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HEARINGS REGARDING COMMUNIST INFILTRATION
OF RADIATION LABORATORY AND ATOMIC BOMB
PROJECT AT THE UNIVERSITY OF CALIFORNIA,
BERKELEY, CALIF.—VOL. II

(Identification of Scientist X)

HEARINGS

U.S. Congress, House BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-FIRST CONGRESS

FIRST SESSION

—
AUGUST 26, 1949, JULY 1, SEPTEMBER 10, 1948
AUGUST 14 AND SEPTEMBER 14 AND 27, 1949
—

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C O N T E N T S

	Page
August 26, 1949: Statement of Hon. John S. Wood.....	797
July 1, 1948: Testimony of Col. John L. Lansdale (excerpts).....	797
September 10, 1948: Testimony of William S. Wagner (excerpts).....	798
August 14, 1949: Testimony of James Sterling Murray.....	799
September 14, 1949: Statement of Ken Max Manfred (formerly Max Bernard Friedman).....	807
September 27, 1949: Testimony of Irving David Fox.....	813
Statement of G. J. Rathman.....	831

HEARINGS REGARDING COMMUNIST INFILTRATION OF
RADIATION LABORATORY AND ATOMIC BOMB PROJECT
AT THE UNIVERSITY OF CALIFORNIA, BERKELEY,
CALIF., VOLUME II (IDENTIFICATION OF SCIENTIST X)

FRIDAY, AUGUST 26, 1949

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

EXECUTIVE SESSION

A special subcommittee of the Committee on Un-American Activities comprised of Hon. John S. Wood, chairman, convened in room 226, Old House Office Building, Washington, D. C.

Mr. Wood. The following excerpts from testimony which was taken in executive session of the Committee on Un-American Activities during the Eightieth Congress is hereby being adopted and being made part of the record of the committee's investigation of the so-called "Scientist X" case during the Eighty-first Congress:

(Excerpt)

EXECUTIVE SESSION

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY OF
THE COMMITTEE ON UN-AMERICAN ACTIVITIES
Washington, D. C., Thursday, July 1, 1948.

The subcommittee met, pursuant to call, at 10:30 a. m., in room 226, Old House Office Building, Washington, D. C., Hon. John McDowell presiding.

Member present: Representative John McDowell.

Staff members present: Robert E. Stripling, chief investigator; Louis J. Russell, William A. Wheeler, and Robert B. Gaston, investigators; and A. S. Poore, editor.

Mr. McDOWELL. The hearing will come to order.

Mr. RUSSELL. Mr. Chairman, the witness this morning is Col. John L. Lansdale, Jr.

Will you stand and be sworn, please, Colonel Lansdale?

(The witness was duly sworn.)

* * * * *

Mr. RUSSELL. Are you familiar with the name Steve Nelson?

Colonel LANSDALE. Yes, sir.

Mr. RUSSELL. Do you recall the names of any scientists who were contacted by Steve Nelson?

Colonel LANSDALE. At least one; yes.

Mr. RUSSELL. Who was that?

Colonel LANSDALE. Joe Weinberg.

(Excerpt)

EXECUTIVE SESSION

UNITED STATES HOUSE OF REPRESENTATIVES,
 SPECIAL SUBCOMMITTEE OF THE
 COMMITTEE ON UN-AMERICAN ACTIVITIES,
 Washington, D. C., Friday, September 10, 1948.

The special subcommittee met, pursuant to call, at 10 a. m., in room 226, Old House Office Building, Hon. J. Parnell Thomas (chairman) presiding.

Committee members present: Representatives J. Parnell Thomas, John McDowell, and Richard B. Vail.

Staff members present: Robert E. Stripling, chief investigator; Louis J. Russell, William A. Wheeler, and Donald T. Appell, investigators; and A. S. Poore, editor.

(The witness, William S. Wagener, having been duly sworn, the following excerpts were part of the testimony:)

Mr. WHEELER. Do you know an individual by the name of Bernadette Doyle?

Mr. WAGENER. Yes, sir.

Mr. WHEELER. Did she contact any scientists employed by the radiation laboratory?

Mr. WAGENER. Joseph Weinberg.

Mr. WHEELER. On how many occasions?

Mr. WAGENER. Just once.

Mr. WHEELER. Will you describe the meeting?

Mr. WAGENER. One evening we were on physical surveillance, and we saw this woman whom we identified as Bernadette Doyle go up to the door of Joseph Weinberg and talk to him for a few minutes. She departed and got in her car. She had her car parked a block or so away. She got in her car and drove away.

Shortly after, Weinberg and his wife came out, got in their car and drove around very suspiciously, stopping here and there, and apparently like they were going to contact someone, but they apparently did not meet the individual, whoever it was.

Mr. WHEELER. Was there any connection between Bernadette Doyle and Steve Nelson?

Mr. WAGENER. I understand through hearsay only that she was secretary or something.

* * * * *

HEARINGS REGARDING COMMUNIST INFILTRATION OF RADIATION LABORATORY AND ATOMIC BOMB PROJECT AT THE UNIVERSITY OF CALIFORNIA, BERKELEY, CALIF., VOLUME II (IDENTIFICATION OF SCIENTIST X)

SUNDAY, AUGUST 14, 1949

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

EXECUTIVE SESSION

The subcommittee of one met, pursuant to call, at 4 p. m., in room 226, Old House Office Building, Hon. Harold H. Velde presiding.

Committee member present: Hon. Harold H. Velde.

Staff members present: Louis J. Russell, senior investigator; Donald T. Appell, investigator.

Mr. VELDE. We should let the record show that Representative Velde was appointed last Thursday as a subcommittee of one to take the testimony of Mr. Murray.

Will you raise your right hand, Mr. Murray. In the testimony you are about to give, do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MURRAY. I do.

TESTIMONY OF JAMES STERLING MURRAY

Mr. APPELL. Mr. Murray, for the record, will you state your full name?

Mr. MURRAY. James Sterling Murray.

Mr. APPELL. What is your present address?

Mr. MURRAY. Well, my permanent address is 2112 Shepard Street NE., Washington 18, D. C.

Mr. APPELL. What is your present occupation?

Mr. MURRAY. I am assistant to the president of the Lindsay Light & Chemical Co., West Chicago, Ill.

Mr. APPELL. Were you formerly associated with the CIC of the Army?

Mr. MURRAY. Yes, I was. I was appointed in the CIC in December 1941, and was with that organization until my discharge from the Army, March 1946.

Mr. APPELL. During your association with the CIC, were you assigned to the Manhattan Engineering District?

Mr. MURRAY. Yes, I was. I was assigned to Manhattan Engineering District in January 1943, and was so assigned until March 1946.

Mr. APPELL. During your assignment to the Manhattan Engineering District, to what projects were you assigned, specifically?

Mr. MURRAY. From January 1943 until—

Mr. APPELL. Roughly.

Mr. MURRAY. Roughly, April 1944, I was officer in charge of security and intelligence in the San Francisco district, and as such, handled security and intelligence work at such projects as the one at the University of California.

From April 1944 until March 1946, I was officer in charge of security and intelligence in the Chicago district, and as such, handled security and the intelligence work for 98 different contractors, one of which was the University of Chicago.

Mr. APPELL. During the period of your assignment in the San Francisco area under the MED, did you have occasion to obtain knowledge of the Communist cell which was operating among scientists working at the radiation laboratory at the University of California?

Mr. MURRAY. Yes, I did, and we actively investigated the alleged cell.

Mr. APPELL. In connection with your investigation, did your investigation lead to an investigation of one Joseph W. Weinberg?

Mr. MURRAY. Yes. We actively investigated him for over a year.

Mr. APPELL. Can you recall how you first became interested in the case of Joseph W. Weinberg?

Mr. VELDE. I think if you will tell the story in your own words as nearly as possible, we can fill in with questions later.

Mr. MURRAY. A highly confidential informant informed our office that an unidentified scientist at the radiation laboratory had disclosed certain secret information about the Manhattan engineering project to a member of the Communist Party in San Francisco, and this confidential informant went on to say that such information was transmitted to the Russian consulate in San Francisco, and later was on its way to Washington, D. C., and later out of the country in a diplomatic pouch.

This was the only allegation we had to begin with, but through information which the confidential informant was able to supply us on the background of the particular scientist, we finally narrowed it down and definitely fixed the scientist as Joseph W. Weinberg.

Mr. RUSSELL. That is, you identified him as the person who had turned information over to a member of the Communist Party in San Francisco?

Mr. MURRAY. Yes.

Mr. RUSSELL. Was the person who was a member of the Communist Party in San Francisco Steve Nelson?

Mr. MURRAY. Yes, it was.

Mr. APPELL. What was the approximate date you were informed that Joseph W. Weinberg turned over this secret formula to Steve Nelson?

Mr. MURRAY. I would first like to make it clear that the information was not a formula. I don't believe. It was highly confidential information about the objective of the project, and I think that first came to our attention through this confidential informant in January 1943.

Mr. APPELL. Did your investigation determine that Joseph Weinberg was employed at the project at that time?

Mr. MURRAY. Yes. The informant very definitely pointed out that Weinberg was employed in a confidential position at that time.

Mr. APPELL. Where was the Manhattan project at the University of California located?

Mr. MURRAY. At Berkeley, Calif.

Mr. VELDE. Was it a part of the University of California campus at Berkeley?

Mr. MURRAY. Yes. It was quite spread out. For the most part it was concentrated at the radiation laboratory physical facilities.

Mr. APPELL. You testified that Weinberg was employed at the project in January 1943. The records of employment submitted to us by the AEC shows Weinberg's employment with the radiation laboratory as commencing April 22, 1943. Can you explain to the committee the discrepancy?

Mr. MURRAY. Well, I am not too clear on the matter, but the way we understood it at the time was that in the initial stages of the Manhattan project, for reasons of security and secrecy, that certain people, or scientists, engaged in work on the project were listed on the University of California pay roll, whereas actually their duties were on the project; and later it became very cumbersome to do things that way, and all such people were transferred to the Manhattan project pay roll as such. I think that explains the discrepancy.

In addition, some of these scientists were on fellowships and on scholarships and under a head man who would be granted so much money by the Manhattan project to carry on a certain endeavor, and he, in turn, would pay the employees and the scholarship people.

Mr. VELDE. You are satisfied that Dr. Joseph W. Weinberg was employed by the University of California in January 1943 and that he was engaged in work on the Manhattan project at that time?

Mr. MURRAY. Yes. We were satisfied he was actively engaged in work on the project.

Mr. APPELL. After you had been advised by the confidential informant as to the unidentified scientist, what did your surveillance in order to identify the scientist reveal?

Mr. MURRAY. We had certain key things to go by in information from the confidential informant: (a) The informant advised that this particular scientist had a wife from Wisconsin. (b) The informant advised that the scientist was very young and just shortly out of college. (c) The informant advised that the young scientist was in the process of working solely in a certain physics field.

Those were three of the clues. There were many more which I can't recall offhand. We were able to go through the personnel records and, by examination, narrow the field down to two or three, one of which was Weinberg; and subsequently we were able to definitely identify him as the man.

Mr. APPELL. After you definitely identified the person who turned over secret and restricted information to Steve Nelson, did your office ever observe him in meetings, or having further contacts, with Steve Nelson?

Mr. MURRAY. Yes. We observed such a meeting, one which I personally observed.

Mr. APPELL. Could you describe this meeting and give the committee the approximate date of the meeting?

Mr. MURRAY. I would like to go off the record a second.

Mr. VELDE. Off the record.

(Discussion off the record.)

Mr. VELDE (continuing). On the record.

Mr. MURRAY. On August 12, 1943, we were conducting physical surveillance of Joseph W. Weinberg, and at approximately 5 o'clock in the afternoon a highly confidential informant advised us that there was to be some type of a meeting at Weinberg's home that evening, at which Steve Nelson and Bernadette Doyle would be present. I immediately instituted surveillance of the entire area by the agents assigned to our office, to watch the visitors in the Weinberg home, and I, myself, stationed myself next door to the Weinberg home. I believe it was located on Blake Street in Berkeley, Calif.

At approximately 9 o'clock I observed a man known to me to be Steve Nelson, and a woman known to me to be Bernadette Doyle, approach the Weinberg home and enter therein. After their entry into the Weinberg home I, in the company of agents Harold Zindle and George Rathman, went to the roof of the apartment house which was immediately next door to the Weinberg home, and from an observation post on the roof I was able to look into the second-story apartment of Weinberg.

I noted Weinberg, Steve Nelson, and Bernadette Doyle, in company with at least five other members, some of whom were employed by the radiation laboratory, seated around a table in the dining room of the Weinberg apartment.

At approximately 9:20 p. m. Weinberg came to the window and attempted to adjust the window, it being a very hot and sticky night. He had some difficulty in raising the window, or lowering it, or something, and Steve Nelson came over to help him, at which time I was able to get a good look and identify him.

Mr. VELDE. Just a minute, if you please. Do you have a picture of Weinberg? I think at this point possibly you had better have him identify it.

Mr. APPELL. We have a newspaper picture.

Mr. RUSSELL. While Nelson and Weinberg were at the window, did you observe whether or not any conversation took place between the two individuals?

Mr. MURRAY. I did observe some conversation, but I think it only had to do with the window adjustment at that point. I observed them sitting around the table, at which time the conversation appeared to be very serious.

Mr. RUSSELL. Do you recall the other persons around the table in Weinberg's apartment at this meeting you are describing?

Mr. MURRAY. I don't recall all. I know Giovanni Rossi Lomanitz; David Bohm; Irving David Fox; Max Friedman. I know Max Friedman was there, but for a very short time. He was the first one to leave.

Mr. RUSSELL. What other agents of the Manhattan Engineering District accompanied you on the occasion of this surveillance?

Mr. MURRAY. Special agents Harold Zindle and George Rathman.

Mr. RUSSELL. Will you spell Rathman, please?

Mr. MURRAY. R-a-t-h-m-a-n.

Mr. RUSSELL. These two agents were also assigned to the Manhattan Engineering District, were they not?

Mr. MURRAY. Yes, they were. I was their immediate superior.

Mr. RUSSELL. Did you maintain a surveillance of the Weinberg apartment on the occasion of this meeting until it broke up?

Mr. MURRAY. Yes, we did. I believe the meeting broke up at about 10:15 p. m., at which time we saw a general shaking of hands and a general showing of disposition to leave, at which time I ran down to the street floor again and observed Nelson and Doyle leaving together. They turned east on Blake Street, and I turned east on Blake Street also, and was immediately in front of them. We proceeded up the street approximately 100 feet in that fashion, at which time I thought, for the purposes of the record, that I should make some face-to-face contact with Mr. Nelson, and so I swung on my heel and started west on Blake Street, and in so doing I touched the shoulder of Nelson. We both immediately pardoned each other, and I continued west on Blake Street, and my surveillance of the entire proceeding was at an end at that point.

Mr. APPELL. Mr. Murray, I show you a picture and ask you if you can identify the person on the left as you look at the picture as being that of Steve Nelson?

Mr. MURRAY. Yes, that is Steve Nelson as slightly older than when I knew him.

Mr. APPELL. And that is the individual you bumped into on Blake Street in Berkeley, Calif.?

Mr. MURRAY. Yes.

Mr. VELDE. Let that be marked "Murray Exhibit 1" and received in evidence.¹

Mr. RUSSELL. When you bumped into him, that was after he had left the residence of Joseph Weinberg?

Mr. MURRAY. Yes.

Mr. APPELL. I show you a picture that appeared in the Washington Post as of September 22, 1948, and ask if that is the individual you observed in the Blake Street residence with Steve Nelson?

Mr. MURRAY. Yes. I identify the picture as the picture of Dr. Joseph Weinberg, and as the individual who was in his own apartment sitting around the table with Mr. Nelson.

Mr. APPELL. And the individual you saw standing at a window of the apartment together with Steve Nelson, attempting to fix the window?

Mr. MURRAY. Yes, that is right.

Mr. VELDE. Let that be marked "Murray Exhibit 2" and received in evidence.²

How far was your point of observation from the window which you have just described, approximately?

Mr. MURRAY. The distance is approximately 30 feet, and I would say at about a 20° angle. I was above them about 20°.

Mr. VELDE. Was there anything between you and the window where Weinberg and Nelson appeared that would obstruct your vision?

Mr. MURRAY. There were the ordinary curtains and shades. However, the shades were up and the curtains were parted, giving us a good view in the room. And, of course, it was nighttime, and peering

¹ Murray exhibit 1, retained in the committee files.

² Murray exhibit 2, retained in the committee files.

from the darkness into the light you can always observe quite well.

Mr. VELDE. Did you see Dr. Weinberg and Steve Nelson shake hands or indicate in any way that they knew each other?

Mr. MURRAY. I don't recall that, sir. I did observe their talking together, which, to my mind, would signify some previous friendship or acquaintanceship.

Mr. RUSSELL. Do you recall where the other two agents conducting the surveillance were stationed?

Mr. MURRAY. They were on the roof with me.

Mr. APPELL. Mr. MURRAY, was there a special agent James J. Kilgore assigned to your office?

Mr. MURRAY. Yes, there was.

Mr. APPELL. Did Kilgore participate in the surveillance that night?

Mr. MURRAY. He may have participated in the surveillance that night, but he may have been in an outlying territory and may or may not have observed the proceedings. I don't know. I don't recall.

Mr. APPELL. Mr. MURRAY, do you have knowledge of a subsequent meeting between Steve Nelson and Weinberg in the Weinberg residence?

Mr. MURRAY. No, I have no knowledge of any other meetings.

Mr. APPELL. Off the record.

(Discussion off the record.)

Mr. VELDE. Let me ask you a question for the record. On the evening of August 12, 1943, about which you have been testifying, were there any FBI agents present, to your knowledge?

Mr. MURRAY. To my knowledge, the FBI was surveilling Steve Nelson and Bernadette Doyle until such time as they entered the Weinberg residence.

Mr. VELDE. You don't remember the names of the agents?

Mr. MURRAY. I don't recall specifically the names of the FBI agents who were on that surveillance that particular evening.

Mr. APPELL. Was your office able to identify the majority of the scientists at the radiation laboratory who made up a Communist cell within that project?

Mr. MURRAY. I think I would be very optimistic to say we identified all of them. However, I do think that during the course of many, many investigations at that particular project, and through our intensive efforts on Weinberg, Friedman, Bohm, and Lomanitz, there did come to our attention all the people who were concerned with the operation of a body, purpose unknown.

Mr. APPELL. How about John Hite Grove?

Mr. MURRAY. Grove on occasion was associated with the people I have previously named, although I don't believe he was quite as active or, in our estimation, quite as dangerous as some of the others. Grove appeared to be more conscientious about his work and less conscientious about furthering certain political philosophies.

Mr. VELDE. Do you know of any further facts which would be interesting or informative to this committee concerning the Communist cell that was operating among the scientists at the University of California?

Mr. MURRAY. Well, during the course of our investigative activities it came to our attention that this group of people were meeting almost weekly, and on occasion we intercepted, after a meeting, pamphlets which were going to be mailed to other personnel at the Uni-

versity of California, which were, incidentally, addressed and the envelopes sealed by Mrs. Weinberg and Mrs. Fox. We knew that these people were meeting for some reason, but we never were able to determine the exact reason, and upon inquiry a member of this group would always reply that they were a chapter of the Federation of Architects, Engineers, Chemists, and Technicians.

Mr. RUSSELL. Were those pamphlets, which you mentioned as having been distributed by Mrs. Fox and Mrs. Weinberg to various persons attached to the radiation laboratory, political pamphlets, or were they pamphlets of the Federation of Architects, Engineers, Chemists, and Technicians?

Mr. MURRAY. Those were pamphlets of a political nature and, if I recall correctly, stated the current Communist Party line at the moment.

Mr. APPELL. Did your office also observe Mrs. Weinberg and Mrs. Fox sending to the same people within the University of California a book by Earl Browder entitled "Victory and After"?

Mr. MURRAY. Yes.

Mr. APPELL. To which was attached a note: "With compliments of the Merriman branch of the Communist Party."

Mr. MURRAY. Yes.

Mr. VELDE. Did your investigation reveal that Dr. Joseph W. Weinberg was a member of the Merriman branch of the Communist Party?

Mr. MURRAY. We didn't actually ever see Weinberg's card, but through information supplied by confidential informants, we pretty definitely established in our own minds that he was an active member of the Communist Party.

Mr. VELDE. That was during the year 1943?

Mr. MURRAY. That was during the year 1943.

Mr. VELDE. Let's go back to the meeting you have described at the home of Dr. Joseph W. Weinberg on August 12, 1943. You have identified several of those members present. Could you state now how many were actually present at that meeting whom you could not identify?

Mr. MURRAY. I believe that at that time I could identify all of them. At this moment I fail to recall all of them.

Mr. VELDE. Would you say there were more than six sitting around the table in the dining room of Dr. Joseph W. Weinberg's home?

Mr. MURRAY. Including Weinberg, Nelson, and Doyle, I would judge that there were 9 or 10 present.

Mr. VELDE. And you observed conversation between Dr. Weinberg and Steve Nelson at that time?

Mr. MURRAY. Yes, I did.

Mr. VELDE. Did any particular person appear to be in charge of this group, as chairman?

Mr. MURRAY. I think that Nelson directed the conversation, because it appeared that the questions and answers were directed to him and that he was a leading factor in the conversation, so to speak.

* * * * *

Mr. VELDE. I think, for the purpose of the record, if you will state briefly your educational background and your occupation since the time you left the service, it would be helpful to the committee.

Mr. MURRAY. I am a graduate lawyer, and since being relieved of active duty with the Army I have been employed by the Lindsay Light & Chemical Co. in the capacity of assistant to the President, in which capacity I handle legal affairs of the company.

Mr. VELDE. Where did you go to law school?

Mr. MURRAY. St. Paul College of Law, St. Paul, Minn.

Mr. RUSSELL. What was your rank, or what were the various ranks you held, while assigned to the Manhattan project?

Mr. MURRAY. During the time I was in the San Francisco office I held the ranks of first and second lieutenant. During the time I was in Chicago I was captain.

Mr. VELDE. Mr. Murray, your being a lawyer, from your legal knowledge of the amount of evidence necessary to prove a crime, would you say that under the situation where Dr. Joseph W. Weinberg denied under oath that he was acquainted with Steve Nelson, and further denied he was acquainted with Steve Nelson when confronted with Steve Nelson while he was under oath, would that set of facts, in your opinion, constitute sufficient evidence to warrant indictment for perjury?

Mr. MURRAY. I would say most definitely it constitutes perjury if Dr. Weinberg made the statement under oath, inasmuch as I personally observed a meeting between the two parties which would indicate that they knew each other very well.

Mr. VELDE. You have certainly been a great help to us, and we appreciate your coming here.

(Wherenpon, at 5:15 p. m., the subcommittee adjourned.)

HEARINGS REGARDING COMMUNIST INFILTRATION OF
RADIATION LABORATORY AND ATOMIC BOMB PROJECT
AT THE UNIVERSITY OF CALIFORNIA, BERKELEY,
CALIF., VOLUME II (IDENTIFICATION OF SCIENTIST X)

WEDNESDAY, SEPTEMBER 14, 1949

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

Certain members of the staff of the Committee on Un-American Activities, including Frank S. Tavenner, Jr., counsel; Louis J. Russell, senior investigator; William A. Wheeler, investigator; A. S. Poore, editor; and K. E. Zimmerman, stenographer, convened in room 226, Old House Office Building, Washington, D. C., no member of the committee being present, in order to take the statement of a witness who was under subpoena to appear before the committee.

Mr. RUSSELL. The record should show that the staff has been unable to secure a member of the committee for the purpose of swearing the witness in and, in order to accommodate the witness, we will take his statement in question-and-answer form and as soon as it is typed it will be presented to the witness to make any corrections he desires to make, so far as his answers are concerned, after which we will take it before a notary public where he can attest to the fact that the answers which he gave, as shown in the transcript of the examination, are those which he gave to investigators and counsel of the committee.

The record should also show that the witness is accompanied by counsel, Mr. Clifford Durr.

Mr. Manfred, will you state your full name?

Mr. MANFRED. Ken Max Manfred.

Mr. RUSSELL. What is your present address?

Mr. MANFRED. 2019 McGee, Berkeley, Calif.

Mr. RUSSELL. Were you ever known by any other name?

Mr. MANFRED. Yes; before I legally changed my name, I was called Max Bernard Friedman.

Mr. RUSSELL. Will you spell the last name?

Mr. MANFRED. F-r-i-e-d-m-a-n.

Mr. RUSSELL. You said you legally changed your name—where did you change it?

Mr. MANFRED. I have the official transcript. [Passed transcript on to counsel.]

Mr. RUSSELL. What day did you legally change your name?

Mr. MANFRED. I legally changed my name on September 17, 1945, before the circuit court of Cook County, Ill.

Mr. RUSSELL. What is your present occupation?

Mr. MANFRED. At present I am assistant professor of physics on leave of absence in order to obtain my Ph. D.

Mr. RUSSELL. By whom are you employed as an assistant professor of physics?

Mr. MANFRED. By the University of Puerto Rico.

Mr. RUSSELL. Which school are you presently attending?

Mr. MANFRED. At present, or rather last year, I was attending the University of California and I intend to reregister this month at the University of California at Berkeley.

Mr. RUSSELL. Is your tuition at the University of California being paid by the University of Puerto Rico?

Mr. MANFRED. The University of Puerto Rico is giving me a scholarship, I imagine it may be called, of \$2,000 a year, which is, of course, to help pay my living expenses and whatever other things I may need.

Mr. RUSSELL. Were you at one time employed at the radiation laboratory at the University of California at Berkeley?

Mr. MANFRED. Yes, I believe in 1943.

Mr. RUSSELL. For how long a period were you employed by the radiation laboratory?

Mr. MANFRED. I believe it was about 10 months.

Mr. RUSSELL. The records of the Atomic Energy Committee reflect that you were employed at the radiation laboratory by the Manhattan Engineering District from August 28, 1943, to September 1944—is that about correct?

Mr. MANFRED. Well, they probably know more accurately than I, but that seems rather late.

Mr. RUSSELL. From September 4, 1942, through August 28, 1943—does that sound right?

Mr. MANFRED. Yes, that sounds better.

Mr. RUSSELL. Did you subsequently become employed by the metallurgical laboratory at the University of Chicago? Was that a part of the Manhattan Engineering District project?

Mr. MANFRED. Probably so. I applied for a position there myself.

Mr. RUSSELL. To whom did you apply—the University of Chicago or a Government agency?

Mr. MANFRED. I am not aware of the difference, but I applied to the personnel of the theoretical section of the laboratory and I was told that they did not need a theoretical man, but I might possibly work in some other section.

Mr. RUSSELL. While you were at the metallurgical laboratory, did you perform any work on the Manhattan project?

Mr. MANFRED. Probably so.

Mr. RUSSELL. Don't you recall?

Mr. MANFRED. I am not aware of the difference—but I worked in the metallurgical laboratory.

Mr. RUSSELL. By whom were you paid?

Mr. MANFRED. I don't know who signed the checks—but probably I was paid under the Manhattan engineering project.

Mr. RUSSELL. For what reason did you leave the employment of the Manhattan engineering district in Chicago?

Mr. MANFRED. I was told that they were unable to obtain clearance for me for the dropect at Berkelev. I had not been told about that—for a period of 5 months they said they had been corresponding re-

garding my clearance but could not obtain one, therefore they would have to relieve me.

Mr. RUSSELL. Do you have a brother named Sam Friedman?

Mr. MANFRED. Yes.

Mr. RUSSELL. Is he still in Russia?

Mr. MANFRED. Yes, he is.

Mr. RUSSELL. Do you know, or are you acquainted with, the occupation which he follows in Russia?

Mr. MANFRED. My impression is that he is a translator and writer.

Mr. RUSSELL. Is he employed by the Soviet Government?

Mr. MANFRED. I do not believe by the Government itself.

Mr. RUSSELL. When did he go to Russia?

Mr. MANFRED. About 20 years ago.

Mr. RUSSELL. Mr. Manfred, have you ever been a member of the Young Communist League?

Mr. MANFRED. I decline to answer on the ground of self-incrimination.

Mr. RUSSELL. Are you now, or have you ever been, a member of the Communist Party of the United States?

Mr. MANFRED. I decline to answer on the ground of self-incrimination.

Mr. RUSSELL. Are you acquainted with an individual named Rossi Lomanitz?

Mr. MANFRED. Yes, he is a good friend of mine.

Mr. RUSSELL. Did you ever attend any Communist Party meetings with him?

Mr. MANFRED. I decline to answer that question on the same ground.

Mr. RUSSELL. Are you acquainted with an individual named David Bohm?

Mr. MANFRED. Yes.

Mr. RUSSELL. Are you acquainted with Irving David Fox?

Mr. MANFRED. Yes.

Mr. RUSSELL. Do you know Robert R. Davis?

Mr. MANFRED. I don't believe so.

Mr. RUSSELL. Did you ever attend any Communist Party meetings with David Bohm?

Mr. MANFRED. I decline to answer that question on the same ground.

Mr. RUSSELL. Did you ever attend any Communist Party meetings with Irving David Fox?

Mr. MANFRED. I decline to answer that question on the same ground.

Mr. RUSSELL. Are you acquainted with John Hite Grove?

Mr. MANFRED. I do not believe so.

Mr. RUSSELL. Do you know Kenneth May?

Mr. MANFRED. I have heard of him but do not know him.

Mr. RUSSELL. Are you acquainted with Joseph W. Weinberg?

Mr. MANFRED. Yes.

Mr. RUSSELL. Have you ever attended Communist Party meetings with Joseph Weinberg?

Mr. MANFRED. I decline to answer that question on the same ground.

Mr. RUSSELL. Are you acquainted with Steve Nelson?

Mr. MANFRED. I decline to answer that question on the same ground.

Mr. RUSSELL. Mr. Manfred, I will show you a photograph of Steve Nelson—he is this individual on the left-hand side—have you ever set eyes on this man? [Hands photograph to witness.]

Mr. MANFRED. I decline to answer that question on the same ground.

Mr. RUSSELL. Have you ever been present at the home of Steve Nelson?

Mr. MANFRED. I decline to answer that question on the same ground.

Mr. RUSSELL. Do you know Bernadette Doyle?

Mr. MANFRED. I decline to answer on the same grounds.

Mr. RUSSELL. Are you acquainted with Mrs. Libby Burke?

Mr. MANFRED. I decline to answer that question on the same ground.

Mr. RUSSELL. Do you recall where Joseph Weinberg lived in Berkeley, Calif.?

Mr. MANFRED. I believe it was on Blake Street.

Mr. RUSSELL. Were you a member of the Communist Party in 1943?

Mr. MANFRED. I decline to answer that question on the same ground.

Mr. RUSSELL. Did you ever attend a Communist Party meeting at the home of Joseph W. Weinberg on Blake Street in Berkeley, Calif., which was also attended by Steve Nelson, Bernadette Doyle, Irving David Fox, and Rossi Lomanitz?

Mr. MANFRED. I decline to answer that question on the same ground.

Mr. RUSSELL. Are you acquainted with Pettis Perry?

Mr. MANFRED. No.

Mr. RUSSELL. You don't know him?

Mr. MANFRED. No, I do not.

Mr. RUSSELL. When you attended the University of California, was your tuition paid by any outside individual such as a foundation or some such organization?

Mr. MANFRED. Never.

Mr. RUSSELL. Have you ever received financial support from any such foundation?

Mr. MANFRED. I do not remember any such thing.

Mr. RUSSELL. How was your education financed at the University of California?

Mr. MANFRED. Well, I often worked part time selling shoes and often on Saturdays. Usually during the summer period I worked full time.

Mr. RUSSELL. Were you ever an airplane assembler?

Mr. MANFRED. Yes, in 1937-38.

Mr. RUSSELL. In that connection, in what organization were you employed?

Mr. MANFRED. North American Aviation of Englewood, Calif.

Mr. RUSSELL. I don't believe I have asked the date and place of your birth.

Mr. MANFRED. I was born in Philadelphia, Pa., on February 5, 1915.

Mr. RUSSELL. Our information indicates that you graduated from Bell High School in Bell, Calif., in 1932.

Mr. MANFRED. That is correct.

Mr. RUSSELL. Have you received an A. B. degree from the University of California in Los Angeles in 1940?

Mr. MANFRED. That is correct.

Mr. RUSSELL. From 1942, or at least during 1942, you were doing graduate work at the University of California at Berkeley?

Mr. MANFRED. That is also correct.

Mr. RUSSELL. Have you ever had any employment other than that mentioned in the course of the examination?

Mr. MANFRED. From 1933 to 1936, I worked in a shoe store again. During probably 1941—probably the latter part of 1940, I was teaching assistant of physics at the University of California.

Mr. RUSSELL. When did you become employed by the University of Puerto Rico?

Mr. MANFRED. In 1945 I was given the position of assistant professor of physics at the College of Mechanical Arts in Mayaguez, P. R.

Mr. DURR. Is the A. & M. College in Puerto Rico connected with the university?

Mr. MANFRED. Yes, it is a branch of the University of Puerto Rico.

Mr. RUSSELL. While employed by the radiation laboratory or the metallurgical laboratory at the University of Chicago, were you ever asked to furnish any information regarding the type of work you were performing to any outside individual?

Mr. MANFRED. No, I was never asked to do so. Might I make a statement?

Mr. RUSSELL. Yes.

Mr. MANFRED. It is my impression that the committee is interested in espionage—

Mr. RUSSELL. We are also interested in communism, fascism, and certain other isms.

Mr. MANFRED. In this particular thing, I would like to state clearly that I have never in my life known personally of any espionage or any intention of espionage and if I had ever known of it, I would certainly have reported it.

Mr. RUSSELL. Are you still of that frame of mind today?

Mr. MANFRED. Absolutely.

Mr. RUSSELL. While in Chicago, did you ever have a mailing address at International House?

Mr. MANFRED. Yes, I was at International House in Chicago for about a year.

Mr. RUSSELL. Do you recall the dates?

Mr. MANFRED. It must have been the year before I left Chicago—that would probably make it about during 1945.

Mr. RUSSELL. While at the University of Chicago, did you ever become acquainted with Clarence Hiskey?

Mr. MANFRED. No.

Some information concerning other employment which I have had has not been included in the record, do you want me to supply it?

Mr. RUSSELL. We would like to have your complete employment record—suppose you tell us what was omitted.

Mr. MANFRED. When I left the radiation laboratory in Berkeley, I went to the University of Wyoming as instructor in physics, teaching physics in the Army program for a period of six months. When I left the metallurgical laboratory in Chicago, I was a teaching assistant at the University of Chicago for about 3 months, then worked about 2 weeks for some company, I think it was known as the Ace Manufacturing Corp., and then about 2 or 3 months for the National Acoustics Products Co. in Chicago, and I have worked for 1 year in the College of Mechanical Arts in Mayaguez and for 2 years at the University of Puerto Rico as an assistant professor.

Mr. RUSSELL. Does that complete the record?

Mr. MANFRED. I believe so.

Mr. RUSSELL. The record should show that Mr. Manfred appeared in response to a subpoena served on him on Thursday, August 18, 1949, in Berkeley, Calif.

I have no further questions.

(Whereupon this statement in question and answer form was sworn to as being accurate before a notary public, which affidavit follows, and the meeting was adjourned.)

I, Ken Max Manfred, 2019 McGee, Berkeley, Calif., do solemnly affirm before the undersigned notary public that the testimony attached to this document is, to the best of my knowledge and belief, an exact copy of a statement taken from me in question and answer form by representatives of the Committee on Un-American Activities on Wednesday, September 14, 1949.

KEN M. MANFRED.

TRUMAN WARD, *Notary Public.*

Commission expires January 14, 1951, District of Columbia.

HEARINGS REGARDING COMMUNIST INFILTRATION OF
RADIATION LABORATORY AND ATOMIC-BOMB PROJECT
AT THE UNIVERSITY OF CALIFORNIA, BERKELEY,
CALIF., VOLUME II (IDENTIFICATION OF SCIENTIST X)

TUESDAY, SEPTEMBER 27, 1949

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC SESSION

The subcommittee met, pursuant to call, at 10:30 a. m. in room 226, Old House Office Building, Hon. Burr P. Harrison presiding.

Committee members present: Representatives Burr P. Harrison (presiding), Morgan M. Moulder (arriving at point hereinafter indicated), Francis Case, and Harold H. Velde.

Staff members present: Frank S. Tavenner, Jr., counsel; Louis J. Russell, senior investigator; Donald T. Appell and William A. Wheeler, investigators; Benjamin Mandel, director of research; and A. S. Poore, editor.

Mr. HARRISON. Let the record show the hearing this morning is conducted by a subcommittee appointed by the chairman, consisting of Mr. Moulder, Mr. Nixon, Mr. Case, Mr. Velde, and Mr. Harrison, a quorum of which is present, consisting of Mr. Case, Mr. Velde, and Mr. Harrison.

Mr. TAVENNER. Mr. Fox.

Mr. HARRISON. Do you solemnly swear that, in the testimony you are about to give before this subcommittee, you will speak the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Fox (Irving David). I do.

Mr. TAVENNER. Mr. Chairman, the hearing this morning involves the committee's investigation of the Communist cell which existed at the radiation laboratory at the University of California. In view of the fact that the Soviet Government is reported to have recently exploded an atomic charge of some kind, it appears that the hearings involving the Communist cell at the radiation laboratory of the University of California become of extreme importance.

The witness this morning is one of those persons who was reported to the committee as having been a member of the Communist cell which existed at the radiation laboratory. Thus far, none of the scientists interrogated by the committee who performed atomic work at the radiation laboratory has cooperated with this committee. It is my hope that the witness this morning will assume a different atti-

tude from that expressed by the other witnesses in our investigation of the Communist cell at the radiation laboratory.

**TESTIMONY OF IRVING DAVID FOX (ACCOMPANIED BY HIS
COUNSEL, CLIFFORD J. DURR)**

Mr. TAVENNER. What is your name?

Mr. FOX. Irving David Fox.

Mr. TAVENNER. Are you represented here by counsel?

Mr. FOX. I am, by Mr. Durr.

Mr. TAVENNER. You were subpoenaed to appear before the committee on September 14, I believe, and the matter was continued until today?

Mr. FOX. Yes; that is right.

Mr. HARRISON. I wish counsel would identify himself for the record.

Mr. DURR. Clifford J. Durr, 1625 K Street NW., Washington, D. C.

Mr. TAVENNER. When and where were you born?

Mr. FOX. I was born September 8, 1920, in Brooklyn, N. Y.

Mr. TAVENNER. What is your father's name?

Mr. FOX. Jacob S. Fox.

Mr. TAVENNER. Were your parents born in this country?

Mr. FOX. They were not.

Mr. TAVENNER. Where were they born?

Mr. FOX. They were born in Russia.

Mr. TAVENNER. Where in Russia?

Mr. FOX. I don't know.

Mr. TAVENNER. Will you furnish the committee with a résumé of your educational background?

Mr. FOX. Yes. After graduating from high school in Brooklyn, I attended the Los Angeles Junior College from 1936 to 1938. I attended the University of California at Berkeley from 1938 to 1940 and for one semester in 1942, at which time I received a bachelor's degree, and I went back to the university in 1946, and I am still there.

Mr. TAVENNER. Will you furnish the committee a résumé of your employment background?

Mr. FOX. I had a number of odd jobs while I was at the university, such things as working in the university library and working in restaurants. Do you want those in detail?

Mr. TAVENNER. No, not while you were in attendance at school. Any outside positions that you held while you were at the university, you may enumerate.

Mr. FOX. In 1940, I worked for the Cannery Workers Union for a few months, and then got a job in a fish cannery, and then several other odd jobs which I don't remember at the present time, and finally I worked in Alaska for the Siems Drake Pudget Sound Co.

Mr. TAVENNER. When was that?

Mr. FOX. That was the last half of 1941. At that time, I returned to the university to get my degree. When I graduated in 1942, I went to work at the University of California's radiation laboratory, and I worked there until the spring of 1945.

Mr. TAVENNER. What time did you begin work at the radiation laboratory?

Mr. FOX. In May 1942. I was then inducted into the Navy, and when I came back I was reemployed at the radiation laboratory for possibly 3 months during the summer of 1946.

Mr. TAVENNER. When were you inducted into the Navy?

Mr. FOX. That was during the summer of 1945.

Mr. TAVENNER. Did you obtain a doctor's degree at the University of California?

Mr. FOX. I have not yet obtained it. I think I left out one thing. I am now teaching assistant at the University of California, although I am primarily a student.

Mr. VELDE. What subjects do you teach?

Mr. FOX. Physics.

Mr. VELDE. Nuclear physics?

Mr. FOX. No; elementary physics.

Mr. TAVENNER. Mr. FOX, the committee has received definite information that a Communist cell existed at the radiation laboratory at the University of California, not only during the period it was performing work on the atomic bomb but also before that period. Were you a member of the Communist cell at the radiation laboratory?

Mr. FOX. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. TAVENNER. Have you ever been a member of the Young Communist League?

Mr. FOX. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Have you been a member at any time of the Communist Political Association?

Mr. FOX. I refuse to answer that question, too, on those grounds.

Mr. TAVENNER. Have you ever been a member of the Communist Party of the United States?

Mr. FOX. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Were you ever a member of the organization known as the American Student Union?

Mr. FOX. I refuse to answer that question on the same ground.

Mr. HARRISON. What, Mr. Witness, is the American Student Union?

Mr. FOX. May I consult with my attorney?

Mr. TAVENNER. Yes.

(The witness conferred with counsel.)

Mr. FOX. I refuse to answer that question on the same ground.

Mr. TAVENNER. Did I understand you to say that you attended the Los Angeles City College?

Mr. FOX. Yes.

Mr. TAVENNER. When was that?

Mr. FOX. From the fall of 1936 until the spring of 1938.

Mr. TAVENNER. While a student at that college, were you placed on probation for the distribution of radical literature on the campus?

Mr. FOX. I refuse to answer that question on the same ground.

Mr. HARRISON. Were you placed on probation?

(The witness conferred with counsel.)

Mr. FOX. I was placed on probation at the time for "littering the campus," I believe the charges were, I am not sure. There was some question as to the dividing line, as to where the campus began and ended, and I was not certain of that location, and was apparently on the wrong side of the line.

Mr. HARRISON. You mean you circulated literature on the campus, or off the campus, as it developed?

Mr. FOX. Apparently on the campus.

Mr. HARRISON. And there was some rule of the college covering that?

Mr. FOX. Yes.

Mr. HARRISON. Will you summarize what the rule was?

Mr. FOX. I am not sure about that. I imagine there was some regulation. I am quite sure now, I recall, there was some regulation about the unauthorized distribution of any sort of material on the campus.

Mr. HARRISON. In other words, then, you were placed on probation for circulating printed matter, and the nature of the printed matter had nothing to do with it; is that right?

Mr. FOX. I am not sure about that. I believe that is so, to the best of my recollection. That was about 13 years ago.

Mr. HARRISON. How could that involve you in a criminal prosecution, the ground on which you refused to answer the question?

(The witness conferred with counsel.)

Mr. FOX. Well, I am answering the question now, and I don't even recall what the nature of the material was.

Mr. HARRISON. All right, Mr. Counsel [Counsel for the Committee.]

Mr. VELDE. I would like to ask a question.

Mr. HARRISON. Mr. Velde.

Mr. VELDE. Where did you obtain the material?

Mr. FOX. I don't remember that either.

Mr. VELDE. When was this?

Mr. FOX. 1936, 1937, or 1938.

Mr. VELDE. Did you do it on more than one occasion prior to your being placed on probation?

Mr. FOX. I don't think so. I don't remember, though.

Mr. VELDE. What did the pamphlets look like; do you remember that?

Mr. FOX. No. As a matter of fact, I did not remember the incident at all until you recalled it to me.

Mr. VELDE. A matter as important as being placed on probation when you were a student at college, you would remember the facts and circumstances surrounding it; wouldn't you?

Mr. FOX. I don't think "probation" is the right word. I think a notation was placed on my record and was supposed to be removed after one semester. The authorities forgot to remove the notation, and I had trouble getting the records from the college when I went to attend the University of California.

Mr. VELDE. You understood, if you distributed further literature, you were subject to being expelled by the college after this mark was made on your record?

Mr. FOX. I don't recall that. I was bawled out by the dean or man in charge of this particular thing.

Mr. VELDE. You remember that occasion of being bawled out by the dean?

Mr. FOX. Yes.

Mr. VELDE. Who was present when you were talking to the dean?

Mr. FOX. I don't know.

Mr. VELDE. Do you remember the dean's name?

Mr. FOX. No.

Mr. VELDE. Do you remember what he said regarding it?

Mr. FOX. About all I remember of the incident is what I discussed with you here; that I was told a notation would be placed in the record

and that it would be removed after the semester if there was no further complaint. Beyond that, I don't recall the incident.

Mr. VELDE. Do you remember how many pieces of literature you distributed?

Mr. FOX. No.

Mr. VELDE. Approximately?

Mr. FOX. No.

Mr. VELDE. Have you any idea as to the number?

Mr. FOX. More than 10; more than 20, perhaps; I don't know.

Mr. VELDE. Less than a hundred?

Mr. FOX. Probably, but I can't say.

Mr. VELDE. Would you just give them to any student who happened to be walking on the campus?

Mr. FOX. Yes.

Mr. VELDE. You have no idea as to the contents of the material you were handing out?

Mr. FOX. No.

Mr. VELDE. And you have no idea where you got it?

Mr. FOX. No.

Mr. VELDE. That is all.

Mr. HARRISON. Your objection was because the notation was not removed; you took no objection to the facts stated in the notation?

Mr. FOX. Will you repeat that, please?

Mr. HARRISON. In other words, the university should have removed the notation at the end of the semester?

Mr. FOX. Yes.

Mr. HARRISON. And they failed to do so?

Mr. FOX. Yes.

Mr. HARRISON. Your complaint was because of the failure to remove the notation and not what was said in the notation?

Mr. FOX. I understand the question. I don't know what was in the notation. If the notation was as I have stated, then that is correct.

Mr. HARRISON. You knew what was in it at the time, didn't you?

Mr. FOX. I didn't see it.

Mr. TAVENNER. Were you accustomed to distributing literature on the campus?

Mr. FOX. Where?

Mr. TAVENNER. At the same school, Los Angeles City College.

Mr. FOX. It was not a usual thing.

Mr. TAVENNER. Had you done it prior to that time?

Mr. FOX. On campus limits?

Mr. TAVENNER. Yes.

Mr. FOX. I had never done it before or since.

Mr. TAVENNER. Had you been accustomed to distributing literature in the community, and not on the campus?

(The witness conferred with counsel.)

Mr. FOX. I may have been. I don't remember all the incidents that far back.

Mr. TAVENNER. You were more careful after this not to distribute any on the campus; is that right?

Mr. FOX. I would rather not answer it that way. I obeyed the regulations after that.

Mr. TAVENNER. But did you continue to distribute pamphlets or literature, though not on the campus?

Mr. FOX. After that date? I don't remember.

Mr. TAVENNER. Are you acquainted with Bernadette Doyle?

Mr. FOX. I refuse to answer the question on the previously stated grounds.

Mr. TAVENNER. Do you recall on one occasion, in a conversation with an organizer of the Communist Party in Alameda County, Calif., that you suggested that the Communist Party organizer discuss the question of cooperation with a secret branch of the Communist Party?

Mr. FOX. That I suggested?

Mr. TAVENNER. Yes.

Mr. FOX. I don't recall anything like that.

Mr. TAVENNER. Do you recall a conversation about a secret branch of the Communist Party which you had with an organizer of the Communist Party?

Mr. FOX. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Was there a secret branch of the Communist Party in Alameda County, to your knowledge?

Mr. FOX. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Do you know whether Bernadette Doyle at that time was organizational director of the Communist Party in Alameda County?

(The witness conferred with counsel.)

Mr. FOX. I don't know that.

Mr. HARRISON. You do not know?

Mr. FOX. I do not know.

Mr. TAVENNER. Will you state to the committee whether your wife received instructions to become a member of the secret branch of the Communist Party, due to the fact it was thought it would be unfavorable for her to be connected with the open Communist Party because of your position at the radiation laboratory?

Mr. FOX. I would rather not discuss these questions concerning my wife, or anything having to do with our relationship.

(Representative Moulder enters.)

Mr. HARRISON. Do you refuse to answer on that ground?

(The witness conferred with counsel.)

Mr. FOX. I understand that I can refuse to answer on the grounds that this is a confidential relationship, and I also add the grounds I stated previously.

Mr. TAVENNER. I didn't ask you about confidential relations between you and your wife. I asked if you did not make that statement to a Communist Party member.

Mr. FOX. If I made that statement?

Mr. TAVENNER. Yes.

Mr. FOX. I refuse to answer on the grounds of possible self-incrimination.

Mr. HARRISON. Let the record show that Judge Moulder is now present.

Mr. TAVENNER. Are you acquainted with Rose Segure, who is a Communist Party functionary on the west coast?

Mr. FOX. I refuse to answer the question on the grounds of self-incrimination. I will answer the first part of the question about Rose Segure. I know her.

Mr. TAVENNER. You state that you know her, but you are making no reference to her Communist Party affiliation?

Mr. Fox. Yes. I know Rose Segure as a member or official of a union of which I was a member.

Mr. TAVENNER. Is she a member of the Communist Party?

Mr. Fox. I don't know that at all.

Mr. TAVENNER. Was she at any time a member of the Communist Party, to your knowledge?

Mr. Fox. Not to my knowledge.

Mr. TAVENNER. Are you acquainted with Barney Young?

Mr. Fox. Yes.

Mr. TAVENNER. Is he known to you as a member of the Communist Party?

Mr. Fox. No.

Mr. TAVENNER. Are you acquainted with David Adelson?

Mr. Fox. I believe so; yes.

Mr. TAVENNER. Is he known to you as a member of the Communist Party?

Mr. Fox. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Are you acquainted with John Hite Grove?

Mr. Fox. Yes.

Mr. TAVENNER. And his wife, Jean Grove?

Mr. Fox. No.

Mr. TAVENNER. Is John Hite Grove known to you as a member of the Communist Party?

Mr. Fox. I refuse to answer on the same grounds.

(The witness conferred with counsel.)

Mr. TAVENNER. Was he employed at the radiation laboratory?

Mr. Fox. Yes.

Mr. TAVENNER. During the entire period that you were employed there, or not?

Mr. Fox. I don't know. It was during most of the period, let us say; at least that.

Mr. TAVENNER. Are you acquainted with Joseph Weinberg?

Mr. Fox. Yes.

Mr. TAVENNER. Was he likewise employed at the radiation laboratory while you were there?

Mr. Fox. I don't know what his connection was. I think he was employed by the physics department during all that period.

Mr. TAVENNER. Was he known to you as a member of the Communist Party?

Mr. Fox. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Did he attend any Communist Party meetings with you?

Mr. Fox. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Are you acquainted with Steve Nelson?

Mr. Fox. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Did you ever attend a meeting in the apartment of Joseph Weinberg in Berkeley, Calif., in August or any other month in 1943 which was attended by Steve Nelson and Bernadette Doyle, or either of them?

Mr. Fox. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Did you know Muriel Weinberg, the wife of Joseph Weinberg?

Mr. Fox. Yes.

Mr. TAVENNER. Was she a member of the Communist Party, to your knowledge?

Mr. FOX. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Are you acquainted with Giovanni Rossi Lomanitz?

Mr. FOX. Yes.

Mr. TAVENNER. Is he known to you as a member of the Communist Party?

Mr. FOX. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Did you ever attend a meeting in the home of Weinberg at which Lomanitz was present?

Mr. FOX. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Are you acquainted with David Bohm?

Mr. FOX. Yes.

Mr. TAVENNER. Was he known to you as a member of the Communist Party?

Mr. FOX. I refuse to answer that question on the same ground.

Mr. TAVENNER. Was your father a member of the Communist Party?

Mr. FOX. I wonder if that question has any bearing on the case. I might state that my views are independent, that I come to my own conclusions independently of my father, and if it has no other bearing on the case than to associate me with him because of the fact that I am his son, I would prefer not to answer that.

Mr. HARRISON. The question is whether or not your father is a member of the Communist Party.

(The witness conferred with counsel.)

Mr. FOX. In that case I refuse to answer the question on the same ground.

Mr. TAVENNER. Do you subscribe to the People's World?

Mr. FOX. No.

Mr. TAVENNER. Have you ever subscribed to it?

(The witness conferred with counsel.)

Mr. FOX. I may have. I believe that I did for a period of a few months. I am not sure of that.

Mr. TAVENNER. During what period of time?

Mr. FOX. In the early forties, perhaps.

Mr. TAVENNER. Were you also a subscriber to the Daily Worker?

Mr. FOX. No.

Mr. TAVENNER. Did you receive the Daily Worker from any source regularly?

Mr. FOX. Certainly not regularly; possibly not at all. I remember having seen the paper; that is about all. No; I have seen the paper on a number of occasions.

Mr. TAVENNER. Are you acquainted with Max Bernard Friedman?

Mr. FOX. Yes.

Mr. TAVENNER. Who is now known as Ken Max Manfred?

Mr. FOX. Yes.

Mr. TAVENNER. You knew the fact he had changed his name in 1945?

Mr. FOX. I don't know when he changed his name. I learned of it only recently.

Mr. TAVENNER. Did you ever attend a Communist Party meeting with him?

Mr. FOX. I refuse to answer the question on the same ground.

Mr. TAVENNER. Is he known to you as a member of the Communist Party?

Mr. FOX. I refuse to answer that question on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. HARRISON. Mr. Moulder?

Mr. MOULDER. No questions.

Mr. HARRISON. Mr. Case?

Mr. CASE. When did you say you were born?

Mr. FOX. September 8, 1920.

Mr. CASE. 1920?

Mr. FOX. Yes.

Mr. CASE. And you are married?

Mr. FOX. Yes.

Mr. CASE. Do you have any children?

Mr. FOX. Yes.

Mr. CASE. How many?

Mr. FOX. One.

Mr. CASE. How old?

Mr. FOX. Six and a half.

Mr. CASE. A boy or a girl?

Mr. FOX. Girl.

Mr. CASE. When did you get your bachelor's degree?

Mr. FOX. In 1942, May of 1942, or June.

Mr. CASE. What was your major?

Mr. FOX. Mathematics.

Mr. CASE. Have you a master's degree?

Mr. FOX. No.

Mr. CASE. During your attendance at the Los Angeles Junior College, did you engage in what is known as extracurricular activities? Did you take part in any athletics?

Mr. FOX. No. Well, not in any organized athletic teams. I, of course, took physical education.

Mr. CASE. But you did not play baseball or football competitively?

Mr. FOX. No.

Mr. CASE. Did you take part in dramatics?

Mr. FOX. I think I may have, but I don't remember whether it was an official campus group or not.

Mr. CASE. Did you at the University of California, later?

Mr. FOX. No.

Mr. CASE. Do you remember, when you took part in dramatics, the plays you played in?

Mr. FOX. That was in 1936. I don't recall the details of that. I don't remember.

Mr. CASE. Did you work on the college paper?

Mr. FOX. No. No; I haven't.

Mr. CASE. Did you ever write for publication?

Mr. FOX. I don't recall. I don't remember.

Mr. CASE. What interested you in literature to the extent that you were distributing literature on the campus?

Mr. FOX. I think the word "literature" was used in a slightly different sense than it generally is. I think this was not literature in the ordinary sense of the word. I think it was some pamphlets.

Mr. CASE. Pamphlets?

Mr. FOX. Or something like that.

Mr. CASE. Pamphlets you helped to prepare, or pamphlets that you obtained?

Mr. FOX. I don't recall what they were.

Mr. CASE. Were you required to distribute them?

Mr. FOX. No.

Mr. CASE. You did it of your own free will?

Mr. FOX. Probably.

(The witness conferred with counsel.)

Mr. CASE. You stated you were inducted in the Navy in 1945; is that correct?

Mr. FOX. Yes.

Mr. CASE. And you were then 25 years old?

Mr. FOX. Yes.

Mr. CASE. Did you ask for deferment from induction prior to that time?

Mr. FOX. Deferment was requested by the radiation laboratory up until that date. When I received notice of the impending termination, I went to my draft board and they said they would give me a lot of time to find a new job. Before I was terminated I looked around, and it seemed the only positions that were open were not in my line of training, so I asked for immediate induction, and in July, I imagine, possibly in June or July, the draft board had a delay of some sort and I was not inducted for about a month.

Mr. CASE. How long did you serve?

Mr. FOX. For 9 months.

Mr. CASE. And how did you come to be discharged at the end of 9 months?

Mr. FOX. How?

Mr. CASE. Yes. Were you discharged for the convenience of the Government, or at your request?

Mr. FOX. Neither. I don't know what you mean by "convenience of the Government." It was a normal discharge in that the war was over and the point system was in operation. I was considerably older than most of those I was serving with, and I got discharged sooner.

Mr. CASE. You were married and had a child?

Mr. FOX. Yes.

(The witness conferred with counsel.)

Mr. FOX. I don't know if your question referred to whether it was or was not an honorable discharge. It was.

Mr. CASE. No. So you applied for discharge at the end of 9 months?

Mr. FOX. No; there was no application made. I was informed I would be discharged on the point system.

Mr. CASE. When did your parents come to this country?

Mr. FOX. I don't know. Before the First World War. That is about all I know.

Mr. CASE. Do you know how they happened to come to this country?

Mr. FOX. How? By boat. I am sorry; I misunderstood the question. Probably because they anticipated better educational opportunities in this country, which were fulfilled after they came here.

Mr. CASE. Do you know how old they were when they came here?

Mr. FOX. No. Possibly in their teens, late teens.

Mr. CASE. Were they married when they came here?

Mr. FOX. No.

Mr. CASE. How do you happen to be in your present position as teaching assistant at the University of California?

Mr. FOX. I applied for the job and there was a selection made and I was appointed.

Mr. CASE. Is it a part-time position?

Mr. FOX. Yes; it is part time, and also secondary to my student position. I mean, it is not supposed to interfere with my studies.

Mr. CASE. How did you come to be employed by the radiation laboratory? Did you apply for that position?

Mr. FOX. Yes.

Mr. CASE. Do you know whether or not you went through any particular surveillance examination at that time?

Mr. FOX. I imagine there was the usual investigation made. I understood that all applicants, or all employees, at least, were investigated by someone.

Mr. CASE. And what was the reason for the termination of your employment when you left the radiation laboratory?

Mr. FOX. The staff was cut down considerably at the time, and my work was ended.

Mr. CASE. There were others let out at the same time?

Mr. FOX. Yes; within a period of 2 months, I would say, as different jobs were completed. There was a delay in some cases.

Mr. CASE. Were any of these individuals whom counsel has asked if you knew let out at the same time?

Mr. FOX. I don't know about the employment connections of all of them. I can't say. The ones I do know about were not terminated at that time. Mr. Lomanitz was terminated much earlier. I don't know about Mr. Friedman, or Manfred. I believe he was terminated earlier. I don't know about the connections of Mr. Bohm or Weinberg with the lab, in the sense that they may have been working officially for the physics department. Mr. Bohm continued working for the physics department at the time I was terminated.

Mr. CASE. But Lomanitz, Weinberg, and Friedman were all employed by the radiation laboratory at the same time you were?

Mr. FOX. I don't know about Weinberg. He probably was. I know he was employed by the physics department for sure. I don't know whether during part of the time he was employed by the radiation laboratory.

Mr. CASE. But you know he was employed by the physics department of the University of California?

Mr. FOX. Yes. There was a close connection between the two at one time.

Mr. CASE. Was the radiation laboratory connected with the physics department?

Mr. FOX. I don't know what the exact connection was. Men at the radiation laboratory teach in the physics department. There was a time the radiation laboratory was part of the physics department, but it grew to be larger and I don't know what the official connection is.

Mr. CASE. From whom did you receive your pay checks?

Mr. FOX. University of California.

Mr. CASE. The University of California operated the radiation laboratory under a contract?

Mr. FOX. Yes.

Mr. CASE. And did assign its employees to the radiation laboratory without any differentiation as to whether they would work there or in the physics department?

Mr. FOX. No. Occasionally the laboratory needed people who were employed by the university, or possibly employed by outside companies, and got permission from the security officers or someone to employ those people. How they were paid, I don't know. I presume a lot of people were under that set-up. I don't know.

Mr. CASE. Did you understand you were to be employed by the radiation laboratory, as such, or by the University of California?

Mr. FOX. By the University of California in the radiation laboratory. The radiation laboratory is not a separate organization. You might say I was employed by the radiation laboratory's personnel department, but they are not completely autonomous. The pay checks come from the University of California under the radiation laboratory accounts, something of that sort.

Mr. CASE. That is where you were employed from May 1942 until the spring of 1945?

Mr. FOX. Yes.

Mr. CASE. Three years?

Mr. FOX. Yes.

Mr. CASE. During that time you knew Lomanitz and Friedman at the radiation laboratory?

Mr. FOX. Yes.

Mr. CASE. And you knew Weinberg in the physics department?

Mr. FOX. Yes.

Mr. CASE. When counsel was asking you about these various persons, as to whether or not you knew if they were members of the Communist Party or of the Communist cell in the radiation laboratory, in several cases you said, "I do not know." Is that correct?

Mr. FOX. I think I did; yes.

Mr. CASE. And as to others you declined to answer on the ground of self-incrimination. Is that correct?

Mr. FOX. Yes.

Mr. CASE. Doesn't that imply to an average person that as to the ones you refused to answer on the ground of possible self-incrimination, that you do know?

(The witness conferred with counsel.)

Mr. FOX. I don't know what that implies. I didn't mean to imply anything other than the fact I refused to answer on those grounds.

Mr. CASE. But the others, where you did not know, you said you did not know?

Mr. FOX. That is correct.

Mr. CASE. And as to those that you do know, you declined to answer on the ground of self-incrimination?

Mr. FOX. I did not say I do know. You are drawing the implication.

Mr. CASE. I am not trying to draw an inference. There seems to be a plain inference that in some cases you did not know, and in others you knew and didn't want to answer on the ground of self-incrimination.

Mr. FOX. If I answered your question now it would be the equivalent to answering the previous questions, so I decline to answer.

Mr. CASE. That is all.

Mr. HARRISON. Mr. Velde.

Mr. VELDE. When did you first become acquainted with Dr. Joseph Weinberg?

Mr. FOX. I don't remember that. He was teaching at the university, and I think he was teaching assistant in a course I was taking many years back; I don't remember when.

Mr. VELDE. Can you approximate the date?

Mr. FOX. Between 1939 and 1941 or 1942.

Mr. VELDE. That is when you first became acquainted with him?

Mr. FOX. Yes. It was a casual acquaintance. I knew him as a teaching assistant.

Mr. VELDE. You were employed within the confines of the radiation laboratory itself?

Mr. FOX. Yes.

Mr. VELDE. All the time you worked there, were you working inside the radiation laboratory, on the physical grounds?

Mr. FOX. No. We had a room in the physics building for some relatively nonsecret work; however, it was still considered classified and was guarded, was locked.

Mr. VELDE. You were familiar with the fact it was secret work that you were doing?

Mr. FOX. Oh, yes. This was just for a short period, then they moved us into the main enclosure.

Mr. VELDE. Did you know what the research was being made for?

Mr. FOX. I would like to answer that question, but I would like to think it over. I imagine it is all right, so far as the security aspect is concerned.

Mr. VELDE. I think it is now.

Mr. FOX. It is just a matter of a moment's thought. Yes; I knew more or less what the work was.

Mr. VELDE. You knew the work was on atomic nuclear physics?

Mr. FOX. Yes.

Mr. VELDE. How many times would you estimate that you saw or visited with Dr. Weinberg?

Mr. FOX. That is hard to say.

Mr. VELDE. Was it just occasionally?

Mr. FOX. No. We, my wife and I, got to be friends of theirs, and we would go to dinner at their house sometimes or they to our house.

Mr. VELDE. You have been in the home of Dr. Weinberg, then?

Mr. FOX. Yes.

Mr. VELDE. Do you remember whether you were in his home in August 1943?

Mr. FOX. I don't remember.

Mr. VELDE. Do you remember any particular time that you were in Dr. Weinberg's home?

Mr. FOX. I remember a number of occasions.

Mr. VELDE. Would you mind briefly describing them? Were they all social, or did you have any business meetings?

Mr. FOX. I refuse to answer that question on the previously stated grounds.

Mr. VELDE. Have Steve Nelson and Bernadette Doyle ever been in the home of Dr. Weinberg at the same time you were there?

Mr. FOX. I refuse to answer that question on the same grounds.

Mr. VELDE. You are still acquainted with Dr. Weinberg, aren't you?

Mr. FOX. I haven't seen him for several years.

Mr. VELDE. Have you ever had any correspondence with him?

Mr. FOX. No, I haven't.

Mr. VELDE. Or any telephone calls?

Mr. FOX. You mean since he left California?

Mr. VELDE. Yes.

Mr. FOX. No.

Mr. VELDE. That is all.

Mr. CASE. One more question.

Mr. HARRISON. Mr. Case.

Mr. CASE. What was the nature of the instructions they gave you regarding the secrecy of the information that you might have access to at the time you worked in the radiation laboratory?

Mr. FOX. At the beginning I was told that the work was—let me stop and think about this. There was a period during which the work was not conducted under the Manhattan project. I don't remember whether that was during the secret period or not. I believe you gentlemen have more information on that than I do.

Mr. CASE. When was the so-called secret period?

Mr. FOX. I don't know. It was at least after the summer of 1942. In any case, I was informed that the work was secret; that I would be told only what I had to know for my work, and that only gradually.

Mr. CASE. Only what?

Mr. FOX. Only gradually, as time went on; that I was not to pass the information to any unauthorized person, and to be very careful in giving it to authorized persons, not to give any more information than necessary.

I was told—I may have been told that it was work for the Government in connection with—I understood at the time there was some kind of competition going on with Germany; that we were in a race with them and there would be possible espionage. During the next 3 years the usual security talks were given to us, constant warnings that it was awfully hard to keep a thing like that secret and we had to be on our guard constantly.

Mr. CASE. How were authorized persons identified to you?

Mr. FOX. If I wasn't sure, I applied to the security officer. Persons working under me were obviously authorized.

Mr. CASE. Persons working in the radiation laboratory were obviously authorized?

Mr. FOX. No.

Mr. CASE. It was broken down beyond that?

Mr. FOX. Yes. It was a much more compact organization, and a lot of people knew quite a few things. It was no real problem to find out who was authorized.

Mr. CASE. Was any instruction given to you that you must be careful about talking to other people at the university not engaged in the radiation laboratory?

Mr. FOX. Yes.

Mr. CASE. So you discussed the matters only with persons known to you to be authorized, within the confines of the radiation laboratory?

Mr. FOX. Discussed the work?

Mr. CASE. Yes.

Mr. FOX. Yes.

Mr. CASE. You don't know whether Dr. Weinberg was a part of the radiation laboratory or not?

Mr. FOX. I only meant so far as the official connection was concerned. I don't remember having discussed the matter with Dr. Weinberg. I may have. I know that he was authorized to know a certain amount of the work that went on there.

Mr. CASE. You know he was authorized to know a certain amount of the work?

Mr. FOX. Yes.

Mr. CASE. Independently of the fact that to your knowledge he was not employed as a part of the radiation laboratory itself?

Mr. FOX. That is a technicality. That is something you can check on. When I say not employed I am talking about what list in the University of California his pay check came from.

Mr. CASE. You separated him from Lomanitz and Friedman.

Mr. FOX. Let us say he was working for the radiation laboratory. What the official pay-roll designation was, I don't know. We were not to distinguish on that basis, but on the basis of whether or not he was authorized.

Mr. CASE. Was Dr. Weinberg authorized?

Mr. FOX. Yes; as far as I remember now, he was authorized to receive certain information.

Mr. CASE. In other words, you felt free to discuss your work with Dr. Weinberg?

Mr. FOX. I wouldn't say I felt free to discuss it with him. We also had various warnings to the effect this thing was not to be discussed unnecessarily even with authorized people. If he would say, "Where are you going?" I might have said, "Going to the lab," which I would not have told other people. I am not trying to dodge the question. Actually, the summary of the whole thing is that we were not authorized to talk to anybody outside, and were told not to talk to anyone inside too much.

Mr. CASE. But you got to know Dr. Weinberg rather closely through your association with him in a friendly way?

Mr. FOX. Yes. Since the question of security has been raised, I might say that I have never known of any case of espionage that took place in the laboratory. There was only one case where I suspected there might be espionage, and I reported that to the security officer. If I had known of other cases I would have reported them and would not have approved or condoned it.

Mr. HARRISON. Yet you would not even answer our question of whether you know or suspect anybody of espionage in the laboratory. (The witness conferred with counsel.)

Mr. CASE. Do you recall any discussion of the work in the radiation laboratory at any public gathering during the time you were employed there?

Mr. FOX. Discussion of the nature of the work?

Mr. CASE. Yes.

Mr. FOX. No.

Mr. CASE. Or at any social gathering?

Mr. FOX. I don't recall any.

Mr. CASE. For all that I know about this, I am not nearly so interested in knowing of your activities as related in this field we are discussing here, but I would like to know how far Dr. Weinberg entered into the picture. Since you have differentiated between his employment and that of others, how did you know he was entitled to information if he was not employed at the radiation laboratory as the others were?

Mr. FOX. I don't know, but I know I knew at the time. I don't recall how I was informed, but I knew at the time. I may have seen him, for example, at a meeting that was open only to authorized persons, a meeting at the radiation laboratory.

Mr. CASE. You regarded him as a person authorized to receive information about nuclear physics?

Mr. FOX. I regarded him as a person working at the radiation laboratory who would be authorized to receive such information if I ever had occasion to give it to him. I don't recall any such occasion. My work was not directly connected with his.

Mr. CASE. You felt no restriction in talking to him about these subjects?

Mr. FOX. I felt a restriction, yes. I knew I had to discuss it only in general terms unless it was a problem with which we were both concerned or that I was quite clear he knew about at the time.

(The witness conferred with counsel.)

Mr. CASE. And as to Lomanitz and Friedman, how did you know they were authorized?

Mr. FOX. None of these people had any special restrictions, other than I did. Every person in the lab was under the same restrictions.

Mr. CASE. That is all, Mr. Chairman.

Mr. HARRISON. Mr. Moulder.

Mr. MOULDER. You stated in your testimony that you reported one case of espionage, or suspected espionage?

Mr. FOX. I want to clarify that. I said "suspected." A young man whom I knew rather vaguely around the physics department was employed by my group. I believe I may even have recommended him; I don't know. In a technician's capacity he had to do some technical work requiring a slight knowledge of physics. I recommended him purely from the point of view of his ability. I expected the security officer to investigate him.

He started to ask too many questions, more questions than he should have, and I put it down to curiosity and warned him that he should not ask any more questions. He persisted in that, and I warned all the people in our group not to say anything to him and to report it to me if it happened again. After several attempts to obtain information he was not entitled to, I reported it to the security officer.

Mr. CASE. Was he an American citizen?

Mr. FOX. I presume so. I don't know.

Mr. CASE. While you were working there, were there any citizens or nationals of foreign countries who had access to this information?

Mr. FOX. I have no idea. You would have to check with the laboratory on that.

Mr. TAVENNER. Did you report to any responsible authority that Steve Nelson was in the community?

Mr. FOX. Did I report it?

Mr. TAVENNER. Yes. You have stated to the committee you would have reported anything in the nature of espionage and did report one case of suspected espionage.

Mr. FOX. I reported the only case of espionage that I suspected, although it seemed highly unlikely that it was more than a boyish curiosity.

Mr. TAVENNER. You have declined to testify regarding Steve Nelson, so I am going to ask you specifically, did you report to any responsible authority that Steve Nelson was in Alameda County?

Mr. FOX. I did not.

Mr. TAVENNER. Did you know that Steve Nelson was in Alameda County?

Mr. FOX. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Do you know Marcel Scherer?

Mr. FOX. Yes. He was another official of the union of which I was a member.

Mr. TAVENNER. What was the name of the union?

Mr. FOX. Federation of Architects, Engineers, Chemists, and Technicians.

Mr. TAVENNER. Did he live in California at that time?

Mr. FOX. Yes.

Mr. TAVENNER. What was the date?

Mr. FOX. I don't know.

Mr. TAVENNER. The year?

Mr. FOX. I met him in 1942 or 1943. He was there for a very short time and left. I had very little contact with him.

Mr. TAVENNER. How long do you think he was there?

Mr. FOX. I don't know about his whole period. He was there for only a short time after I met him. It may have been as much as 5 months, but I imagine it is more like a month. I met him very infrequently.

Mr. TAVENNER. In what work was he engaged at that time?

Mr. FOX. He was working for this union.

Mr. TAVENNER. In what capacity?

Mr. FOX. I don't know what his official title was.

Mr. TAVENNER. What was the nature of his work?

Mr. FOX. Possibly organizational work for the union.

Mr. TAVENNER. Do you know where he went on leaving California.

Mr. FOX. No.

Mr. TAVENNER. Was he known to you as a member of the Communist Party?

Mr. FOX. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Did you see him in company with any of the other members of your scientific group at radiation laboratory?

Mr. FOX. Of my group?

Mr. TAVENNER. Of the group. I will change it to "the" group as to which you have testified, namely, Lomanitz, Bohm, or Weinberg?

Mr. FOX. I don't recall.

Mr. TAVENNER. Did you ever talk to Scherer in the presence of Lomanitz?

Mr. FOX. I don't remember. I may have.

Mr. TAVENNER. What would have been Lomanitz's business with Scherer?

Mr. Fox. He was presumably interested in the union. Let me change that "presumably"; it gives the wrong impression. He was interested in the union, as I was.

Mr. TAVENNER. Was Lomanitz an organizer of that union?

Mr. Fox. He was a member.

Mr. TAVENNER. Was he also an organizer?

Mr. Fox. Do you mean a paid official of the union?

Mr. TAVENNER. Did he work in organizing the union?

Mr. Fox. All the members worked in organizing the union.

Mr. TAVENNER. Did Dr. Weinberg meet Scherer?

Mr. Fox. I don't know.

Mr. TAVENNER. Were you present at any time when Scherer and Weinberg were present?

Mr. Fox. I doubt it very strongly, but I don't remember.

Mr. TAVENNER. Did Bohm meet Scherer at any time in your presence?

Mr. Fox. I don't think so.

(Representative Velde leaves.)

Mr. HARRISON. Let the record show that Mr. Velde is no longer present.

Mr. TAVENNER. Tell me a little more about Scherer's activities in the union.

Mr. Fox. The union had locals in a number of industrial plants in the neighborhood. His work was connected with either the organization of those locals or the business generally of the locals. I don't know if he was an organizer or business agent or what. He was one of the officials. Some of us felt we would like to form a local or union at radiation laboratory, and we tried to get help from Mr. Scherer. He was much too busy to give us any help. He did meet with us occasionally, and that was the extent of the help he could give us. We discussed chiefly organizational problems; that is, problems that we met up with in trying to organize the local.

Mr. TAVENNER. Who were those who were interested in organizing the union at radiation laboratory and who talked to Scherer?

Mr. Fox. I don't remember all the names of the people. I was, of course. Mr. Lomanitz probably was. No; I forget you said "and talked to Scherer." I don't know.

Mr. TAVENNER. You stated you obtained the assistance of Mr. Scherer in organizing the union, and that he talked to you, and you used the word "we."

Mr. Fox. I know. I answered the first part of your question without realizing the last part was added. When I first became interested in this union, there were two or three people who helped start it whom I did not know very well. Some of them left the lab at the time, not at the time but shortly afterward. It is hard for me to remember who met with whom and on what occasion. I can tell you who were interested in organizing the union.

Mr. TAVENNER. Who were interested in organizing the union at radiation laboratory?

Mr. Fox. I was, and Mr. Lomanitz certainly was.

Mr. TAVENNER. Mr. Bohm?

Mr. Fox. I don't think so.

Mr. TAVENNER. Mr. Weinberg?

Mr. Fox. He may or may not have attended some of our meetings. I don't think he did, but if he did he certainly did not participate in the organizational activities. Are you asking me for a list of the members?

Mr. TAVENNER. No. That is enough. Was Marcel Scherer present at those meetings you referred to?

Mr. Fox. The meetings with Marcel Scherer, the first one or two, I recall, the only people present were people whose names I do not recall at this moment. They were not friends of mine, and I hardly knew them at the lab. Mr. Lomanitz may have been present at those meetings. I don't know. I didn't know him well at that time either.

Mr. TAVENNER. Were Mr. Bohm and Dr. Weinberg present with Mr. Scherer?

Mr. Fox. I doubt it strongly.

Mr. TAVENNER. Do you know Kenneth May?

Mr. Fox. I know the name. He is the son of Professor May?

Mr. TAVENNER. Yes.

Mr. Fox. I never met him.

Mr. TAVENNER. Do you know Paul Crouch?

Mr. Fox. I don't believe I do. Can you identify him any way?

Mr. TAVENNER. Yes. Paul Crouch was the organizer of the Communist Party in Alameda County prior to Steve Nelson's taking over the job.

(The witness conferred with counsel.)

Mr. Fox. I don't believe I ever met him.

Mr. TAVENNER. Do you know his wife, Sylvia Crouch?

Mr. Fox. I don't think so.

Mr. TAVENNER. Mr. Fox, it has been reported to the committee that you were a member of the Communist Party. Do you have any explanation you desire to make in regard to that statement I have just made to you?

Mr. Fox. I have none.

Mr. TAVENNER. No further questions.

Mr. HARRISON. Any further questions?

(No response.)

Mr. HARRISON. You may be excused.

(Witness excused.)

(Whereupon, another witness whose testimony would have no connection with that of the witness just excused was sworn in by the chairman and advised to return the following day. At this point, the meeting was adjourned at 12:10 p. m. on Tuesday, September 27, 1949, to reconvene at 10 a. m. on Wednesday, September 28, 1949.)

STATEMENT OF G. J. RATHMAN

AUGUST 19, 1949.

I have been interviewed regarding a surveillance I conducted along with Harold Zindle and James Murray, who were attached with me to the Manhattan Engineering District as special agents, Counter Intelligence Corps, in Berkeley, Calif.

On or about August 17, 1943, at approximately 8:45 p. m., Zindle, Murray, and myself arrived at an apartment house adjacent to the residence of the subject of this surveillance, Joseph W. Weinberg; a man identified to me as Steve Nelson; a woman identified to me as Bernadette Doyle; together with four or five additional persons whom I could not identify due to my point of observation, engaged in conversation. At approximately 9:45 p. m., Joseph Weinberg and the man

known to me as Steve Nelson appeared at the window of the second-story apartment of Joseph Weinberg, closing the window and lowering the shade. At approximately 10 p. m. on the night of this surveillance, Zindle, Murray, and the undersigned left the roof of the apartment house and proceeded to the street where Murray and the undersigned saw Steve Nelson and Bernadette Doyle walking west on Blake Street from the direction of the subject's residence.

I am certain if I could observe Steve Nelson personally today that I would be able to identify him as the person who was present in the second-story apartment of Joseph Weinberg on the night of the surveillance.

I have read the above statement, and to the best of my knowledge and belief this statement is true in every respect.

(S) G. J. RATHMAN.

(In addition to the signed statement set forth above, the committee has obtained a statement from another individual who is familiar with the circumstances surrounding the meeting held in the apartment of Joseph W. Weinberg which was attended by Steve Nelson and others.)

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