had some kind of chemical engineering job in Russia. He was trained in England, also in Russia for

or five years and things like that and here -

P: Does he speak Russian do you know?

O: I don't know - I don't know. Speaks with a slight English accent.

P: If it is necessary would you mind and would it interfere with your work much if I would have to come down and discuss this with you further. Counter assurance - I mean this is - ah

O: This is important?

P: Oh yes, I not only

O: If I can express my own opinion as well as my conviction this is not common knowledge.

P: No it isn't.

J: You see a lot of people have put it to us

P: That's why when Mr. Johnson called me up yesterday it sort of

O: Yes. I mentioned this to Col. Lansdale.

P: Ah, well of course right now I say - ah - it is all new and -- it has come to me

O: Right now it means absolutely nothing but what you now find out at this

P: If - but

O: I would like to say that if I think that if there are certain affiliations that were incompatible to the best interests of this country and this business would retard.

P: It may be necessary for us to - to take certain steps in trying to trace this down and so forth - if anything would develop where we would have to or be interested in either your place down at Los Alamos or other places, you feel it would be all right for me to contact you on it so that -

O: Oh, certainly, it is perfectly obvious that certain precautions -

P: Oh, yeah, yes - what I mean is instead of going out on certain steps which may -

O: Yeah -

P: Come to your attention and be a little bit disturbing to you, I would rather discuss those with you first so that you will be aware of it. I think that, that - well that -

O: Well, that won't. I most fervently hope they are not in any way and if I had reason to believe that some technical men were involved I would certainly tell you and I will if anything comes up that I am convinced I can always say that I know everything is absolutely 100% negative.

P: If we should find any information which would lead you to believe that there still may be some of that going on, and that it would be important for us to know a little more in detail who the contacts were and everything and we could show you that that is important for us, I hope you will then find it possible to

O: I am only trying to define our future and I will try to act reasonably.

P: Fine.

O: As I say I am trying to draw the line here between people who took some responsibility and the people who were purely pushed around and since nothing occurred and the responses seemed to have been 100% negative, I think I am perhaps justified in - in

P: I am not persistent (ha ha) but -

O: You are persistent and it is your duty.

P: That is, there is one in there, that you say that the responses were 100% negative. Do you feel that you know everyone whom this intermediary contacted?

O: Well, no, but I think it is practical to say that it is inconceivable that the people whom he contact would be - would have come to my attention but I am not sure.

P: Well, I would like to say.

O: Well, I think it would be creditable to say that I just don't know.

P: I would like to leave this thought with you, Dr. Oppenheimer, if you at some time find it possible, we certainly would give a lot of thanks and appreciation for the name of that intermediary and I'm going to explain to you - I tell you - if it is going to - The only reason I would want it, is not for his sake but to see who his contacts are

O: Yes, I see

P: I can see that we are going to have to spend a lot of time and effort which we ordinarily would not in try to

O: Well

P: in trying to run him down before we even go on this

O: You'd better check up on the Consulate because that's the only one that Eltenton contacted and without that contact he would be inefficient and that would be my

P: You say this man is not employed in the Consulate?

O: Eltenton?

P: No, no, I mean this man

O: I have never been introduced to him

P: Have you ever heard his name mentioned?

O: I have never heard his name mentioned, but I have been given to understand that he is attached to the Consulate.

But isn't it common practice for a Consulate or a Legation to have someone attached to them?

P: Oh, yes. Military Attaches are really unofficially

O: Maybe this guy is a Military Attache - I don't know.

P: You don't know anything about him?

O: I don't know anything about him and never have. I may have been told the name, but it made no impression.

P: Is this member of the faculty in any way - Does he in any way come in contact with your Project? Why would he be contacted? Is it because he has contacted these people?

O: I think that Eltenton must - I said to him "What can you do about it?" I don't know - that would be my impression of the thing.

P: Well, I think that

O: Well, I am sorry, I realize you would like more information but I am under a little bit of difficulty deciding what to do about it. The fact that I did not raise this question for a long time -

P: That's right.

O: I have been in difficulty about what to do, realizing how serious it is. I think my general point of view is that there are some things there which would bear watching.

P: That's right.

O: It is doubtful to me if there is anything there which can't be uncovered.

P: Well that - I can see where it would be highly difficult to find out what's going on. We will be hot under the collar until we find out what is going on there. I mean - that's the point we have to take

O: Well, I don't know what a job like this --- Well I would think that it's conceivable ----that it wouldn't hurt to have a man in the local of this Union, FAECT - to see what

may happen and what he can pick up.

P: You feel there could be something in the organization itself?

O: Within it

P: Within it

O: I don't know, I am sure that if they had 20 members, 19 of them might not be involved in it. But I am not sure of the 20th, you see.

P: Yes.

O: 40 members correspondingly and - let me put it this way - the bonds that hold them together are very strong you see, and they talk over their problems with their sisters and brothers and it is rather difficult to maintain a complete security in an outfit like that.

P: Does this union that is up on the Hill, is it not connected with the Hill at all?

O: Oh yes, it is an international union and has representatives all over this country.

P: And the same group then, the same mixture would be of people off and on the Project would be in the same

O: Oh, I imagine so - I don't know, I don't know about that.

P: Well, we can -

O: Ordinarily I think that they would have their own local.

P: Which would be up there.

O: Maybe not. Maybe it is all one big local. I'm not sure, but that varies with the Union.

P: Well, that is certainly interesting and - you are going to be here for some time?

O: Oh no, I am leaving tonight.

P: Oh, you are, are you flying?

O: No I am not. I have orders not to fly.

P: At least you get some relaxation in between your Project. Well, I think that it may

O: I will be very glad to see you. I have a feeling though, a fellow can be fooled you see. I feel responsible for every detail of this sort of thing down at our place and I will be willing to go quite far in saying that everything is 100% in order. That doesn't go for this place up here.

P: No.

O: I think that's the truth. If everything weren't being done and if everything weren't proper, I think that I would be perfectly willing to be shot if I had done anything wrong.

P: Well, ah

O: It's a very different situation, a very much harder situation. I don't know the people but it's a hard situation and in particular to put together in a casual way and I think that the problem of being sure that there are

no leaks there is a real problem and that pressure can be brought with discretion.

P: I am then, as I say, I may have the pleasure of visiting your place because it may -

O: My motto is God Bless You.

P: Well, as I say, if this becomes serious, that is to say, I don't know anything about it, but if it becomes

O: My guess is that it wouldn't but if I weren't first absolutely sure that it wouldn't, that it were not serious, I wouldn't

P: That's right. Well, if it does become serious I may come down with some of my persistency - I mean I would hate to ---- I have a responsibility of running things down there.

O: I also think the particular way this way - that if there is anything going on it would be very easy to find out. I am not worried about that - we can take care of that ourselves.

P: No you wouldn't

O: Well I meant in a way which you think best.

P: But it is a situation which would have to be handled very delicately. That's what makes it so difficult. If it is something that's easy to handle and you don't have to worry about it, why you just sort of bull your way through, but these things have to be, one has to be careful.

O: That's always the case - wanting to be very careful.

P: I am not the judge to tell whether they should or should not get the information. My business is to stop it going through illegally.

O: Well, I think --

O: I don't actually know whether, if you were in Washington - After advice on the question how far should cooperation go. I don't know wherein the right answer lies. I have heard of cases with very strong arguments on both sides.

P: Yes

O: That's a particular we don't have to worry about, but in Washington there are more ticklish situations

P: Do you know any one - and because we like to eliminate unnecessary work if we have to - do you know anyone who is on the Project who is connected with the FAECT, Dr. Oppenheimer?

O: Who would be willing to -

P: That's right

O: I don't know who is in the Union at all. I have heard that a boy called Fox is President of it.

J: David Fox.

O: David Fox, but I would feel that that boy could do the trick. I hope that the Trade Union isn't tied up in this - and they would not act like this because I think it would give them a very black eye and it is no love of mine from the start, and it might have consequences beyond the

reasonable. I doubt whether anyone mixed with the Union in good faith would be very sympathetic.

P: yes.

O: This isn't a suggestion that there is anything wrong. I have no reason at all to believe that there is, except that it is inevitable that any one - that any Left Wingers still interested in Left Wing activity would join such a Union. I think I can be quite sure of it. And I don't think that it is due to Unions who are seeking a selected group of people

P: yes

O: You might get some - of course, this is just my opinion that there is no harm in discussing it - well, I just don't know.

P: May I just ask then, Dr., if you would please not discuss this with anyone - so that they would not be aware of this fact that -

O: No, I would not have raised the question if it didn't seem to me that it deserved looking into.

P: Yes.

O: And if I seem uncooperative I think that you can understand that it is because of my insistence in not getting people into trouble

P: I can assure you that if anything comes to the attention out there -

O: Now, wait a minute, let me dispose of that

statement which came over the long distance phone. When I first talked with this boy I extracted from him a promise to stop all this kind of thing when he came on the job. Of course, I can't hold him to that promise . . . (Unintelligible)

P: Well, what I mean, if anything does come to your attention in connection with this phase, if you can

O: It won't be really necessary.

P: If, in the first place, you will let me know, I will be glad to come down and discuss the matter with you

O: Well, I am very glad of that, and we may have other problems which we would like to discuss.

P: Yes.

O: But I do not think that there will be any of this nature because really we have very little incentive.

P: Well, something may come to your attention relating to this place up here. You may get it down there and I would really prefer to

O: There is almost no contact. I have official technical letters but really no personal letters from here. I don't know what's going on, and I think the chance of my being useful in that way is very slight. But you ought to be able to find people here who could have their eyes and ears open and who know what's going on. That would be, I would be, I would be fairly sure that there are quite a few here who would be willing to give you - who would realize the importance of it

and - I can't advise you any further.

P: No, okeh, as a matter of fact I am not formulating any plans, I am just going to have to digest the whole thing.

P: Well, we appreciate it and the best of luck

O: Thank you very much.

* * * * *

(The transcripts of interviews referred to are as follows:)

TRANSCRIPT OF

"INTERVIEW WITH DR. OPPENHEIMER BY LT. COL. LANSDALE

12 SEPTEMBER 1943

"I: Well the thing I've been thinking very considerably about my earlier conversation with you, then Colonel Pash's memorandum to me of his conversation with you.

"O: Well, the history of that--I spoke to Johnson briefly and I heard quite a little bit about the chain...about the nature of the fuss that Lomanitz was making, and I thought it might be a good idea if I talked to him. I thought I might be able to talk him out of some of this foolishness so I asked Johnson for permission to do that. I had a rather long discussion with Lomanitz which I should describe as pretty unsuccessful, or at least only partially successful. And, of course, Johnson had expressed the opinion that he was dangerous and why, and that Pash ought to be brought in on it. So I told Pash some of the reasons why I thought it was dangerous and I suppose that is probably what you mean.

L: Well, now, I want to say this--and without intent of flattery or complimenting or anything else, that you're probably the most intelligent man I ever met, and I'm not sold on myself that I kid you sometimes, see? And I'll admit freely that at the time we had our discussion at Los Alamos I was not perfectly frank with you. My reasons for not being are immaterial

now. Since your discussion with Colonel Pash I think that the only sensible thing is to be as frank with you as I can. I'm not going to mention certain names, but I think that you can give us an enormous amount of help, and as I talk you will realize, I think, some of the difficulties that have beset us.

O: There are some I think I know already.

L: That's right. Now, I will say this, that we have not been, I might say, asleep at the switch, to a dangerous extent. We did miss some things, but we have known since February that several people were transmitting information about this Project to the Soviet Government.

O: I might say that I have not known that. I knew of this one attempt to obtain information which was earlier, or I don't, I can't remember the date, though I've tried.

L: Now, we have taken no action yet except with respect to Lomanitz.

O: Are they people who would be in a position to transmit substantial information?

L: Yes, I'm so informed, I don't know personally, of course.

O: Well, Lomanitz by virtue of being a theoretical physicist would probably have a rather broad knowledge of the things he is working on.

L: I get the impression that Lomanitz has a broad knowledge of the theory of what you're trying to accomplish probably, but apparently a rather limited knowledge of the practical

manner in which it is being done.

O: That's right.

L: Now, which is the most important to transmit?

O: There are two things which seem important to me.

One is the extent of the interest of this country and the nature of the commitment, and the probable time scale. Second, it would be important to transmit when the situation is suited to the Russian industrial machines, which I think maybe we don't have at all.

L: All right, now I'll tell you this. They know, we know they know, about Tennessee, about Los Alamos, and Chicago.

O: And the connection of all that?

L: And the connection. We know that they know that the method, I may state it wrong, that the spectrographic method is being used at Berkeley. They know, of course, the method involved. They know that you would be in a position to start practical production in about six months from say February, and that perhaps six months thereafter you would be in a position to go into mass production. Now you and I know, of course, how accurate those figures are.

O: All I know is ...

L: When they were reported to Pash, they may have been shaded one way or the other. Now, that is the substance of what they know. Now we, of course, have acted. The people who are responsible for this thing have been willing to take

some risks in the hope of some return. It is essential that we know the channels of communication. We never had any way of knowing whether we have--whether the ones we know about are

O: Are the main ones.

L: Are the main ones, or whether this market will change them from time to time and so on.

O: This information which has been transmitted has not been transmitted to the Consulate or ...

L: Well, all we know is that it's gone through several hands to the government, some through Consular channels. And, of course, they have many means of transmitting information perhaps you know. The fact that it goes to the Consulate today doesn't mean that it's going to the Consulate tomorrow. The fact that it goes through Joe Doaks today doesn't mean it's going through him tomorrow. Of course, that's our problem.

O: No, the only thing that it does mean is that an effort is being made to get it.

L: I can assure you that there's no question of the effort being made. We know enough to know that. It's not simply the Communist Party, USA off on a frolic of their own. Now, that, of course, presents--I want to get into more specific details later, but that, of course, presents several problems. We know, for instance, that it is the policy of the Communist Party at this time that when a man goes into the Army his official connections with the Party are thereupon

ipso facto severed.

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

L: That is correct. That was just the next point I was coming to. We know that they do that with the Army, and we have strong suspicions that they do the same with any confidential war work. That severance is not a severance in fact. It's merely to enable the person to state without lying, without perjuring himself, that he is not a member, "Oh yes, I was a member but I'm all over that now. I'm not a member, I don't have any connection with it."

O: Well, there are some cases that I know about.

L: In some cases it may be true.

O: That I'm quite clear about--not to pull any punches, my brother has made a severance in fact.

L: Well, we know that he has been a member.

O: Yes.

L: We also know that there has been in recent years no indication that he is still a member.

O: It's not only that he's not a member. I think he has no contact.

O: I know I overwhelmingly urged about 18 months ago

when we started that she should drop social ones which I regard as dangerous. Whether they have, in fact, done that I don't know.

L: Well, I'm quite confident that your brother Frank has no connection with the Communists. I'm not so sure about his wife.

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

L: Now, I don't want you to feel that any of these questions that I'm going to ask you--I'm going to ask you some pretty pertinent and direct ones---are made for any purpose of embarrassing you in any way. It's only that I feel it my duty to.

O: I'll answer them as well as I can.

L: I tried to explain to you my problem, which as you can see is due to the nature of the kind of espionage we're up against, is extremely difficult.

O: Because it's so ramified.

L: It's so ramified, and after all we're dealing with an Allied Nation.

O: And who are the people in the Project at Berkeley, are they former students?

L: I'm not ready yet to tell you. As I say, I'm going to try to --

O: I'm concerned if they are people for whom I have some kind of responsibility.

L: Well, I'm not going to try to fence with you or mislead you at all as I did without success, I feel, to some degree at Los Alamos.

O: Well, I felt there was a lot in your mind, and we were talking around, the conversation was quite clear.

L: It was perfectly obvious that you did read into it more than was stated. Well, however, to refer again to this business concerning the party, those reasons make it clear that the fact that a person says they have severed connection with the party, the fact that they have at present no apparent interest or contact in it does not show where they have unquestionably formerly been members that they are not dangerous to us.

O: I agree with that.

L: That again poses a terrific problem because so many of the people...you know as well as I do how difficult it is to prove Communism. I'm going to discuss yourself with you in a few minutes, and that will serve to illustrate as well as anything some of the difficulties involved. We've got to weigh, we feel, I believe that the first and primary thing to do is to get the job done. That is, the Project completed. Now, if that involves taking some risks, why, of course, we'll take the risks. After all, you are risking your lives and everything else to do this, and everything has to be done with a risk so that we don't want to protect the thing to death. But, therefore, all persons who are essential to the Project in any marked degree, really unless they cease to make themselves useful there's no use talking about severing their connections while they're there whether we believe they're Communists, pro-Nazi, pro-Fascist, or what.

O: I won't agree with that, I mean, I think one has to--

L: You have to weigh, you never know. I mean if you know it's comparatively easy. The only question that remains is whether we shall wait awhile until we take somebody else or how we shall go about it. Shall we try to prosecute him for espionage or shall we just forget about it and weed him out. I mean, you see that once you've made the decision why then the problem is practical. The difficulty is making the

decision. Now, I want to know. In the first place I think we know now who the man that you referred to as approaching the other college project was. I wonder if you feel that you're in a position to tell me.

O: I think it would be wrong.

L: I'd like to discuss with you your attitude on that for a minute.

O: It is primarily this, that this came to me in confidence and the actions taken were negative, the actions of this intermediary were reported as essentially negative, and although it would have been really negative not to have touched it, I feel that I would implicate, so to speak, one fellow about whom, who has initiative would be persecuted.

L: You mean Eltenton?

O: Yes, this is the way it came to me straight.

L: Well now, you see what you stated that he contacted, I believe it was three persons on the Project, and they told him to go to Hell in substance.

O: Although probably more politely.

L: And how do you know that he hasn't contacted others?

O: I don'tl. I can't know that. It would seem obvious that he would have.

L: If you heard about them they unquestionably were not successful.

O: Yes.

L: If you didn't hear about them they might be successful or they might at least be thinking about it, don't you see? Now, you can, therefore, see from our point of view the importance of knowing what their channel is.

O: Yes.

L: And I was wondering, is this man a friend of yours? By any chance.

O: He's an acquaintance of mine, I've known over many years.

L: Well do you, I mean there are acquaintances and there are friends. In other words, do you hesitate for fear of implicating a friend?

O: I hesitate to mention any more names because of the fact that the other names I have do not seem to be people who were guilty of anything or people who I would like to get mixed up in it, and in my own views I know that this is a view which you are in a position to doubt. They are not people who are going to get tied up in it in any other way. That is, I have a feeling that this is an extremely erratic and unsystematic thing.

L: Here is, I want you to in no derogatory way understand my position again.

O: Well...There is a very strong feeling. Putting my finger on it I did it because of a sense of duty. I feel justified...

L: Now, here is an instance in which there is an actual attempt of espionage against probably the most important thing we're doing. You tell us about it 3 months later.

O: More than that, I think.

L: More than that. When the trail is cold it's stopped, when you have no reason not to suppose that these cases which you hear about are unsuccessful, that another attempt was made in which you didn't hear about because it was successful.

O: Possibly. I am very very inclined to doubt that it would have gone through this channel.

L: Why?

O: Because I had the feeling that this was a cocktail party channel. A couple of guys who saw each other more or less by accident.

L: Well, people don't usually do things like that at cocktail parties, I know. All the stuff that we've picked up has certainly not been at cocktail parties.

O: Well, that's where...I don't know, there may be many many other channels besides Eltenton, and I would assume that there would be, but I have the feeling that Eltenton's suggestion to this fellow was whether he was willing to do this, was really a potential suggestion and not a systematic one.

L: Well, I don't want to draw this out unduly, but I want to examine that proposition for a few minutes. Why would Eltenton working for the Shell Development Company be interested

on a frolic of his own, as it were, in trying to find out for the Soviet Government what's going on?

O: I don't think it was a frolic of his own, but my answer is that he worked in Russia for five years...and had some contacts.

L: That's right, so what I'm getting at is this--he unquestionably was asked or directed.

O: Depending upon the point of view.

L: To see what he could find out.

O: I would think so.

L: Which would mitigate against any conclusion that this attempt here was a mere casual thing.

O: No, I don't think, I mean let me put it this way. The reason I mentioned Eltenton's name was because I thought it was likely that Eltenton would persevere in this. But the reason I mention no other names is that I have not felt that those people would. That they were all just accidental.

L: Now, I don't want these names of the people who were contacted or the person who contacted them. Let's stick to the persons that were contacts. To do anything to them because it's perfectly evident to me that they sure as hell would never come tell you about it if they were going to do it.

O: Yes, that's right.

L: Now, while I would like to have those names very

much it's not as essential as that we know the contact. Because I think, there's one channel, of course, there's other channels, we know of. We don't know that one. Now we've got no way of knowing whether the ones that we've picked up or the names that I know of are identical with this man. Now, that's a simple reason why I want that name, and I want to ask you pointblank if you'll give it to me. If you won't, well OK, no hard feelings.

O: No, I've thought about it a good deal because Pash and Groves both asked me for the name, and I feel that I should not give it. I don't mean that I don't hope that if he's still operating that you will find it. I devoutly do. But I would just bet dollars to doughnuts that he isn't still operating.

L: I don't see how you can have any hesitancy in disclosing the name of the man who has actually been engaged in an attempt at espionage to a foreign power in time of war. I mean, my mind just doesn't run along those channels, and.

O: I know, it's a tough problem, and I'm worried about it a lot.

L: I can understand personal loyalty, yet you say he's not a close friend of yours. May I ask, do you know him as a Communist?

O: I know him as a fellow traveler.

L: You know him as a fellow traveler. Course in our book, membership in the Party is not material, it's whether they follow the party line which is a test.

O: Well, I don't know whether the fellow has or has not in all detail, but he certainly has so far as I know about it in a general way.

L: He is now at the University?

O: I don't know that. That is, I think, I don't know the date on this precisely, but I think it was some time maybe before Christmas of last year that this matter was brought to my attention. I don't know how long it is. There was some talk of his trying to get a job elsewhere...

L: Well, of course, that's the question. Do you now feel you can tell me who it is?

O: I do not now feel that I ought to tell you.

L: In what event would you feel that you should?

O: If I had any evidence or anything came to my attention which was indicative that something was transmitted...

L: Well I'm telling you it is. Right today, I can't tell you the last time information was passed, but I think it was about a week ago.

O: I mean something that there is a reasonable chance is the man whose name I don't want to give to you.

L: Well, of course I--

O: There's a very very strong feeling on my part that I

g15

ought not to.

L: I have no way, of course, of knowing.

O: What I want to say is this--I'm not kidding you and I'm not trying to wessel out. It's my overwhelming judgment that this guy isn't involved. That isn't judgment which is based on hope but his character. If I am wrong, then I am making a very serious mistake, but I think that the chances are very very small.

L: Let me ask you a personal question--you don't have to answer it if you don't want to. Is part of your feeling based on the fact, don't be insulted please, that you don't consider that it would be such a castrophe (sic) anyway for us if they did find it out?

O: That is not my feeling. I think it would be a castrophe (sic) and I made this clear when I talked to Pash. If Russia found out except through official channels. I do not know whether what we are now doing with the British is the right thing to do. I do not know whether it would be right to include Russia and China in that. I think we are now reopening negotiations with the British, in fact that is why I'm here. I don't know whether that is right. That is a very hard and tough question. I am sure that it is wrong for the Russians to find out about those things in any way except through official channels.

L: Well, if you won't do it, you won't do it, but don't

think I won't ask you again. Now, I want to ask you this. And again, for the same reason which implies you're here, you may not answer. Who do you know on the Project in Berkeley who are now, that's probably a hypothetical question, or have been members of the Communist Party?

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

L: Do you recall her name?

O: Yes, her name was Jane Muir. I am, of course, not sure she was a member, but I think she was. In the case of my brother it is obvious that I know. In the case of the others, it's just things that pile up, that I look at that way. I'm not saying that I couldn't think of other people, it's a hell of a big Project. You can raise some names.

L: Did Lomanitz--Was it Weinberg or Bohm?

O: Weinberg. I do not now know, and did not know that Bohm was a member.

L: Well did, you met both Weinberg and Bohm?

O: They came over to Lawrence's office.

L: Yes, I remember that. I think it was General Groves

told me about that. Well anyway did they tell you at this recent meeting that they were members?

O: No, what they told me was the following: That they were afraid that Lomanitz was being forced out because he was active in the union and that their history was also somewhat red.

L: By their you mean the union or Weinberg and Lomanitz?

O: Weinberg and Lomanitz. That they felt that they, as they put it, would also be framed and they asked my advice as to whether they should leave the Project. That is what they came to discuss. I said in my opinion Lomanitz was not being framed, that if they were fulfilling three conditions I thought that they should stay on the Project. The conditions were first, that they abided in all strictness all of the security regulations; second, that they had no political activity or contacts of any kind; and third, that they.....

L: Now why isn't that--can you tell me the names of anyone at Los Alamos that have been or are now Party members?

O: I can't tell you the numbers of any who now are, but I know that at least Mrs. Serber was a member. She comes from the Leof family in

L: The Leof family in Philadelphia.

O: And I know that my wife was a member.

L: That was a long time ago.

O: Yes--you haven't found out a lot about my wife.

L: Well we might have missed some points. We were fairly confident that she's not a member now, although she was years ago for a very brief time.

O: Yes, she was a member for a very brief time. She was married to a fellow who was working in Youngstown and was killed in Spain.

L: Was that your wife's first husband?

O: I believe she had an early marriage which was annulled, a very nasty fellow--she has told me very little about it, but I think he was quite talented a musician.

L: Well I'm really not concerned much with that. She's a very attractive girl I think.

O: I feel I shouldn't hesitate to say these things.

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

O: I think it possible, but I don't know.

L: How about Mrs. Woodward?

O: I don't know. I don't know them very well.

L: Do you know of anyone who came from Berkeley down there with you, by with you I don't mean the same time, of course, who were members of the Party?

L: I'm afraid I can't give you any names.

O: No, there was a whole group of people of whom I would be rather astonished if any of them were. Allison, Frankel, Miss Roper.

L: How about Dave Hawkins?

O: I don't think he was, I would not say so.

L: Now, have you yourself ever been a member of the Communist Party?

O: No.

L: You've probably belonged to every front organization on the coast.

O: Just about.

L: Would you in fact have considered yourself at one time a fellow traveler?

O: I think so. My association with these things was very brief and very intense.

L: I should imagine the latter anyway.

O: It was historically quite brief and quite intense, and I should say I was

L: Now I have reason to believe that you yourself were felt out, I don't say asked, but felt out to ascertain how you felt about it, passing a little information, to the party.

O: You have reason?

L: I say I have reason to believe, that's as near as I can come to stating it. Am I right or wrong?

O: If it was, it was so gentle I did not know it.

L: You don't know. Do you have any one who is close to you, no that's the wrong word, who is an acquaintance of yours, who may have perhaps been a guest in your house, whom you

perhaps knew through friends or relatives who is a member of the Communist Party. By that I mean---

O: Well, my brother, obviously.

L: Well, no, I don't mean him.

O: I think probably, you mean someone who just visited for a few hours.

L: Yes.

O: Yes, certainly, the answer to that is certainly, yes.

L: Well, would you care to give me any of their names?

O: There is a girl called Eldred Nelson.

L: Suppose I've got a bunch of names here, some of them are right and some of them are wrong, you don't mind treating it that way do you?

O: No.

L: Did you know William Schneiderman?

O: I know who he is. He's the secretary of the Communist Party. I've met him at cocktail parties.

L: You have no real personal acquaintance with him?

O: No.

L: Do you know a fellow named Rudy Lambert?

O: I'm not sure, do you know what he looks like?

L: No, I've never seen him. He's a member of the Party.

Do you know a Doctor Hannah L. Peters?

O: Yes, I know her quite well.

L: Do you know that she's a Communist?

O: I certainly knew that she was very close. I did not know she was a member.

L: You don't know what her position in the party is?

O: No, I didn't even know she was a member.

L: Do you have any more than just an acquaintance with her?

O: Yes, I know her quite well. Her husband is on the Project.

L: How about a fellow by the name of Isaac Folkoff?

O: I don't know. I knew a Richard Folkoff who was a member of considerable importance.

L: How about a man by the name of Steve Nelson?

O: He is a professional party member, he's an organizer.

L: Did you know him well at all--under what circumstances did you know him.

O: He was a friend of my wife's former husband who was killed in Spain. I have a thoroughly unprofessional acquaintance with him.

L: How about Haakon Chevalier?

O: Is he a member of the party?

L: I don't know.

O: He is a member of the faculty and I know him well. I wouldn't be surprised if he were a member, he is quite a Red.

L: Do you know Alexander S. Kaun?

O: I know him, in fact I once rented a house from him

about 7 or 8 years ago, but I never had any more relations with him.

L: Do you know whether he is a member?

O: No, I don't. I know he's a member of the American Soviet Council.

L: How about a girl named Jean Tatlock?

O: She is a close friend of mine, and I'm certain at one time she was a member of the party.

L: Whether or not she is now or not?

O: I would rather doubt it, I know she dropped out at one time and I rather think she probably still is.

L: How about a man by the name of A. Flaniger?

O: I know who he is, I've never met him but I've heard stories about him.

L: Do you know who he is?

O: No.

L: Is he a professor?

O: I don't know, I know he was a graduate student at Berkeley at one time. General Groves asked me about him.

L: Oh, he did.

O: I don't know anything about him.

L: Now have any of these people that I've mentioned ever said anything to you about your work? Snyder, Nelson, Peters, or Folkoff?

O: Well, I think, let's see, I don't know what words to

use. Obviously Hannah Peters because there was some question of their going to Los Alamos, and I am really rather surprised that she is a member of the party. They have only very recently gotten their citizenship.

L: What was her original nationality?

O: German.

L: Cigarette?

O: No, I'll smoke my pipe.

L: Did you say there was some question of them going to Los Alamos?

O: Yes.

L: About when was that?

O: I would think that November would be a good guess on that.

L: Have they ever been employed on the Project?

O: Peters is on it now.

L: Oh, he is on it now?

O: As a matter of fact the reason he didn't come was that Lawrence agreed to his release and then at the last minute changed his mind. He's quite a good mathematician.

L: Now I want to ask you to go back to Lomanitz. You told me when I was down there that when you broke the subject to, what do you call him, Rossi?

O: Rossi.

L: Rossi, When you first broke the subject to him about

going on the place you stated that he was uncertain, he came up to your house and did what you characterized as a good deal of soul searching. I would like to know whether that soul searching or discussion of his own feelings had any relation to his work in the Party.

O: None whatever, I did not know he was a member of the party.

L: Until just recently.

O: Yes, and I knew he was extremely Red, but frankly I thought he was a member of the Trotskyite faction.

L: Which would ipso facto prevent him from

O: Being a member of the Party. That's what I thought at that time. What he said he wanted at that time was to be a soldier and be one of the American people in that way and help to mould their feelings by being a soldier, and wasn't that more worthwhile than working on this project. I told him he obviously had a lot of talent, he had training that he was throwing right away and that if he could make up his mind and it was a clear cut decision to use himself as a scientist and nothing else, that then that was the right thing to do.

L: Now what led you to exact from him a promise, or to make the condition of giving up political activities?

O: Because he had distributed leaflets and because it was just generally obvious that he was a member of the union and radical societies.

L: Now, you have stated to me and also I think to General Groves that in your opinion membership in the party was incompatible with work on the Project from a loyalty standpoint.

O: Yes..

L: Now, do you also go so far as to believe that persons who are not actually members but still retain their loyalty to the party or their adherence to the party line are in the same category?

O: Let me put it this way. Loyalty to the party, yes, adherence to the party line, maybe no. In that it need not necessarily, although it often is, be the sign of subservience. At the present time I don't know what the party line is in too much detail, but I've heard from Mrs. Tolman, Tolman's wife, that the party line at present is not to discuss post war affairs. And I would be willing to say that anyone who, well let me put it this way, whose loyalty is above all else to the Party or to Russia obviously is incompatible with loyalty to the United States. This is, I think, the heart of it. The party has its own disciples.

L: Now, I was coming to that. I would like to hear from you your reasons as to why you believe, let's stick to membership in the Party, is incompatible to complete loyalty to the Project. When, to state something a little bit foolishly membership in the Democratic Party certainly wouldn't be.

O: It's an entirely different Party. For one thing...I

think I'd put it this way. The Democratic Party is the framework of the social customs...of this country, and I do not think that is true of the Communist Party. At least, I think that there are certainly many Communists who are above all decent guys, but there are also some who are above all Communists. It's primarily that question of personal honor that I think is involved. I don't know whether that answers the question but my idea is that being a Democrat doesn't guarantee that you're not a floor-flusher (sic) and also it has no suggestion just by virtue of your being a Democrat that you would think it would be all right to cheat other people for a purpose, and I'm not too sure about this with respect to the Communist Party.

L: Let me ask you this--how in your opinion would the Communists engaged in espionage on this Project transmit their information. I want to ask it by a question. Would it be necessary for them to pass it in writing?

O: To be effective. It depends, I mean gossip could be effective but it could only be effective on the first sort of thing we talked about, namely, the extent and purpose and dates of the Project and how many people were involved, where they were involved, and if it were hopeful or not and stuff something like that. But if it were going to be anything of a technical nature well, I won't say it would be impossible but it would be very difficult to find a method of transmission which would

preserve the technical details without having some of it written down.

L: Do you have any real knowledge of the methods used in the Party for the transmission of information?

O: No, I certainly don't.

L: Such as their ordinary industrial espionage.

O: I didn't know there was any. I'll put it this way. I would assume that it existed because of their policies, but I couldn't know it existed because I'm not in the Party. Why do you look so worried?

L: Because I'm not getting anywhere.

O: Well, you're getting, except on that one point, I think that you're getting everywhere that I can get you.

L: Let me ask.

O: I do not know, and let me just make it simple. I have never been involved in and I do not know anything about this Communist business. If there is such an effort, and I assume there might be, I would assume that it might be very different in different parts of the country, I don't know.

L: Do you feel that anything like this would be run by Party headquarters or by the Soviets themselves?

O: I don't know, my general feeling is that the Soviets are too hardheaded to trust it to an organization which is as fly by night as the Party. But I don't know. That is, you understand Eltenton is also known to me only as a fellow traveler

and I see him around a lot of places where I was, and I can't from that assume that his...were pretty left wing and I know he was in Russia. I do not know whether the initiative for what he was doing came from himself or if it was something that he was told to do or something that he was ordered to do.

L: Well, the fact that he would do it would indicate that he was much more than a fellow traveler.

O: Well, I'm saying that now. But my initial information.

L: Well, try to put yourself in our position.

O: All right Lansdale.

L: You're confronted with this situation. You've got a few men that you know are actually doing it. You've got a few other men who are associated with them closely. You can assume that if they're engaged in an organized attempt, they're around proagandizing the party. That any two or more of several people who are engaged jointly in this enterprize are not going to be seen together. Now, with the idea also you know what you have been able to pick up that you haven't got everybody. Now, the only thing we've got to go on are peoples' associations and prior activities. All right, now to use an illustration which is personal but not pointed, you get my distinction, we've got the case of Dr. J. R. Oppenheimer, whose wife was at one time a member of the party anyway, who himself knows many prominent communists, associates with them who belongs to a large number of so-called front organizations

and may perhaps have contributed financially to the party himself, who becomes aware of an espionage attempt by the party 6 months ago and doesn't mention it, and who still won't make a complete disclosure. Now, I'm giving yourself, because by doing that I'm not giving you information about anybody I don't want you to know anything about, and I may say that I've made up my mind that you yourself are OK or otherwise I wouldn't be talking to you like this, see? Now.

O: I'd better be - that's all I've got to say.

L: Well, that's my idea. Now, what are we to do in a case like that. There are a good many people on this Project who are somewhat in the same position, who we have every reason to believe have been party members, who are certainly not now whether for technical reasons or whether actually, who certainly retain their, shall I say their feeling for the common man which probably led them to the Communist Fold in the first place. Their feeling that all is not right with the world, and what Wilkie calls the palace on the hill surrounded by the mud huts is all wrong. Now, what attitude are we to take towards these people. What is our position. Here we are, we know that information is streaming out from this place every day. We know about some of it, how much of it is there that we don't know about.

O: Places other than the West Coast?

L: Sure, we know that definite efforts are being made to

find out, they wouldn't be going to those efforts unless they really wanted it. Now, what shall we do. Shall we sit back and say well, My God, maybe the guy recanted, maybe he isn't at all.

O: Hard for me to say because of my own personal trends, and as I say I know that the Serbers afford a good illustration of this I would hesitate to say to a strangerabout another closeup....person whose history was the same as that of Mrs. Serber's, sure she's all right but I know the Serbers and I am confident of them. Now I have worked on rather a personal basis. I don't know the Woodwards are members, I did not know that until General Groves mentioned it the other day that there was some question of it. I feel that in the case of the Serbers I could understand that very well. But I just don't know in a general case, it's impossible to say. I don't know any of these people in Berkeley, I don't know Weinberg or Lomanitz well enough to swear

L: Why is he moving heaven and earth to keep out of the Army?

O: He told me that he thought he was being framed, and I said I think that's nonsense why would you be framed, and he said, "Well, part of the general schememaybe they're after bigger game than the Party".

L: Did you ask him what the bigger game was?

O: He said he thought you were after the Union.

L: We're not.

O: Well, I suggest you keep your eyes open.

O: I persuaded him, I think, that he should not try to stay on the Project there.

L: He's gotten notice of his induction on the 20th of September. Well, suppose we tell you, and I'm not telling you now, of course, for the sake of illustration which is way off the beam, intentionally so, say we told you that Backus (Bacher ?) was unquestionably a member of the party, at least up until a short time before he came on the Project and he's one guy we don't have anything on, would you concur in his removal?

O: Just on the basis of his having been a member?

L: Just on the basis of his having been a member of the party.

O: That's pretty hard to say. I would try myself to get some information about him from people in who we could have confidence. I wouldn't take it on the face of that until I saw what it looked like. Because Backus (Bacher ?) is a pretty valuable man and assuming the fellow is

L: Yes, that's the reason I used him as an illustration. How close are you to members of the party? Are you close enough to get any information from them?

O: Well, in a way at Berkeley I could. I don't think I could get information about this business. But I think I

could get information about who is doing what.

L: Could you get information about who is and who isn't a member of the Party?

O: I don't know whether I could now. At one time I could have. I never tried to.

L: Would you be willing to?

O: Not in writing, I think that would make a very bad impression.

L: No, not in writing.

O: I don't know anyone at Los Alamos who could give information of that kind. I could get partial information.

L: Do you think that you'd be in any position to be of assistance in uncovering the ramifications of this case?

O: It would obviously depend a hell of a lot of where it was.

L: Well, I was coming to that on the next question.

O: I think it's like this. I think that my being at Los Alamos very seriously interferes with their actions there, but I wouldn't want to give a general answer. I wouldn't want to say no in a general way; and I can't very well say yes in a general way.

L: My next question which you have already partially answered is wicked, and you've answered at least that you probably would if you were persuaded, but you wouldn't want to.

O: That's it. That isn't my business at all.

L: It's not your business and I don't think you ought to be asked unless...

O: Unless it would be a desperate attempt.

L: Well, we have of course my job operatively is to try to prevent the escape of information, and of course since that is my job, although this project is only part of it, it probably looms larger in my daily problems of course than it does in yours. You have other things to worry about and you ought not to have to worry about this. And the only reason you are being worried about it is because you do have some information. Now I say this that we have been fairly sure for a long time that you knew something you weren't telling us.

O: How did you know about it because I wouldn't have known. How did you know that?

L: Well, you don't mind if I don't tell you. It wasn't anything you did or said. And don't you think, I'm coming up on the other beam now, don't you think that you'd be a whole lot happier and have a whole lot less worries if you were in the position of having told us everything you know about it, that could possibly help us, and then forget about the whole damn thing, and not be bothered anymore.

O: I would be bothered by thinking it was something I shouldn't have done. I mean I've told you technically everything except this guy's name.

L: You haven't told me his name. Now I don't, if your

description of your relation with him is so, I'm in an extreme quandary as to whether I know him or not and here we've gone to great risks to try and button this whole thing up, and it's perfectly obvious that here's a big hole in our net that we haven't stopped.

O: I don't know how much you've got, but it seems to me that you want me to give you more information about many others who are not involved. You may have it I don't know.

L: For instance, I don't follow you.

O: Well, it seems to me that the essential position you have - Eltenton for instance.

L: Oh, sure. You know the way these things operate. You have one guy here, we'll call him the master spy, he has a lot of people.....he may have more people working on the same thing all unknown to each other, and they may each have others. That spreads out. They may have missed on these three men that you mentioned. Let me ask you this question. How did this intermediate contact happen to go to these three particular people?

O: I would suppose it was because the way it was told to me, he was told to. It was well the relations between Russia and the U.S. are not what they ought to be and we are not giving them half of all of our technical information that is important for an alliance. They know about as much as they can, they're working at great odds and so on. Well, I suppose

he picked people who might be susceptible to that approach.

L: In other words people who were apt to be sympathetic to Russia?

O: That's right.

L: Who were apt to feel that the State Dept., or whoever was responsible was rapidly leading this country into the position of making a break with the Soviet Union, when it was to the enormous interests of this country and if not to the USSR that we maintain the most cordial relations.

O: I would think it might be.

L: Now, are these three people to your knowledge members of the Party or have been?

O: No.....No.

L: Are they in the category of what you would call fellow travelers?

O: I actually don't know except in one case where I would say he was a fellow traveler.

L: Now, why did they come to you?

O: I suppose for two reasons; one, because I was more or less responsible for the work, and two, because they thought I wouldn't hit the roof over it. I might say I did.

L: I know, of course, that you probably have administratively the best running outfit, in the Project, and that it's largely because of the intense personal loyalty which you seem to be able to inculcate in the people that work for you.

O: I have my troubles.

L: Yes, I can imagine you do. I can see one of the reasons for it--they stick by you and you stick by them, which after all is the secret of obtaining people's loyalty.

O: I do have my troubles.

L: Let me skip to a slightly different subject. Do you know anything about any difficulties at the Metallurgical Laboratory? Administrative difficulties?

O: Yes, I do.

L: What do you know?

O: I don't know very much, I don't know nearly enough about them to be of any use.

L: Do you know anything about the incipient, I guess more than incipient, intramural organization, you might say?

O: I know about it. Allison told me about it last time I was there. I do not know of a single member of it. I know nothing about it except what Allison told me which was that there were too darned many jews on it.

L: How do you feel about any intramural organization like that?

O: Personally, it doesn't bother me so much although....

O: It is not dangerous in the sense in which the enemy is...how it came into all this because of the fact that the FAECT is organized on this Project, that I know that one of its most zealous members is Eltenton, and I was frankly afraid

that I was being used or might be used for the provocation of leaks, that is the reason why I spoke of these things.

L: Do you know how close the heads of that union are to the Party?

O: Which union?

L: The FAECT.

O: No, I don't. I don't even know who the heads at Berkeley are. I met once the International vice-president, or whatever he was called, Scheres, but I do not know whether he was a party member or not.

L: And you just don't know anything about any party activities in connection with that?

O: No, I would somewhat doubt whether there were any, but I don't know.

L: Of course, you now know that Weinberg and Lomanitz are both members of the Party and members of the union.

O: I didn't know Weinberg was a member.

L: Well, as a matter of fact, I don't either.

O: I had a feeling of surprise ...

L: He's probably mixed up. He's close to Lomanitz who unquestionably is a member.

O: Well, that's certain. Lomanitz said to me that he had been very active.

L: And, of course, nobody can be very active in the union and do the union any good or offer anything unless they

do know considerable about the work that's going on.

O: I feel that any place like this Project should not be unionized ... I know nothing about the Chicago thing except that it was being a great headache to my good friend Allison.

L: Do you know of any action to prevent the unionization?

O: In Chicago or at Berkeley?

L: No, at Berkeley. I'm talking about Berkeley. These intramural things don't bother me, I mean I've got nothing against unions as such, and as long as its an intramural affair why then it can't have the effects. I mean I don't care whether they demand higher wages.

O: The union at Berkeley I don't think is getting very far.

L: I don't seem to make much progress, but I certainly try hard. Well, they've got to know all of the people who are working on the damn thing.

O: It would seem to me that this may strike you as being a very foolish thing to do, and I don't want to do it if that's the case. If I were in your shoes I would ask to speak to the or counsel or executive committee or whatever they have in that including the officerw if possible. Also, who was instrumental in getting it started and I would make a rather clear and helpful expose of why it was an undesirable thing. I'm sure that it would have a very great effect. You might not be able to do it, and if you can't Fidler can do it for

you, and maybe some civilian could do it for you I don't know, but I mean, let me put it this way--if the word gets started at Los Alamos I shall go to the boys and talk to them, I shall tell them some of the reasons which Whether that would be helpful at Berkeley or not I don't know.

L: I don't think we can get Lawrence to do it.

O: No, maybe you can't. And then of course there are some advantages that are of interest to...

L: There are some advantages to what?

O: To having a Red history like mine.

L: So they know that you're not anti-union.

O: So they know that I'm not a banker or ---

L: Well, of course you're right, you're perfectly right, they know from your past history that whatever anyone might say about you, you're certainly not anti-labor.

O: Well, I was only trying to say that if I were at Berkeley now, as a matter of fact it wasn't my business, but I did try to discourage the FAECT. It was getting started before I left Berkeley, but that was in the form of talking to other people, my brother, and one or two others, and saying this looks like a bad thing. I did nothing at all deliberate about it.

L: Can you tell me any more, did Weinberg, it was Weinberg and Bohm who came to you, wasn't it?

O: Yes, they came to me in Lawrence's office.

L: Yes. Did Weinberg and Bohm say anything? What did they say about the Party?

O: They didn't say anything about the Party.

L: They didn't? Did they talk about the Union?

O: They talked, well they didn't even talk about the union. They talked about, I think I've given you a fairly good, I don't know what they might have said if we had met in the woods some place, but we met after all where there were two secretaries in the room.

L: Oh, they were there.

O: I don't know whether the door was closed or not, but it was extremely open interview. I saw Lomanitz more or less, well I saw him first at one of the offices of a man and we walked out to telegraph ..., but his discussion was a little bit more uninhibited than the others. These two fellows were concerned with only one thing--they said they had worked closely with Rossi, they thought he was a good guy and that they thought he was being framed for his activities in the union and his political sympathies, and they thought that because of this they were also in danger of such a nature that they should get out of the Project into some other useful work or were they likely to be treated in the same way.

L: Now let me ask you this. From what you stated to them, if they were in fact not fulfilling the conditions which you mentioned to them, which you said to them would have been

tantamount to telling, then if you are doing that you'd better get out.

O: Yes.

L: That is correct, isn't it?

O: Yes, that is if they were violating any of the three rules which meant active in Union, maintaining any contact with Reds, not maintaining discretion, they were useless in the Project.

L: Now, you still don't want to tell me that name?

O: Not if I can help it.

L: What, is there anything else that you believe you can tell me that could give us any assistance?

O: Let me walk around the room and think.

L: Sure, it's getting warm isn't it?

O: I have been thinking about this. I can tell you that I doubt very seriously whether (I don't know Bohm very well), I doubt very seriously whether Weinberg would do anything along the lines of what we were talking about. I

L: Well, do you base that on his character or what?

O: Yes. I should have told you before, but I have told you since, no I haven't, but I will tell you now, you said that Mrs. Peters was a member of the Party. I do not know whether her husband is or not, but I know that he was in Germany, and that he was actually in prison there and I also know that he has always expressed a very great interest

in the Communists, and I think whether he is a member or not would perhaps partly depend on whether he was a citizen or whether he was working on a war job. That is, it may just have happened that he has had no period where he could be and that he would otherwise be.

L: Is his wife also German?

O: Yes.

L: How recently did they come over here?

O: I don't know, they were in New York for some time, I met them first, oh, it must be 4 or 5 years that I met them first, they had been in California some time before that. I believe that they came over very early because immediately after Mr. Peters was imprisoned in Dukon (sic - Dachau) then he escaped, at least that's the story that I have heard from more than one person and that she was .. and they tried....

L: By the way, what was your wife's husband's name that was killed in Spain?

O: Dallet, I never knew him.

L: You never knew him.

O: He was a big shot in the Party....I have heard that....

L: Great for sentiment those boys.

O: Oh, they were. Those that went over there were I suppose ... I've met two other people, one was a young man called Thompson who was working in San Francisco...

L: Let me ask you a question, I don't want to draw this

out unduly, I know you're busy.

O: Well, you're having trouble.

L: But you see, that I'm in, you might say mental difficulties over this thing. I feel I have a heavy responsibility and I'm trying to find out everything I can that will help.

O: I would warn you, you see that the fact that there are some people attached to the Communist machinery, who may, or maybe not attached, who may be guilty of passing but it's a hell of a bad reason for suspecting everyone.

L: Of course, of course. For the same reason that it's a hell of, if you're just out for who are Communists and who isn't it's a hell of a bad thing to say well everybody who is a labor union man or everybody who hollers for a second front or some of the other things which so happen to be same things that the Commies are interested in, to say they're Commies. Of course, many people, we have to guard against them all the time who want to say just that and of course it's just damn foolishness. At the same time we're presented with a thing of such terrific importance that....

O: I think it is in a sense of business and loyalty a terribly serious thing. I have not felt that this information in the hands of the Russians was likely to be dynamite in the way of action because of the fact that that....because they're so tied up with the Nazis they wouldn't know what to

do with it.

L: There's something I want to ask you about. Do you believe the Russians having this information would have any greater effect than perhaps, I might say, guiding their foreign relations regarding how far they would be willing to go to hold the friendship of the U.S., let us say. Of course....

O: I think it's like this, I think that once the pressure on Russia is reduced to such that they can turn to.....that they like any other great nation would probably turn to working on this. I think that at a time like that that any information they had gotten about what we are doing would certainly have an influence, but I don't know, I somehow don't see how in the present war.

L: In other words, you question seriously the whether any serious effects could come of this. We're not interested in the answer to that question. For instance I don't give a damn whether Hawkins or Peters or anybody are working on this thing because they think it's a chance of a lifetime to learn physics or whether they supremely ambitious to see this thing completed above all else, or whether they're doing it because they want to give it to their country, or because they want to win the war because they're against Germany and for the U.S., I mean, the question really, and practically is not material.

O: Well, information going to Russia is a very serious

thing even if that information is not used in Russia because we have no control over what happens to it.

L: And they may make a separate peace.

O: I don't think for this reason that it's a minor point by any means. I don't personally have the feeling that they're working on it.

L: There's this thing to be considered, dealing as we must with possibilities--they may next months or two months from now make a separate peace with Germany.

O: I don't think that is utterly impossible. I've thought about it a great deal.

L: And put themselves in precisely the same position they were in when they precipitated the European War by making an alliance in 1939. When they did that they did everything in their power in a neutral way to help Germany. You might also go so far as to say that they followed a state of non-belligerency of Allied non-belligerency where they did everything in their power to further strikes and sabotage in this country and propagandize to prevent this country from getting into a position to defend itself.

O: I may say that I never understood that policy. Even from the point of view which I think is right; namely, that the intent of Russia is to make a strong Russia. I just don't see the point...

L: Now, can I ask you one more theoretical question. Do

you have any, did you ever arrive at any conclusion as to what peculiar psychological trait, or what advantage held out makes native born Americans of three generations stock go wild, be members of the Communist Party and act in the sole interest of Russia as distinguished from the interests of the United States?

O: It could be a lot of things, but there have been examples of this strange loyalty to instructors (?) which you might call treachery...It was certainly true in religious wars and I think also during a period in which your emotions or a rather similar situation...where people...There was tremendous opposition to this revolution. Remembers the Jacobins? And I think that (sic)

L: You mean allegiance to the church accomplished the same thing as allegiance to Russia?

O: It's not quite the same.

L: It's more or less of a religious aspect.

O: I think that the one thing that I was trying to say was that a lot of these people join the Party and would seem to have no reason to do so, do so out of a very deep sense of right and wrong which does not express itself...it's a combination of religious temperament and actual relations...that probably comes closest to it.

L: Have you ever read any of Ruth McKenny's stuff?

O: I've read one novel.

L: Did you ever read Jake Home?

O: No.

L: She continually speaks in that novel of the central character feeling the call, much as you might refer

O: To an Evangelist.

L: To an Evangelist or a minister.

O: There is something like that involved, and some of the people who are on that list that you read me or who I know well have a very deep fervor.

L: But I can't understand, here's the particular thing about it. They are not adhering to any constant ideals.

O: No, I more or less feel.

L: They may be adhering to Marxism, but they follow the twistings and turnings of a line designed to assist the foreign policy of another country.

O: This conviction that makes it not only hysterical but...I think absolutely unthinkable. My membership in the Communist Party. At the period in which I was involved there were so many positions in which I did fervently believe, in correctments (sic) and aims of the party...at that time...

L: Can I ask you what period that was?

O: That was at the time of the Spanish War, up to the pact.

L: Up to the pact. That is the time you broke you might say?

O: I never broke, I never had anything to break. I gradually disappeared from one after another of the organizations. I didn't like the way some came out and wrote letters to the Republic saying they had seen the light, and I had some personal loyalty involved...and too some of these organizations which I may say all pretty well cracked up.

L: Yes, they certainly did let them down during that period. I think I've about talked myself down.

O: I wish, Colonel, that I could do what you want, I'm thinking about this specific point you want this information. I can't deny that I could give you that information. I wish I could do it.

L: And don't think it's the last time I'm going to ask you, cause it isn't.

O: I think I believe in what you say that you'd stop asking that question if I answered it.

L: Well, I want to say that personally I like you very much and I wish you'd stop being so formal and calling me Colonel, cause I haven't had it long enough to get used to it.

O: I remember at first you were a Captain I think.

L: And it hasn't been so long since I was a First Lieut., and I wish I could get out of the Army and back to practicing law, where I don't have these troubles.

O: You've got a very mean job and

L: I want you to know that I like you personally, and

believe me it's so. I have no suspicions whatsoever, and I don't want you to feel that I have, and

O: Well, I know where I stand on these things. At least I'm not worried about that. It is however as you have asked me, a question of some past loyalties...I would regard it as a low trick to involve someone where I would bet dollars to doughnuts he wasn't involved.

L: OK, sir.

END AJG

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MR. GRAY: You have concluded witnesses?

MR. ROBB: Yes, sir.

MR. GRAY: Mr. Garrison, I feel it my duty to raise a point with respect to these proceedings upon the conclusion of testimony by witnesses called by Mr. Robb. This has to do with the scope of the Commission letter to Dr. Oppenheimer and the testimony which has been adduced before this Board. You will recall that in your direct examination of Dr. Oppenheimer and in the examination of witnesses called by him, there developed much discussion about matters in which Dr. Oppenheimer participated in the postwar years, which are not referred to in the Commission's letter, and I have in mind specifically as examples the Vista Report, the long range detection problem, various attitudes and statements about strategic offensive air power, some testimony about relative emphasis in the use of this new kind of energy for military purposes as between sea vessels and aircraft, et cetera. These various items are the ones I refer to. I think that I should say to you that these have necessarily and under the circumstances become material to the matters under consideration by this Board.

I think I should say to you that I am quite sure that the Board will not disregard the testimony and other material before it with respect to these matters. I am concerned that there be no element of surprise to Dr. Oppenheimer or to

his attorneys, and I wish to therefore notify you at the conclusion of the evidence which Mr. Robb has presented that these matters are considered material by the Board.

MR. GARRISON: I think the Chairman is quite right and we certainly raise no question of the broadening of the Commission's letter in order to avoid surprise. We make no contention of that sort, Mr. Chairman.

MR. GRAY: I want to be sure I understand it. I believe it was your statement quite early in these proceedings that with respect to these matters there would be no request that the Commission's letter be broadened. I am not sure we were talking about these precise things, but I do remember your making an observation of that nature. I should want to make it perfectly clear that if the Commission's findings ultimately do concern themselves with these matters, among other things, that no one be surprised that that has happened. I want it to be particularly clear.

MR. GARRISON: It is clear.

MR. ROBB: I believe you said the "Commission's findings"; I believe you meant the Board's findings.

MR. GRAY: I am sorry, I certainly did mean the Board's findings.

MR. ROBB: Excuse me for interrupting.

MR. GRAY: No, I am pleased that you did.

May I ask whether you have anything to say with

respect to this?

MR. ROBB: Not at all. We have no objection whatever to the issues being taken in that light. The matter was thought by Mr. Garrison to be material. I am sure it is. Dr. Oppenheimer testified about it, and a number of his witnesses did. I think those are matters which should have been brought to light. I think it entirely appropriate that these issues should be taken to include those matters.

MR. GRAY: Now, Mr. Garrison, I indicated to you the other day that I thought it was likely that the Board would like to put a few questions both to Dr. Oppenheimer and Mrs. Oppenheimer.

I should like now to ask you what you have in mind with respect to anything else you want to offer as attorney for Dr. Oppenheimer.

MR. GARRISON: Yes, Mr. Chairman. We were a little at a loss to know quite how to plan, because in the first place, we didn't know whether the Board itself might want to go into matters further with Mr. Borden. We also understood from Mr. Robb that he might have another witness, and that he would not be able to tell us until late this morning whether he would have another witness or not. So we were a little uncertain whether we would run over this afternoon or not. We tried to reach Mr. Robb at lunchtime and were unable to do so.

MR. ROBB: I am sorry. I could not have told you then.

MR. GARRISON: We want to introduce a limited amount of rebuttal testimony. We have in mind calling Dr. Oppenheimer, naturally. We have some very short testimony to put into the record from Dr. Bush, Dr. Zacharias and Mr. Hill. Mrs. Oppenheimer will be, of course, available when ever you would like to question her. If it would be acceptable to the Board, it would be helpful to us if we could adjourn and commence tomorrow morning. I think we could probably be done by certainly the early afternoon with our rebuttal. Then if you would like to have Mrs. Oppenheimer present for further questioning after that we could do it very easily.

If you would like to put what questions you have to Dr. Oppenheimer we can, of course, do that. The only point is that it would be unlikely to begin rebuttal tomorrow because of the uncertainties of the afternoon and the relative lateness of the hour. Dr. Oppenheimer is available, and he would be very happy to submit himself to your questions if you would like to put some yourself to him.

MR. GRAY: I think we would like to put such questions as we have to him this afternoon. Would there be any chance of getting Mrs. Oppenheimer this afternoon also, because I don't think these would be long appearances, and perhaps we could finish up with that, and then let you start your rebuttal in the morning.

MR. GARRISON: May I speak to Dr. Oppenheimer about it?

MR. GRAY: Yes. We will take a short recess.

(Brief recess.)

MR. GARRISON: Mr. Chairman, I find Mrs. Oppenheimer is not available this afternoon, but will be in the morning. I am now putting in a telephone call to Dr. Bush, so when you are through asking questions of Dr. Oppenheimer, I think we can get him down here on five minutes notice. His testimony will not be long.

MR. GRAY: All right, sir.

Whereupon,

J. ROBERT OPPENHEIMER

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

EXAMINATION

BY MR. GRAY:

Q Dr. Oppenheimer, I think it is probably my duty to remind you that you are still under oath in this proceeding.

A Thank you.

Q I have some questions I would like to ask you, and possibly some other members of the Board will.

I want now to go back to the so-called Chevalier incident.

A Right.

Q I should like to give you something of a summary of what I believe to have been your testimony before the Board.

If it is not an accurate summary in your opinion, or your counsel thinks it is not an accurate summary, I would like to know about it. But on the basis of a summary, then, of your testimony, I should like to ask some questions.

The summary would be this: You said that Chevalier was your friend in whom you had confidence, and that you were convinced that his remarks about passing information to the Russians were innocent. For these reasons, you testified, it did not occur to you for a long time that you should report this incident to the security officers, and when you did tell them about it, you declined to name Chevalier, because you were convinced that he was innocent, and in effect wanted to protect him from the harrassment of an investigation because of your belief in his innocence.

You testified on the other hand that the story of the Chevalier incident which you told to Colonel Pash in August 1947, and reaffirmed to Colonel Lansdale in September 1948, was false in certain material respects. Let me repeat, you testified here that that story was false in material respects. I believe you testified that this story was a cock and bull story, and that the whole thing was a pure fabrication except for the name Eltenton, and that this fabrication was in some very considerable circumstantial detail, and your testimony here as to your explanation for this fabrication was that you were an idiot, and that you were

reluctant to mention Chevalier and no doubt somewhat reluctant to mention yourself.

However, I believe that your testimony indicated that you agreed that if the story you told Pash had been true, it showed that Chevalier was deeply involved, that it was not just a casual conversation, that it would not under those circumstance just have been an innocent and meaningless contaact, and that it was a criminal conspiracy.

In short, with respect to that portion of your testimony I believe you led the Board to believe that you thought that if your story to Colonel Pash had been true it looked like a very unsavory situation, to say the very best about it.

Now, here is my question: If Chevalier was your friend and you believed him to be innocent and wanted to protect him, then why did you tell a complicated false story that on the face of it would show that the individual was not innocent, but on the contrary, was rather deeply involved with several people in what might have been a criminal espionage conspiracy?

Or to put the question in another way, I ask you whether it is not a fair inference from your testimony that your story to Pash and Lansdale as far as it went was a true story, and that the fabrication may have been with respect to the current version.

A Let me take the second part of your question first.

Q Yes.

A The story I told to Pash was not a true story. There were not three or more people involved on the project. There was one person involved. That was me. I was at Los Alamos. There was no one else at Los Alamos involved. There was no one in Berkeley involved. When I heard the microfilm or what the hell, it didn't sound to me as to this were reporting anything that Chevalier had said, or at that time the unknown professor had said. I am certain that was not mentioned. I testified that the Soviet consulate had not been mentioned by Chevalier. That is the very best of my recollection. It is conceivable that I knew of Eltenton's connection with the consulate, but I believe I can do no more than say the story told in circumstantial detail, and which was elicited from me in greater and greater detail during this was a false story. It is not easy to say that.

Now, when you ask for a more persuasive argument as to why I did this than that I was an idiot, I am going to have more trouble being understandable.

I think I was impelled by two or three concerns at that time. One was the feeling that I must get across the fact that if there was, as Lansdale indicated, trouble at the Radiation Laboratory, Eltenton was the guy that might very well be involved and it was serious. Whether I

embroidered the story in order to underline that seriousness or whether I embroidered it to make it more tolerable that I would not tell the simple facts, namely, Chevalier had talked to me about it, I don't know. There were no other people involved, the conversation with Chevalier was brief, it was in the nature of things not utterly casual, but I think the tone of it and his own sense of not wishing to have anything to do with it, I have correctly communicated.

I think I need to say that it was essential that I tell this story, that I should have told it at once and I should have told it completely accurately, but that it was a matter of conflict for me and I found myself, I believe, trying to give a tip to the intelligence people without realizing that when you give a tip you must tell the whole story. When I was asked to elaborate, I started off on a false pattern.

I may add one or two things. Chevalier was a friend of mine.

DR. EVANS: Did you say is a friend.

THE WITNESS: He was a friend of mine.

DR. EVANS: Today?

THE WITNESS: He was then. We may talk later of our present relations. He was then a friend of mine. As far as I know he had no close relations with anyone else on the project. The notion that he would go to a number of project

people to talk to them instead of coming to me and talking it over as we did would have made no sense whatever. He was an unlikely and absurd intermediary for such a task. I think there are circumstances which indicate that there was no -- that there would not have been such a conspiracy -- but I am in any case solemnly testifying that there was no such conspiracy in what I knew, and what I know of this matter. I wish I could explain to you better why I falsified and fabricated.

BY MR. GRAY:

Q Of course, the point I am trying to make with you, and that is the reason for the question I asked, is the inference to be drawn from your motive at the time, as I think you have testified, was the protection of an innocent person, because the story you told was certainly not calculated to lead to the conclusion of innocence on Chevalier's part. These inferences necessarily present themselves.

Let me ask this: First, you heard Colonel Pash testify that as a result of the interview with him in which you indicated that there were three other people involved, he and his associates actually held up orders with respect to an individual who was to transfer to Oak Ridge, I think. Were you aware of that at the time?

A I was not, not until Friday.

Q I think a few moments ago, you questioned whether

you had discussed microfilm in this interview with Colonel Pash.

A Then I didn't make myself clear. I asserted that I had not discussed it with Chevalier or Chevalier with me. When I mentioned to Colonel Pash, it came in the form of microfilm or whatever the hell, that was the phrase, which is not very precise. May I add a point, Mr. Chairman?

MR. GARRISON: Just a minute. You are clear he means the phrase in the recording as it was played?

MR. GRAY: Yes, I understand.

THE WITNESS: May I add a point. When I did identify Chevalier, which was to General Groves, I told him of course that there were no three people, that this had occurred in our house, that this was me. So that when I made this damaging story, it was clearly with the intention of not revealing who was the intermediary.

BY MR. GRAY:

Q Again with respect to Chevalier, can you recall any efforts you have ever made in his behalf with respect to passport difficulties or problems that he may have had? I think you testified about one.

A Yes. I remember that at the time when his wife had divorced him and he was determined to go to France, I recommended counsel to him to obtain an American passport. He had also a French passport, Without discussing it with me, nor

I believe with anyone else, while the negotiations or the effort to secure an American passport were in process, he did leave on his French passport.

Q Is it clear to you that in your visit in the late fall of 1953 to Paris, you did not in any way get involved in Dr. Chevalier's passport problems as of the present time?

A I don't believe I became involved in them. I am not even sure he discussed them with me.

Q You say he did discuss them with you?

A I am not even sure he discussed them with me. I am sure he discussed one point with me at length, which was his continued employment at UNESCO.

Q You don't remember discussing with him the best possible way to get information on his part about a passport, or the way to obtain a passport?

A That could well have happened and I would have referred him to the Embassy.

Q Did you in fact do so?

A If I were sure I would tell you.

Q I am putting some of the same questions to you now, Dr. Oppenheimer, that Mr. Robb put earlier.

A Right.

Q You had luncheon I believe with Mr. Wymans of the Embassy?

A That is right.

Q I believe you testified on the question of Mr. Robb you did not discuss Mr. Chevalier's passport problem with Mr. Wymans?

A No, I saw Mr. Wymans long before I saw Mr. Chevalier; not long before, but well a week before.

Q Have you been in communication with Chevalier since the time you had luncheon with Mr. Wymans?

A Yes, I saw Chevalier after my lunch with Wymans, but not the other way around.

Q Have you been in communication with Chevalier since the evening you spent with him?

A The next day we drove out to visit Malraux.

Q Yes, you testified about that. Have you been in communication with him since that time?

A No. Well, we had a card from him, just for my birthday.

DR. EVANS: When did you get that card?

THE WITNESS: Around my birthday, which was during these hearings. I don't recall this. I could have advised Chevalier to consult Wymans with regard to his passport.

BY MR. GRAY:

Q I am sure that you could have, because I believe it to be true that he did, and specifically stated that it was at your suggestion that he do so. I want again to ask you whether you had conversations with anybody else other than

Chevalier about his passport problem while you were in Paris in the late fall? I think I am asking you, is it clear to you that you did not?

A It is quite clear to me. If -- I believe I saw no one at the Embassy after seeing Chevalier or no one connected with the Embassy.

Q Do you have any guess or knowledge as to whether Chevalier today is active in Communist Party affairs?

A I have a strong, strong guess that he is not. I have no knowledge. His new wife is an extremely sensible, wholly un-Communist girl. The other person we saw together was a man who has become a violent anti-Communist and is now apolitical. I don't have knowledge.

Q The record shows, I believe, Dr. Oppenheimer, that you continued probably until some time in 1942 to make financial contributions which went to Communist causes, with money passing to different people, but among others, Folkoff was one who was known to you to be a Communist Party officer.

A That is right.

Q Did you discuss these contributions with Mrs. Oppenheimer? Was she aware that you were making these contributions?

A I would assume that we discussed everything in our life at that time.

Q Did she make any contributions on her own account?

A I have no knowledge of that.

Q I see.

A I am sure that everything was quite open between us. She has told me that she may have given Steve Nelson some money. She remembers that not as a contribution for a cause, but as something she was giving Nelson for his own use. But I have no recollection of it.

Q If you made contributions as late as 1942, and this fact were known to Mrs. Oppenheimer, it was certainly clear to her at that time, or should have been clear to her at that time, that these funds were going to Communist Party causes because of her previous membership and presumably full awareness of the methods of operation.

A I hate to say so, but I think as to this you will have to ask her. My recollection of her Communist Party experience was a very limited one -- very hard work with the steel union and mimeographing and things like that -- and I doubt whether she was at any time what you would call an expert on how Communists dealt with things.

Q I don't think I have heard suggested at any time that Mrs. Oppenheimer was politically naive. I don't believe that you have made that suggestion, although there has not been much testimony about her, I might say that anything I have read or heard in or about these proceedings would indicate *nothing* other than a pretty full knowledge of what she was about.

I agree with you, however, that some of these questions should be put to her.

I want to go back now, Dr. Oppenheimer, to a portion of your testimony which related to this matter of ceasing political activity by those who came into the active service on the project. I believe you testified that as to some of these individuals, whose names I don't recall at the moment, you told them that they would have to cease their political activities, and you testified that by that you meant making speeches, et cetera.

Now, do you today take the view that ceasing political activity, whatever is encompassed in that phrase, is an adequate safeguard even though you think you know the individual and trust his innocence and loyalty completely?

A Today? No. Well, I think there is nothing better to go on than the judgment of a man, but I am not suggesting that it should not be supplemented by whatever evidence is available as to what the man is up to.

C Let me put a hypothetical question to you.

A Perhaps I did not understand you.

Q Suppose you today had a friend in whom you had the highest degree of confidence as to his loyalty to this country and his discretion and his character; assume further that you could make the judgment to your own satisfaction that this man would never yield in the matter of protecting the security

interests of this country? Incidentally, you happen to have reason that he was a member of the Communist Party. I am asking whether again you would say, well, it depends on the individual.

A Let me first point out an implausibility in the hypothetical question. I would not today suppose that a man who is a member of the Communist Party was now or recently a member of the Communist Party, whatever his other merits, could put the interests of the United States above those of a foreign power. But if we can relax it a little bit and say that I know a man who once was a member or whom I had reason to think was once a member of the Communist Party, and whom I knew well and trusted, and of whom there was question of his employment on serious secret work, I would think it would not be up to me to determine whether his disengagement from the Communist Party was genuine. I would think that at this time investigation would be called for. But I could have a very strong conviction as to whether that disengagement had in fact occurred and was real or whether the man was fooling me.

I would like that conviction to be supported by other evidence. It should be. In other words, I would not act today as I did in 1943 for a whole lot of reasons.

Q What would you consider to be adequate in the way of an act of disengagement? What kind of thing?

A A man's acts, his speech, his values, the way he thinks,

the way he talks, and the fact of his disengagement. The fact that there are no longer any threads binding him to an organization or connecting him with an organization. These would be some of the things. And no doubt his candor.

Q Would you expand on this candor point a little bit because I am wondering whether you are saying that his own statement about disengagement is to be made a primary factor in a determination.

A That certainly does depend on the man. His statement that there was something to disengage from is something I should think would be relevant.

Q Let me turn now to the so-called Vista report about which there has been very considerable testimony and not altogether consistent. Did you in fact prepare a draft of an introduction to Chapter 5 of the Vista Report?

A Yes, I did. It was not a solitary labor. When I got there, I found a mass of drafts, papers and notes. People who had written these were Christie, Bacher, Lauritsen, possibly others. But those were the principal ones. Christie had spent quite a lot of time at Los Alamos quite recently. We went over what they wanted to say and sometimes discussed it from the point of view, did they really want to say it, and were they sure that this was what they wanted to say. I think my contribution to the writing of this was that I -- well, let me back off.

The principal thing they wanted to say was that atomic weapons would be useful in the defense of Europe, in the anti-air campaign, and many other ways that you will know as much about as I do, and that for this to happen, developments of hardware, of tactics, of command structure, of habits of behavior, of exercises needed to be gone into, which would give to our tactical readiness at least a small part of the training and precision which the Strategic Air Force already had. I believe my contribution apart from incidentals to the writing of this report was a notion that occurred very early and I believe has remained in all drafts, and that is still basic to my own views, and that is that this is not a very fully known subject -- what atomic weapons will do, either tactically or strategically, that as you go into battle, you will learn a great deal, and the primary preparation must be of two kinds. First that you have capabilities which allow you a lot of options, which give you choices that you can make at the time, and second, that you be so set up that if your guesses have been wrong, your technical preparations are such that you can change quickly in the course of the battle. If you are wrong about the effect of a bomb on an airfield, if you are not getting away with it, that you can make the proper reassignment of fissionable material and hardware and aircraft to do what is effective. These were the two guiding ideas that I believe I brought into the organization

of the report.

I then with the help of the others drafted a chapter-- either Chapter 5 or its introduction, I don't remember which it was called. It was a matter of some 20 pages, I believe, and had some 20 odd recommendations.

Q Was there in this draft at any stage the suggestion that the United States, this country, should state that it would not use atomic weapons strategically against the Soviet Union until after such weapons had been used against American cities?

A Let me say the best of what I recollect was in there. It is related to the question you asked but it is not identical with it. We said that we were in a coalition with the Europeans and that one of the things which we must be alert to is how the Europeans would view the destruction of their own cities by the enemy. Therefore, we needed to envisage the situation that would occur if we used our strategic air as a deterrent to the destruction of Europe's cities, as well as our own, and in that circumstance there was still a great deal that could and should be done with atomic weapons, and that we should be prepared for that contingency. We did not recommend a proclamation.

Q Was there in the language of the draft at any time a recommendation --

A I believe this is pretty close to the language of

the draft what I have told you. It was not a recommendation that this be the course of history. It was the contemplation of a possible course of history.

Q Did what you recall and what you have just testified to appear in the final document?

A Not in that form, and the reason should be clear from the testimony we have heard. The suggestion that there might be circumstances under which war would not be initiated by the full all-out Strategic Air Command was very disturbing to people in the Air Force, and many other people as well. It was not directly relevant to the main point we wished to make in this chapter. We therefore rewrote that part of it with a much more detailed listing of target systems in the order of the probable priority of the effect of strikes at them on the outcome of the battle in Europe -- priority simply in time. I believe that the draft which I last saw -- I have had the final report -- discussed the vast industrial target system in these terms, these much more neutral terms, rather than saying there might be circumstances under which they would not be attacked at once.

I may say, Mr. Chairman, that I think in the papers that were sent down to Washington, there is not only a copy of the final Vista Report, but there is a chapter or draft of Chapter 5 as we took it to Europe. I have not seen it for several years, but if these are material points, I think

that they can be found by you, if not by me.

Q I have stated earlier, I think, that in the course of this proceeding the Board has come to the conclusion that they have a material bearing. I will indicate to you, Dr. Oppenheimer, another respect they might be material.

First of all, it is true that the statement of the strategic use of atomic weapons was very important to the Air Force, particularly, and to the Defense Department. So therefore it was a material thing in this report.

A Yes.

Q We have had testimony from witnesses called by you of people who should have known everything that went on from beginning to end of this Vista Report, who testified clearly and unequivocally that there was no important change, that it was only a minor language change and a minor change in emphasis. I as a member of the Board am confused by this testimony.

A May I say a few words more?

Q Yes.

A We took this Chapter 5 -- I will not say as I had drafted it, but as it had been drafted, and perhaps amended and fiddled with a little bit, but with at least some of the provisions in it which were disturbing and the language which was disturbing. We took it to Europe. We showed it I think to General Schuyler, General Gruenther and General Eisenhower.

While we had been on our way to Europe General Norstad had been called home for consultation. It was several days later that we showed it to General Norstad. He expressed an objection. This objection was in rather formal terms. He objected to the distinction between tactical and strategic targets. He said at the present time any change in the air plan would certainly be bad, and that this was not an acceptable statement of the case. There was so much in the report that was good that he hoped we would take out the things that were not acceptable. He said possibly in a couple of years, a few years, the kind of thing you are thinking about will be realistic, but this is too early. It just won't work.

We said to him, after recovery, we think that this may be a matter of substance, and it may be a matter of language. Let us rewrite this in order to remove from it those phrases and those arrangements of ideas which appear to be bothering you and see if then this statement of the case is one which is satisfactory to you.

We did so. We showed it to him a day or so later and he said, "If I am asked, I will tell the Chief of Staff and the Secretary that I think this is a fine report and very valuable."

Now, it is clear that our critics thought these were substantial changes. It is clear that the authors of the report didn't think so, or they would not have made them.

Q Was it clear to the authors that the critics thought they were substantial?

A It was clear to me, sir.

Q You would never describe these changes as mere changes in language or minor shifts in emphasis, would you? Excuse me for putting the question that way. Would you so describe them?

A Since the principal purpose of the report was to point out the many ways in which atomic weapons -- or at least relatively new ways in which atomic weapons could play a part in the Battle of Europe, I think that the heart of the report was wholly unchanged. I still think if we are ever called to fight the battle of Europe, we will have to face up to the questions of how deep, how massive and of what quality will our atomic source be. I do not think it was necessary to raise this question in that chapter of Vista because our arguments were solid without it. But they were even more solid. The reason we did was that at the time we didn't have much armament. Europe was not easy to defend, and the point that we wished to make was that there was more than one way in which the atom could be used in what might be a very critical campaign.

Have I lost your question?

Q Yes, it is all right, but I want to get back to it. You did not suggest -- I think you are testifying that you did

not suggest -- in any draft that we make a statement that we would not use these weapons strategically, that is, with respect to the USSR, unless and until they had first been used against our cities, and industrial centers.

A We did not recommend such a statement.

Q Did you by implication recommend such a position?

A My memory, and I probably should be less categorical than I am, my memory is that we contemplated a situation in which we would in fact not do this. In fact, we would not use an all out strategic attack, but consider our Strategic Air Force as a deterrent to Soviet attack upon the cities of our allies and our own.

Q As far as you know, about the final version of the Vista Report, did that notion appear?

A Yes, there was still a remark that the deterrent effect of our Strategic Air Command with regard to the protection of Allied capitals would be an important factor to take into consideration along with many others. This is from memory, but they were things I was interested in and I believe I am telling the true story.

Q As long as your memory serves, did you at the time think we should have a policy, whether publicly announced or not, which would lead us to suffer atomic attack upon our cities before we would make a similar attack upon Soviet cities?

A I think the question of our own cities, Mr. Gray,

never came into this report, or at least was not the prominent thing. The prominent problem --

Q I didn't ask about the report, then. I asked in your best recollection was this a view you entertained.

A That we would welcome an attack on our own cities?

Q No, I don't think that is an accurate restatement of my question. I said that we would suffer an attack upon our cities with the use of atomic weapons before we would ever make a strategic strike against the UESR.

A Oh, lord, no. I mean the very first thing we would do against the USSR is to go after the strategic air bases and to the extent you can the atomic bases of the USSR. You would do everything to reduce their power to impose an effective strategic attack upon us.

Q Which might include attacks on cities and industrial concentrations.

A It might, although clearly they are not the forward component of the Strategic Air Command.

Q Perhaps we are tangled up with the question of strategic.

A I have always been clear that the thing that you do without fail and with certainty is to attack every air base that has planes on it or may have planes on it the first thing. I believe our report said that.

Q I will try again. Did you have at that time the view

that we should not use the atomic weapons against any militarily promising target which might include cities in the USSR until after such weapons had been used against such targets in this country?

A I think I have never been entirely clear on that. This seemed to me one of the most difficult questions before us. I am sure that I have always felt that it should be a question that we were capable of answering affirmatively and capable of thinking about at the time.

Q This is not clear in your mind as to what our position should be, you say. Have you ever thought about it in terms of a public announcement as to policy in that regard?

A This has always struck me as very dangerous.

Q Then you did not advocate a public announcement?

A You mean have I publicly advocated it?

Q No. I mean did you feel that the United States should make a public announcement about its policy, whatever it might be, with regard to the use of atomic weapons against the Soviet Union against whatever targets might present themselves?

A In the nine years we have been talking about these things, I have said almost everything on almost every side of every question. I take it you are asking whether in some official document I unequivocally recommended that we make a public pronouncement of our policy with regard to this, and

to that my best and fairly certain answer is no.

Q I really asked you what your own personal view was.

A I think that we had better not make public announcements about what we are going to do, if and when. But I do think we need to know more about it and think more about it than we had some years ago.

Q You don't think the import of the original draft of the introduction to Chapter 5 was to this effect?

A No. It was to call very prominently to the attention of the services that there might be considerations against the then present air plan, and that nevertheless there were very important things to do with the atom.

Now, I would feel a little more comfortable if I had a draft of Chapter 5 of Vista that we are talking about before me.

Q I have not seen it myself, Dr. Oppenheimer.

I have asked you a lot of questions about how the crash program, as the issue, came before the General Advisory Committee in the meeting in October 1949. Perhaps I asked you some questions about that.

A I think you did.

Q But in any event, has the testimony, all that you have heard in the last weeks, made it clearer to you how this came as the alternative, crash program or not?

A I am a little clearer. I think the greatest

clarification came from Dr. Alvarez's testimony. It is clearer to me now than it has been before that in the meeting with the Commission, the Commission probably through its Chairman -- told us what was on their minds. It is clear to me that the Commission was being besieged by requests to authorize this, to proceed with that, all on the ground that these were the proper ways to expedite the thermonuclear program, and all on the ground that the thermonuclear program was the thing to do. It is clear to me that the Commission asked for our views on this.

Q Looking back on it, do you feel that the GAC in consistency and with technical integrity could have recommended something short of the crash program, but something at the same time that was more active and productive than the alternate program?

A Indeed I do. Indeed I do. We could have very well written the report to the following effect, that the present state of the program is such and such as we see it. This we did do. That in order to get on with it, this and this and this and this would need to be done. This we did do. We could have said that the present state of fog about this is such that we don't really know just what the problem is that is to be decided. Let us get to work and remove as much of this fog as fast as possible.

We could further have said the decision as to

whether this is the important, the most important, an important, an undesirable or disastrous course involves lots of considerations of which we are dimly aware in the military and political sphere, and we hope that these will be taken into account when the decision is made. We could have written such a report.

I think apart from what personal things, feelings, still of the people involved, the best explanation of why we wrote the kind of report we did was that we said what we thought, rather than pointing out that there were other people who could be asked to evaluate (a) because we thought, and (b) because the pressure, the threat of public discussion, and the feel of the time was such that we thought our stating our own case, which was a negative case, was a good way, and perhaps the only way to insure mature deliberation on the basic problem, should we or shouldn't we.

Q And your position as reflected in the report under no circumstances should we?

A I think that is not quite right. I think the report itself limits itself to saying that we are reluctant, we don't think we should make a crash program, we are agreed on that, and that the statement in the majority annex that it would be better if these weapons were never brought into being was a wish, but it was not a statement that there were no circumstances under which we would also have to bring them.

into being.

Q Wouldn't you say that the impression that the majority annex was calculated to give was that those who signed it were opposed to anything that would lead to the development of the hydrogen bomb?

A That is right, under the then existing circumstances.

Q So that really the majority in effect would not have been sympathetic with any acceleration of the program which would lead to the development of the bomb?

A Of course. That does not mean that we would not have been sympathetic to studies and clarification. This was a question of whether you were going to set out to make it, test it and have it.

May I make one other comment? This was not advice to Los Alamos as to what it should or should not study. This was not advice to the Commission as to what it should or should not build. Some such advice we gave in that report. This was an earnest, if not very profound, statement of what the men on that committee thought about the desirability of making a super bomb.

Q And they felt that it was undesirable?

A We did.

Q If the Commission had taken their advice, or if the government ultimately had taken the advice of the General Advisory Committee, we would not now have it.

A I am not certain of that, but it is possible.

Q Your advice, it seems to me, has said, and as I interpreted it, the majority annex was that we should never have it. I would guess if that advice had been taken literally the Commission would have --

A The majority annex I still think never said that we should not have it. I think it said that it would be better if such weapons never existed.

Q I think this is an important point, and I would like to hold on that.

A All right. But could we have the context which I also have forgotten?

Q Yes. I will try not to take it out of context.

MR. ROBB: Here is the majority annex.

MR. GARRISON: Mr. Chairman, would it not be helpful if Dr. Oppenheimer could look at the report which he has not seen for some time.

THE WITNESS: I saw it the other day.

MR. GRAY: I will show it to him again. I want to pick out the portions that I think are pertinent here, and let him make any observations about context. The security officer cautioned me that I am really getting on difficult ground.

May I interline this?

MR. ROLANDER: Yes.

THE WITNESS: Does the majority annex contain

information which should not be on this record?

MR. GRAY: I do not know.

(Mr. Rolander handed copy of report to Dr. Oppenheimer.)

THE WITNESS: I would like to quote the entire paragraph, if that is permissible. I see something -- well, I don't know.

MR. GRAY: I see no reason why the whole paragraph should not be quoted.

MR. ROLANDER: It is all right.

THE WITNESS: This is the fourth paragraph of a six paragraph annex:

"We believe a Super bomb should never be produced. Mankind would be far better off not to have a demonstration of the feasibility of such a weapon until the present climate of world opinion changes."

That is that paragraph in its entirety.

BY MR. GRAY:

Q That language is pretty clear, isn't it, that "We believe a super bomb should never be produced"?

A Sure it is.

Q So that there was not any question that the six people of the majority were saying that we should not take steps to develop and produce.

A Let me indicate to you --

MR. GARRISON: Mr. Chairman, could he read it once

more, because it is the first we heard it.

THE WITNESS: This is one paragraph. The document is full of the word "mankind" and this paragraph reads:

"We believe a super bomb should never be produced. Mankind would be far better off not to have a demonstration of the feasibility of such a weapon until the present climate of world opinion changes."

Let me indicate --

BY MR. GRAY:

Q The question I would ask which would be related to this paragraph is -- I am not attacking the motivation of those who held that belief, I am simply saying that the belief is clearly stated there, that the super bomb should never be produced.

A That a super bomb should never be produced. But look at what that means. If we had had indication that we could not prevent the enemy from doing it, then it was clear that a super bomb would be produced. Then our arguments would be clearly of no avail. This was an exhortation -- I will not comment on its wisdom or its folly -- to the government of the United States to seek to prevent the production of super bombs by anyone.

Q Again without reference to its wisdom or its folly, is it unreasonable to think that the Commission, reading this report or hearing it made, whichever form it took, would

believe that the majority of the General Advisory Committee recommended that the government not proceed with steps which would lead to the production of a super bomb?

A That is completely reasonable. We did discuss this point with the Commission on two subsequent occasions. On one occasion we made it clear that nothing in what we had said was meant to obtain should it be clear or should it be reasonably probable that the enemy was on this trail.

In another we made it clear that there was a sharp distinction between theoretical study and experiment and invention and production and development on the other hand. So that the Commission I think had a little more than this very bald statement to go on.

Q Dr. Oppenheimer, I am looking at --

A May I see that, too?

Q Yes, you may. I am going to show it to you.

A Do I have it?

MR. ROLANDER: Yes. Part 1.

THE WITNESS: Right. I have it before me.

BY MR. GRAY:

Q May I ask whether all of Dr. Alvarez or if none of Dr. Alvarez's testimony was treated as restricted?

MR. ROBB: No, sir, it was not.

BY MR. GRAY:

Q Dr. Oppenheimer, in Part 1, paragraph 3 --

MR. GARRISON: What document?

THE WITNESS: This is a top secret report of the General Advisory Committee dated October 30, 1949. This is the report as such, as distinct from the annexes.

MR. GRAY: May I read this sentence?

MR. ROLANDER: The difficulty is that I have not obtained from the Commission the approval to quote directly the minutes of this meeting. It seems to me that if general statements are made with reference to either Dr. Oppenheimer's recollection or general questions are raised, it would be proper.

MR. GRAY: All right.

THE WITNESS: Is it the last sentence?

BY MR. GRAY:

Q That is right.

A Fine.

Q Again, that is pretty clear, isn't it?

A Indeed it is. I think this has been read into the record by Mr. Robb.

MR. ROBB: I don't know. I was under the same handicap that Mr. Gray is laboring under. I don't know whether I read it to you or paraphrased it, but you and I knew what we were talking about.

THE WITNESS: Yes, it is in the record.

MR. ROBB: It may have been that it was in the

classified portion of the testimony.

THE WITNESS: We recommended a certain reactor program, we had a lot of reasons for it, and we said that one of the reasons might be that this would be useful for the super and that reason we did not agree with it, and it was understood that building this reactor was not a step in making the super. That seems to be a paraphrase.

BY MR. GRAY:

Q If you will look at page 4 of that document, the first sentence in the last paragraph that begins on that page.

A Right.

Q Reference to the majority of the Committee there makes it clear --

A Wait, now. I am not with you. The second paragraph, page 4?

Q No, the first sentence in the last.

A I have only two paragraphs on my page 4.

Q There is a sentence that begins, "We are somewhat divided "--

A Right, I have that.

Q That sentence, and the following sentence.

A Right.

Q From that it would appear that the majority of the members of the GAC at that time felt unqualifiedly that they opposed not only the production, but the development.

A Right.

Q So that my question to you is, in this proceeding there has been a lot of testimony that the GAC was opposed to a particular crash program. Isn't it clear that it was not only the crash program that the majority of the GAC found themselves in opposition to, but they were just opposed to a program at all which had to do with thermonuclear weapons?

A I think it is very clear. May I qualify this?

Q Yes, you may.

A I think many things could have qualified our unqualified view. I have mentioned two of them. I will repeat them. One is indications of what the enemy was up to. One of them is a program technically very different from the one that we had before us. One of them a serious and persuasive conclusion that the political effort to which we referred to in our annexes could not be successful.

Q Now, following the government's decision in January 1950, would it be unfair to describe your attitude towards the program as one of passive resistance?

A Yes.

Q That would be unfair?

A I think so.

MR. GARRISON: Unfair, Mr. Chairman?

MR. GRAY: He said unfair to so describe it.

BY MR. GRAY:

Q Would it be unfair to describe it as active support?

A Active could mean a great many things. I was not active as I was during the war. I think it would be fairer to describe it as active support as an advisor to the Commission, active support in my job on the General Advisory Committee. Not active support in the sense that I rolled up my sleeves and went to work and not active support in the sense that I assumed or could assume the job of attracting to the work the people who would have come to a job in response to a man's saying, "I am going to do this; will you help me."

Q You testified that you did not seek to dissuade anyone from working on the project.

A Right.

Q There have been a good many others who have given similar testimony. It also, however, has been testified there there would have been those who would have worked on the project had you encouraged them to do so.

A There has been testimony that there were people who believed this.

Q Yes. Do you believe that?

A I think it possible. Let me illustrate. In the summer of 1952, there was this Lincoln summer study which had to do with continental defense. On a few limited aspects of that I know something. On most I am an ignoramus. I think

it was Zacharias that testified that the reason they wanted me associated with it was that that would draw people into it. The fact that I was interested in it would encourage others. In that sense I think that if I had gone out to Los Alamos even if I had done nothing but twiddled my thumbs, if it had been known that I had gone out to promote the super, it might have had an affirmative effect on other people's actions. I don't believe that you can well inspire enthusiasm and recruit people unless you are doing something about it yourself.

Q Furthermore, it was fairly well known in the community -- that is, the community of physicists and people who would work on this -- that you had not been in favor of this program prior to the government's decision. That probably was a factor?

A I would think inevitably so.

Q Do you think that it is possible that some of those individuals who were at Princeton whose names were suggested for the project might have gone had they thought you were enthusiastic for the program?

A I don't believe this was the issue. For one thing, I know that I said to all of them that it was a very interesting program and that they should find out about it. For another -- I am talking about a group of people that has been testified to, but as to whom I don't know who they were, I don't know what these names are -- but the issue has usually

be, should a man give up his basic research in science in favor of applied work, and I believe it was on that ground and on the personality ground as to whether they did or did not want to work with Dr. Teller, and whether they did or did not want to go to Los Alamos, the decisions would have been made. I don't think my lack of enthusiasm -- I don't believe I would have manifested a y, nor do I believe it would have been either persuasive or decisive. This is in that period after we were going ahead.

Q Do you remember at approximately what date it was that you offered to resign as Chairman of the General Advisory Committee?

A Yes, approximately. It was when Mr. Dean had taken office, the first time I saw him. That would have been perhaps late summer of 1950. I believe I testified that at the time of the President's decision Dr. Conant told me he had recently talked with the Secretary of State, that the Secretary of State felt that it would be contrary to the national interest if either he or I at that time resigned from the General Advisory Committee; that this would promote a debate on a matter which was settled. The question was how soon after that could this be done.

I talked to Mr. Dean, not primarily about quitting the Advisory Committee, but about quitting the chairmanship about which by then I felt not too comfortable. That would

have been August, September of 1950.

MR. GRAY: I think I have no more questions. Dr. Evans.

DR. EVANS: Dr. Oppenheimer, you said you had received a birthday card from Chevalier?

THE WITNESS: Yes.

DR. EVANS: He is now in France, is that it?

THE WITNESS: Yes.

DR. EVANS: Is he teaching or writing?

THE WITNESS: I remember very much what he is doing because he discussed this with us. He is translating, and part of his job is translating for UNESCO, or was. I don't know that it still is.

DR. EVANS: May I ask you this question. Have you received any cards or letters from any of these other men like Peters, Hawkins, Weinberg or Serber?

THE WITNESS: We had a birthday card from Mr. and Mrs. Serber, not from the others.

DR. EVANS: Where is Mr. Serber now?

THE WITNESS: He is a professor at Columbia and a consultant to the Atomic Energy Commission establishment at Brookhaven.

DR. EVANS: And you say you didn't hear from the others?

THE WITNESS: No.

DR. EVANS: This has not much to do with this case. Did you see a little squib in the Washington Post this morning saying if the English had made a super bomb --

THE WITNESS: I didn't see it.

DR. EVANS: I was interested in it. I didn't put much confidence in it, but I was interested.

THE WITNESS: I didn't see it.

MR. EVANS: That is all.

MR. GRAY: Mr. Robb.

BY MR. ROBB:

Q Doctor, what was the address on that card from Dr. Chevalier? Was it addressed to you at Princeton or here?

A I think it was addressed to Princeton and forwarded here. I don't know.

Q Was there any note with the card?

A I thhk there was.

Q Do you recall what it said?

A No, I can find this. It is back --

Q Do you receive a card from him every year at your birthday?

A No, this was my fiftieth birthday.

Q Do you know how he knew that?

A No.

Q Do you recall what the note said?

A Not very much.

Q Any?

A It didn't say very much, and I don't recall it. It was written by his wife and it said greetings from our Butte.

Q Our what?

A Our Butte. They live on a hill.

Q Doctor, you testified you didn't feel too comfortable as Chairman of GAC in 1950, is that right?

A Yes.

Q Why not?

A Because on a very major point of policy I had expressed myself, had become identified with a view which was not now national policy. I thought that there could be strong arguments for having as Chairman of that committee someone who had from the beginning been enthusiastic and affirmative.

Q Did you feel that others of the scientific community might well feel that you still were not enthusiastic?

A This is not a consideration that crossed my mind at that time. I think I had more in mind that when on an important thing a man is overruled, his word is not as useful as it was before.

Q Do you now feel that others in the scientific community might then have believed that you still were not very enthusiastic about the thermonuclear?

A I know that now.

Q Do you now feel that your lack of enthusiasm which

might have been communicated to other scientists might have discouraged them from throwing themselves into the program?

A I think this point has been discussed a great deal. I don't have substantive knowledge about it. I think that the critical, technical views which the General Advisory Committee expressed from time to time had a needling effect on the progress at Los Alamos which probably had something to do with the emergence of the brilliant inventions.

Q To get back to the question, Doctor, would you mind answering that question?

A Could you say it again?

MR. ROBB: Would you read it.

(Question read by the reporter.)

THE WITNESS: I suppose so.

BY MR. ROBB:

Q Doctor, you mentioned the brilliant invention. That was Dr. Teller's?

A It was indeed. I should always work Ulam's name in, but Tellers should be in bigger type.

Q Who were the principal, to use the newspaper phrase, architects of the thermonuclear?

A Teller.

Q Teller. You would not say you were?

A No. There is a part of all these things that I did invent. As I testified, it is extremely useful, but it is not

very bright.

Q Is that the one you got the patent on?

A This is mentioned in the patent, but it is only a part of what we got the patent on. Most of what we got the patent on was wrong.

Q Doctor, exploring for a bit your work in recent years on the thermonuclear, I believe you testified previously some days ago that you had been thinking about it and trying to learn about the program, is that right?

A It would be a reasonable thing for me to have said.

Q When you did do any work for the Atomic Energy Commission, you were on the basis of a per diem consultant, were you?

A You mean since I left the GAC?

Q Yes.

A Yes, sir.

Q And when you did any work for other agencies, you were on the basis of a per diem consultant?

A I think with the GAC, with the RDB, with most of these we were paid for days at work and in travel.

Q Yes.

A In the case of the Science Advisory Committee, there was no pay. In the case of the State Department panel there was no pay. But there was some kind of subsistence allowance.

Q Any work that you may have done on the thermonuclear

program would have been done for the Atomic Energy Commission, wouldn't it?

A Any traveling around or anything like that. If I thought about things at home, that would not be charged to the Atomic Energy Commission

Q No. I have before me a record showing that in 1953 your total compensation received from the Atomic Energy Commission was \$250. Would that accord with your recollection?

A It would be consistent with it. I would have no recollection.

Q That would amount to some --

A Two and a half days. This would certainly correspond to a visit to Los Alamos or Sandia.

Q Did you in 1953 go to Los Alamos or Sandia in connection with the thermonuclear program?

A I did in 1953.

Q But that amount of work would fall within the scope of your statement that you did not take your coat off on this program, wouldn't it?

A I was thinking of the earlier days when I was a member of the GAC.

Q Yes.

A I still didn't take my coat off.

Q Doctor, I would like to return briefly to Vista. That was a project which was carried out in Pasadena?

A The headquarters were in Pasadena, and all the activities I know of were in Pasadena. No, no. There were things that I didn't participate in, field trips, inspections.

Q But your connection with it had to do with Pasadena.

A It did.

Q Did you go to Pasadena in November 1951?

A I went out in the fall. I don't remember the date.

Q How long were you out there?

A Not less than a week nor more than two is my best guess. Perhaps only six days.

Q Was that toward the end of the project?

A It was toward the end of the writing of the report.

Q Did you complete your answer?

A Yes, I answered the question.

Q While you were there on that occasion did you prepare a draft of an introduction to Chapter 5 of the report?

A I prepared what I believe to be a draft or had helped to prepare a draft of Chapter 5, not the introduction.

Q Was that presented to the people who were there by Dr. DuBridge?

A As to that I have heard only his testimony or your questioning. I was not there.

Q You were not there?

A No.

Q Let me ask you, Doctor, in order that you may have

a chance to comment on it on the record, and that the record will be plain, in that draft that you prepared was there anything about dividing the stockpile of atomic weapons into three parts?

A There was indeed. I think again the phrasing was not quite that. This was something that I found in the working papers when I got there. It had been worked over with great elaborateness. I believe that the phrasing was, we may consider, or we may think of, our stockpile should be thought of as divided roughly into three equal parts. I think that is the way it went.

Q One part to be held in reserve, one part assigned to the Strategic Air Command, and the third part assigned to the tactical defense of Europe, is that right?

A To tactical air.

Q That was in that draft.

A I believe so. It was certainly in the talk, in the papers that I found there. I am not even sure that it was missing from the final Vista Report.

Q That was my next question. First, was it in the draft of Chapter 5 which you testified you prepared after you got there?

A I believe so, yes.

Q Was that in the final report?

A As to that, I don't remember.

Q The best evidence of that would be the final report.

A That is right.

Q Did you inform yourself as to what the final report was?

A I read it. I had an awful time getting it. Everybody had an awful time getting it. I read it long after it was submitted.

Q That suggestion as to the division of atomic stockpile was a pretty important matter, wasn't it?

A We thought of it as rather important because we thought it diverged from the existing policy and would almost certainly not be accepted in full, but that the direction in which it went was a healthy direction.

Q It represented in effect some restriction on the freedom of action of the Air Force, didn't it?

A Very little, because the main emphasis was that whatever you thought, you should be able to convert from one to the other at a minute's notice.

Q But if the Air Force could use its atomic weapons in any way it chose, it was a restriction to say that you ought to divide it up into three parts and assign each part to a particular function, wasn't it?

A I think this is quite a misrepresentation. We were not given an Air Force which could use its atomic weapons in any way it chose. We were given an Air Force at that

time quite incapable of using atomic weapons tactically.

Q Given an Air Force which had no such restriction, this certainly represented a change in policy.

A If the Air Force had no restrictions, any restriction would be a change of policy.

Q Was there in the draft of the report which you prepared or your visit to Pasadena in the fall of 1951 any suggestion that the United States should announce that no strategic air attack would be directed against Russia unless such an attack were first started by Russia, either against the European Zone of Interior or Against our cities or against our European allies?

A I have testified on this as fully as I could in response to the Chairman's questions.

Q I want to have it specific, if I may, Doctor -- a specific response to that particular question.

MR. GARRISON: Mr. Chairman, is Mr. Robb reading from the record?

MR. ROBB: No, sir, I am not. I don't have it. This is a draft, and we can't find this draft.

THE WITNESS: I can tell you where you can find it.

BY MR. ROBB:

Q Before you do that, would you mind answering the question?

A I would mind answering it, because I have been over

this ground as carefully as I know how. When you say suggest I don't know whether you mean recommendation or consideration.

Q Was there any language in the report to that effect?

A To what effect, that this might be the state of affairs?

Q That this might be a good idea.

MR. GARRISON: What might be a good idea? I am lost.

BY MR. ROBB:

Q Was there any language in the draft to the effect that it would be a good idea if the United States should announce that no atomic attack would be directed against Russia unless such an attack was first started by Russia either against our Zone of Interior or against our European allies.

A To the very best of my recollection, we said we may be faced with a situation in which this occurs.

Q We may be faced with a situation in which that was desirable, is that right?

A Yes, in which it is wise, or in which it is done.

Q Was there any language in the final draft or the final report which said that?

A In the final draft of the final report it said that in the consideration of the use of our strategic air power, one of the factors should be the deterrent value -- I have not got the words -- the deterrent value of this strategic

air in the protection of European cities.

Q Do you consider that to be different from the language we have talked about before?

A It is manifestly different language.

Q Yes. And don't you think the difference is important?

A It was very important to our readers.

Q Was there any language in the draft of the Vista Report when you were out there to the effect that at the present state of the art the value of the thermonuclear weapons could not be assessed, and therefore they were not included in your study?

A This is something which I found written when it was out there. It is not something that I myself wrote, and I don't know whether it was in my draft or not.

Q Did you agree with it?

A As far as tactical things, quite definitely. I was not present during the discussions to which Griggs referred at which Teller had talked about it. I don't know whether the value of thermonuclear weapons as tactical weapons has been or can be assessed.

Q You restrict it to tactical weapons. Suppose you take that restriction off. Was there anything in the report that the value of the thermonuclear weapon could not be assessed?

A As to that I don't remember.

Q Doctor, you testified that Mrs. Oppenheimer has told you that she may have given some money to Steve Nelson, is that correct?

A Yes.

Q Did she tell you how much?

A No.

Q Did you ask her?

A Yes.

Q What did she say?

A She said she didn't remember. Not that she had told me that she had given, but that she may have given.

Q Did you ever give Nelson any money?

A I don't believe so.

Q Mr. Gray asked you some questions about your contributions that you made from time to time that you told us about before. Let me ask you, did you ever receive any receipt for those contributions?

A I don't believe so.

Q Did you ever sign any pledge to make contributions?

A Oh, no.

Q Did you ever make any moral agreement with respect to the amount of your contributions?

A No, I don't think so.

Q Were these contributions made at any regular interval?

A There may have been some sometimes when they were

more or less regular, but over the time they were not regular.

Q You say they may have been more or less regular.

You mean monthly?

A I have no reason to think that.

Q You say you have no reason to think it?

A Right.

Q What was the basis for your suggestion that might have been the case?

A Because I don't remember the timing of it.

Q It could have been, maybe, or maybe it wasn't; is that your answer?

A It could not have been monthly over years. It might have been monthly over a few months.

Q There are one or two things in the record I would like to clear up a little bit. Has Paul Crouch ever been in your house?

A I think not.

Q You mentioned having seen Miss Tatlock on various occasions. Were any of those occasions meetings of Communist groups?

A No.

Q Or left wing groups?

A If you are willing to include Spanish bazaars. I never saw her at a political meeting.

Q Did you ever see her at a meeting where a Communist

talk was given?

A I certainly don't remember.

MR. GARRISON: What kind of a talk?

MR. ROBB: Communist.

MR. GARRISON: A Communist talk?

MR. ROBB: Yes.

THE WITNESS: We went together to some CIO affair, but I don't remember who talked.

MR. GRAY: Could this have been the FAECT?

THE WITNESS: No, it wasn't. It was in San Francisco. I don't know what it was.

BY MR. ROBB:

Q Did you ever go with her to any meeting of any kind at which literature was passed out?

A The only meeting at which literature was passed out that I recollect is the one at my brother's house, which I described.

Q Was Miss Tatlock there?

A No.

Q What kind of literature was that, Communist literature that was passed out?

A I think so, yes.

Q At that meeting were any pledges of contributions made by any of the people present?

A I am not certain. My impression is that it was

some kind of a dues gathering.

Q I believe you testified to that.

A I am not certain.

Q By the way, you mentioned the meeting you went to at the home of Miss Louise Bransten. Do you recall that?

A Yes.

Q Who invited you to go to that meeting?

A I don't remember. I can presume that it was the hostess.

Q Do you recall how you happened to hear the meeting was going to be held that particular time?

A We were invited, whether by phone or by personal invitation, by letter, I don't know.

Q You knew Miss Bransten fairly well?

A Not very well, not --

Q Beg pardon?

A Not well enough to know the things you said about her.

Q Doctor, did you ever notice a man named Albert Lang Lewis?

A I don't remember. Can you tell me how or where I might have known him? The name means nothing as you read it.

Q Who lived in, I think, Los Angeles.

A It means nothing to me so far.

Did you know a man named Allen Lane?

A It also means nothing to me.

Q Did you ever know a man named Melvin Gross?

A The name doesn't sound as unfamiliar as the others but it rings no bell.

Q You mentioned the other day a man named Straus.

A Yes.

Q I believe you mentioned him as perhaps having been present at one or more of these meetings you attended. Do you remember that?

A That is right.

Q Was he a businessman in San Francisco?

A Or an attorney, I don't know. He was not a college person.

Q Did you see him around rather frequently?

A No. I believe I once had dinner at his home, maybe my wife and I had dinner with them once. I think that is the only time.

Q Do you recall when that was?

A No.

Q Why did you think perhaps he might have been present at one of these meetings that you went to?

A My recollection is that he said something very foolish, but if you press me to try to remember who was at these meetings --

Q I was curious because you searched your recollection as to who might have been present, and he was one of the men

that came up and I wanted to ask you how you happened to remember him.

A I think either he was involved in an argument or he and my wife were involved in an argument, or he said something that made an impression.

Q Do you recall what the foolish thing he said was?

A No, I certainly can't.

Q Was it before or after that meeting that you had dinner at the house?

A I don't remember.

Q Did you ever hear of a man named Bernard Libby?

A I don't think so.

Q Doctor, is it your testimony that you told a false story to Colonel Pash so as to stimulate him to investigate Eltenton?

A That appears not to have been necessary.

Q Was that your testimony?

A No, it is not. I testified that I had great difficulty explaining why I told him a false story, but that I believed that I had two things in mind. One was to make it clear that there was something serious, or rather I thought there might be something serious, and the other was not to tell the truth.

Q Did you have any reason to believe that Colonel Pash would not be active in investigating the story you told?

MR. GARRISON: Mr. Chairman, isn't this covering ground that has already been gone over this afternoon with you, and already over again in cross examination? I mean do we have to go on and on with this?

MR. GRAY: I think that clearly this is one of the important things in the Commission's letter. I think I will ask Mr. Robb to proceed unless he feels he is simply covering ground that has already been covered.

MR. GARRISON: I think he ought to try as much as possible not to put words in the witness' mouth.

MR. ROBB: I am cross examining him.

BY MR. ROBB:

Q I asked you whether you had any reason to believe that Colonel Pash would not be active in investigathg your story?

A I had no reason to believe anything. I had never met Colonel Pash before.

Q Are you really serious, as you stated to the Chair, that you told Colonel Pash for the purpose of stimulating him?

A I have been very serious in all my testimony and certainly not less in this very bizarre incident.

Q You would agree that testimony is somewhat bizarre, wouldn't you?

A That is not what I said.

MR. GARRISON: Mr. Chairman, he is arguing with the

witness.

MR. ROBB: No, I am asking.

MR. GARRISON: You are asking, wouldn't you agree, and this and that, which seems to me to be argument. I let it go if the Chairman thinks not. But it seems to me to be an attempt to make him say what does not come from him in his own natural way.

MR. ROBB: The word "bizarre" was his, not mine.

THE WITNESS: I said the incident was bizarre.

BY MR. ROBB:

Q Dr. Oppenheimer, you testified in response to a question by Mr. Gray that you told General Groves that there were not three men, is that right?

A That is right.

Q To whom did you make the first disclosure of the identity of the unknown professor?

A I believe General Groves.

Q What were the circumstances?

A I think that it was at Los Alamos.

Q If you told him that there were not three men, would you give us your thoughts, Doctor, on why it was that the telegrams that went out announcing the name of Haakon Chevalier all referred to three men?

A I found this quite comprehensible when you read them.

Q Have you seen Dr. E. U. Condon since 1951?

A Oh, surely.

Q Frequently?

A No.

Q Did you see him in 1952?

A I would assume so. He is a member of the Visiting Committee to the Physics Department at Harvard of which I am Chairman. We see each other at meetings. I would assume I saw him in 1952, but I don't recall.

Q 1953?

A As to that I am much less sure.

Q Have you received any other letters from him other than the letters he wrote you about Peters and the one he wrote you about Lomanitz?

A Yes, I have had other letters from him.

Q When?

A He has recently been having his clearance reviewed.

Q His what?

A His clearance reviewed, and he wrote me a letter about that.

MR. GARRISON: Mr. Chairman, I wonder why we have to go into his relations with Dr. Condon. Are they a part of this case?

MR. GRAY: Dr. Condon --

MR. GARRISON: I don't know what this is about.

MR. GRAY: Dr. Oppenheimer testified earlier --

THE WITNESS: I have no reason not to answer these questions.

MR. GARRISON: I withdraw my objection.

MR. GRAY: I would like to complete my sentence that it was probably due to Dr. Condon's frantic -- I am not sure about the language -- at least Dr. Condon's disturbance about Lomanitz that he made the representations on behalf of Lomanitz. I believe that was your testimony.

MR. GARRISON: I think the testimony was that was Bethe --

THE WITNESS: No, that was a different matter.

BY MR. ROBB:

Q I think you said that Dr. Condon wrote you about his clearance.

A Right.

Q I was about to ask you whether he asked you to testify in his behalf.

A He did.

Q How long ago was that?

A It was shortly after my own case was opened.

Q I assume you wrote him back you had troubles of your own, is that right?

A No.

Q What did you write him?

A I think he asked me not to testify, but to write

him a statement. I wrote him a letter outlining a statement that I could put in the form of an affidavit. In the meantime it seemed only fair for him to know about my situation, or at least for his attorneys to know about it. I tried to keep this as quiet as I could. Therefore, my counsel got in touch with Dr. Condon's counsel. I believe that they explained the situation to Dr. Condon's counsel. This is --

Q Your statement that you submitted to him, I suppose, was favorable to him, was it?

A I am sure it was.

Q By the way, speaking of counsel, Doctor, there has been some mention here of a Mr. Volpe in connection with the review of your matter in 1947. Has Mr. Volpe represented you since that time?

A Yes.

Q Is he now representing you?

A No.

Q When did he represent you?

A He represented me along with Mr. Marks in connection with the government's action against Weinberg.

MR. GRAY: Against whom?

THE WITNESS: Weinberg, where it seemed possible I might be called as a witness.

BY MR. ROBB:

Q That was in 1951 or 1952?

A 1952 and 1953.

Q Did Mr. Volpe conduct the investigation in New Mexico to determine your whereabouts during the month of July --

A Mr. Volpe and Mr. Marks had joint responsibility for finding out where I was.

Q Just a couple of more questions. I am not sure if the record discloses this. If it does, I am sorry.

When you saw Dr. Chevalier, in Paris, as you testified, in November or December of 1953, how did you get in touch with him?

A I had a letter from him before we left home saying that Professor Bohr --

Q I believe you did testify.

A -- had told him we were coming to Europe and urging that if we were in Paris we try to have an evening with them. My wife called Mrs. Chevalier, found out that he was away, but that he probably could arrange to return before we left. We then did have dinner with them.

MR. ROBB: I think that is all.

MR. GRAY: I have one question. Back to Vista, Dr. Oppenheimer. Is it possible that some of these witnesses who felt there were no material changes in this draft were in effect saying that the draft really was not changed, and the military only thought it was being changed, or that was the essential notion?

THE WITNESS: I will simply quote what either DuBridge or I said to General Norstad. We said we were much disturbed by what you said yesterday. We don't know whether there is a difference between us as to real things, or whether there is a difference between us as to the words that are used. We have therefore sought to put our views in a form which will be as little irritating to you as possible and still keep them our views. We don't know whether you will like what we have now written down or not. This is not a literal quotation. I should think that was as good an expression of what we thought we were doing in that change as we could give.

MR. GRAY: Do you have some questions, Mr. Garrison, because if you do, I want to have a short break.

MR. GARRISON: I think, Mr. Chairman, we would like to have some rebuttal testimony, but it is now five o'clock, and I wonder if we might not do that tomorrow morning.

MR. GRAY: You have already indicated you would probably call Dr. Oppenheimer tomorrow morning for rebuttal testimony, and that is quite all right.

MR. ROBB: May I ask one question?

MR. GRAY: Yes.

BY MR. ROBB:

Q Was Dr. Condon's counsel Clifford Durr?

A In this recent undertaking?

Q Yes.

A No.

Q I thought it was.

A It was not at least the counsel my counsel saw. My counsel saw Hayes. I think I should not testify --

MR. MARKS: I should state for the record it was I who saw Dr. Condon's counsel, and his counsel was Mr. Henry Fowler, and Mr. Alexander Haas.

MR. TRAY: We will recess now until 9:30 tomorrow morning.

(Thereupon at 5:05 p.m., a recess was taken until Tuesday, May 4, 1954, at 9:30 a.m.)