



No. 9336. v. 320



GIVEN BY



HEARING
BEFORE THE
PERMANENT SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE
EIGHTY-FOURTH CONGRESS
FIRST SESSION

PART 11

NOVEMBER 4, 1953

Printed for the use of the Committee on Government Operations



COMMITTEE ON GOVERNMENT OPERATIONS

JOSEPH R. McCARTHY, Wisconsin, *Chairman*

KARL E. MUNDT, South Dakota

MARGARET CHASE SMITH, Maine

HENRY C. DWORSHAK, Idaho

EVERETT MCKINLEY DIRKSEN, Illinois

JOHN MARSHALL BUTLER, Maryland

CHARLES E. POTTER, Michigan

JOHN L. McCLELLAN, Arkansas

HUBERT H. HUMPHREY, Minnesota

HENRY M. JACKSON, Washington

JOHN F. KENNEDY, Massachusetts

STUART SYMINGTON, Missouri

ALTON A. LENNON, North Carolina

FRANCIS D. FLANAGAN, *Chief Counsel*

WALTER L. REYNOLDS, *Chief Clerk*

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

JOSEPH R. McCARTHY, Wisconsin, *Chairman*

KARL E. MUNDT, South Dakota

EVERETT MCKINLEY DIRKSEN, Illinois

CHARLES E. POTTER, Michigan

ROY M. COHN, *Chief Counsel*

FRANCIS P. CARR, *Executive Director*

CONTENTS

Testimony of Wendell H. Furry-----	Page 473
------------------------------------	-------------

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

(On November 4, 1953, Wendell H. Furry testified in executive session during hearings held by the Senate Permanent Subcommittee on Investigations on Army Signal Corps, Subversion and Espionage. This testimony was made public on March 31, 1955, by members of the subcommittee and follows below:)

WEDNESDAY, NOVEMBER 4, 1953

UNITED STATES SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York City, N. Y.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 11 a. m., room 36, Federal Building, New York City, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director, Roy M. Cohn, chief counsel; G. David Schine, chief consultant; George Anastos, assistant counsel; Daniel G. Buckley, assistant counsel; James Juliana, investigator.

TESTIMONY OF WENDELL FURRY

The CHAIRMAN. Mr. Furry, will you raise your right hand and be sworn?

In this matter now in hearing, do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FURRY. I do.

Mr. COHN. Who is your counsel?

Mr. FURRY. My counsel is Osmond Frankel.

Mr. COHN. Now, counsel for the Harvard Corp. has requested that he be allowed to sit in. The chairman granted him that permission. He now says that he won't.

Could we get your name?

Mr. FURRY. Wendell Hinkle Furry.

Mr. COHN. Your last name is spelled F-u-r-r-y?

Mr. FURRY. Right. My middle name is spelled H-i-n-k-l-e.

Mr. COHN. Where are you employed?

Mr. FURRY. Harvard University.

Mr. COHN. What do you do?

Mr. FURRY. Teach.

Mr. COHN. What do you teach?

Mr. FURRY. Physics.

Mr. COHN. Professor of physics?

Mr. FURRY. Associate professor.

Mr. COHN. For how long a period of time have you taught at Harvard?

Mr. FURRY. I began 19 years ago. I have had leave of absence for two and a half years during that time.

Mr. COHN. When was that?

Mr. FURRY. I had half a year's leave in 1950, sabbatical, and 2 years leave of absence from 1943 to 1945 when I was employed at the radiation laboratory, MIT.

Mr. COHN. Did that laboratory deal with radar?

Mr. FURRY. Yes, sir.

Mr. COHN. Did you do any work for the United States Government?

Mr. FURRY. Yes.

Mr. COHN. Directly or indirectly?

Mr. FURRY. Yes, sir.

Mr. COHN. Any for the Signal Corps?

Mr. FURRY. I am not aware what the connections were.

The CHAIRMAN. Was it classified material?

Mr. FURRY. Yes.

The CHAIRMAN. Did you have access to classified material?

Mr. FURRY. Yes.

The CHAIRMAN. Were you then a member of the Communist Party?

Mr. FURRY. On the grounds that this is irrelevant to the purpose of this committee to investigate my associations and beliefs and my rights under the first amendment and my privileges under the fifth amendment, I refuse to answer that question.

The CHAIRMAN. Do you feel that answer might tend to incriminate you?

Mr. FURRY. I stand on the ground. I refuse to answer.

The CHAIRMAN. Is it on the grounds that your answer might tend to incriminate you?

Mr. FURRY. On the fifth amendment, sir.

The CHAIRMAN. Is it on the grounds that your answer might tend to incriminate you? That is the ground on which you can refuse to answer. I am going to order you to answer that question.

I think you should understand the Chair's position. You see, you can invoke the fifth amendment if you feel your answer might tend to incriminate you. It is up to the Chair in each instance to determine whether or not you are properly invoking the fifth amendment before a committee. I cannot tell whether you are properly invoking the fifth amendment unless you tell me whether you feel your answer might tend to incriminate you.

I asked you if you feel that your answer to the question of whether or not you were a Communist while handling classified material for the United States Government would tend to incriminate you.

Mr. FRANKEL. I'd like to suggest that the word "would" was inadvertent.

The CHAIRMAN. Might. Thank you.

Mr. FURRY. With the amendment to the question as provided by Mr. Frankel and accepted by you, the answer is "Yes."

The CHAIRMAN. Then you are entitled to the privilege.

When you were on 6 months leave in 1950, what did you do during that time?

Mr. FURRY. I traveled to Denmark and worked at the Institute of Theoretical Physics in Copenhagen.

The CHAIRMAN. Now, in your work at Harvard do you handle any classified Government material?

Mr. FURRY. No, sir.

The CHAIRMAN. When was the last time you handled classified material?

Mr. FURRY. Just before I left the radiation laboratory.

The CHAIRMAN. That was in 1945?

Mr. FURRY. 1945.

The CHAIRMAN. Did you know any Communists who were working at the laboratory at that time and handling classified material?

Mr. FURRY. On the same grounds that I have mentioned before, I refuse to answer that question.

The CHAIRMAN. Did you know of anyone who was removing classified material from the laboratory and giving that material either to espionage agents or any other personnel who were not authorized to receive it?

Mr. FURRY. I did not, sir, and I would like to add a factual statement to that. That I have never had any connection with espionage or plans for espionage myself and I have never known of any other person having any connection with such things.

The CHAIRMAN. Did you ever engage in any illegal activities of any kind in violation of any law, to your knowledge, in connection with Communists or the Communist Party?

Mr. FURRY. I decline to answer that on the same constitutional grounds, except as I stated in the last answer.

The CHAIRMAN. Except you say—you refuse to say whether you were engaged in any illegal activities with the exception of engaging in or knowing that espionage—

Mr. FURRY. Or having any knowledge of any plans on the part of other persons.

The CHAIRMAN. Did you ever remove any classified material from the laboratories at Fort Monmouth or the Signal Corps Laboratory?

Mr. COHN. He said MIT.

The CHAIRMAN. I beg your pardon.

Mr. FURRY. I am perfectly willing to testify that I have never been at the Laboratories at Fort Monmouth.

The CHAIRMAN. Did you ever remove classified material from the MIT laboratories?

Mr. FURRY. I can remember only one instance, sir. The instance in question was when I left the employ of the laboratory in August 1945. There was a document classified restricted, which as you know is the lowest brand of classification, and I would, of course, be entitled to remove that at any time for my own study. I think the material, this document, was of general scientific interest and copies of it have been made available to lots of people since. I took a copy of it home. I was told the next day by my group leader that had been improper; that I should wait until the time it was made available as it was later.

The CHAIRMAN. With the exception of this one document marked restricted, did you ever take home any document marked confidential or secret?

Mr. FURRY. Certainly not to my memory.

The CHAIRMAN. And to your knowledge you never had any confidential or secret material in your home? Is that correct?

Mr. FURRY. No, sir, not in my home, only in my office.

The CHAIRMAN. Your office is right within the MIT buildings?

Mr. FURRY. Yes.

The CHAIRMAN. All of the radar material was in the office in the MIT buildings?

Mr. FURRY. There were 1 or 2 classified documents sent to me on other bases while at Harvard that remained in Harvard.

The CHAIRMAN. Did you ever discuss radar or your work with anyone known to you to be a Communist?

(The witness confers with counsel.)

Mr. FURRY. I decline the privilege in refusing to answer that question but I will add that I never discussed the work outside the laboratory.

The CHAIRMAN. You will be ordered to answer the question.

For the benefit of counsel, I will tell you why I order the witness to answer that question. As counsel knows, the privilege under the fifth amendment can be waived. When it is waived, you waive it as to an area, not as to a specific question.

You said you never engaged in espionage of any kind and discussing secret material with a Communist would come under that field, within that area of investigation. Therefore, you are ordered to answer the question for the reason that you have waived your privilege under the fifth amendment.

Mr. FURRY. The answer I already gave to that question covers everything which I am not entitled to the privilege on and I still stand on the privilege.

The CHAIRMAN. Just to let you know the possibility of the claim and so you can't say you misunderstood the question at some future legal proceeding, I will ask the question again.

While you were working on classified material for the Government, did you discuss that material with anyone known to you to be a member of the Communist Party?

Mr. FURRY. My answer as given previously was that I did not discuss it with anybody outside the laboratories. At least that is my impression that was the answer given. Beyond that, I refuse to answer.

The CHAIRMAN. You are ordered to answer whether you discussed it with people known to you to be Communists either in or out of the laboratory?

Mr. FURRY. My statement to that is that I discussed it only in the laboratory, which means I only discussed it with authorized personnel and beyond that answer—

Mr. COHN. Did you discuss it with any persons in the laboratory known to you to be members of the Communist Party?

Mr. FURRY. On that question I claim the privilege.

The CHAIRMAN. You are ordered to answer the question.

Mr. FURRY. I stand on the privilege.

The CHAIRMAN. I do that as a courtesy to you. You are informed that you will be cited for contempt. If you want to cover up for Communists, you may do that. If you want to cover up espionage agents getting information, you may do that. You have to take the consequences. We intend to see that any witness who does anything to destroy this Nation will take the consequences.

Did you ever discuss classified work with anyone whom you had any reason to believe might be an espionage agent?

Mr. FURRY. No, sir.

The CHAIRMAN. Do you feel that a Communist, a member of the Communist Party, is under such discipline and loyalty to the Communist Party, if the Communists want classified information he is bound as a Communist to give them that information?

Mr. FURRY. I know essentially nothing of the nature of membership in the Communist Party at the present time or what it might imply.

The CHAIRMAN. Are you a member of the Communist Party today?

Mr. FURRY. No, sir.

The CHAIRMAN. Were you a member last year?

Mr. FURRY. No, sir.

The CHAIRMAN. Were you the year before that?

Mr. FURRY. I will testify that I have not been a member of the Communist Party since March 1, 1951.

The CHAIRMAN. March 1, 1951? Is that correct?

Mr. FURRY. Yes, sir.

The CHAIRMAN. Were you a member in February 1951?

Mr. FURRY. I claim the privilege on that question.

The CHAIRMAN. You understand if you were not a member of the Communist Party you can merely say "No" and it would in no way incriminate you?

Mr. FURRY. I stand on the privilege on the question, sir.

The CHAIRMAN. Did you ever give the FBI any information as to your fellow members of the Communist Party?

Mr. FURRY. That question has obvious implications and I will refuse to answer it on the basis of the privilege.

The CHAIRMAN. Under the fifth amendment?

Mr. FURRY. Yes.

The CHAIRMAN. Did you ever voluntarily give the FBI any information?

Mr. FURRY. The word "voluntarily." I have never given it except when asked.

The CHAIRMAN. Did you ever give the FBI information about the Communist Party?

Mr. FURRY. I refuse to answer that, sir, on the basis of the privilege.

The CHAIRMAN. Fifth amendment?

Mr. FURRY. Yes, sir.

The CHAIRMAN. You are ordered to answer that. You cannot incriminate yourself by giving the FBI information. You are ordered to answer the question.

(Off-record discussion.)

The CHAIRMAN. Mr. Counsel, if you want my personal opinion, I don't think he waives any right by answering that question. I am not in a position to suggest to him what rights he does or does not waive. I have said that I was going to have him cited for contempt. This will be submitted to the Attorney General for indictment before a grand jury. I think it would be highly improper for me to advise him ahead of time as to what rights he can waive. I merely take the position that the question of whether or not he gave any information to the FBI, the answer to that question could in no way incriminate him, and, therefore, he is not entitled to the fifth amendment. For that reason, I ordered him to answer.

Mr. FRANKEL. I understand the Chairman's position. I don't know whether the Chairman would like my reaction to his comment.

The CHAIRMAN. It would be a little unconventional.

Mr. FRANKEL. I don't mind being unconventional at times.

It seems if a person is asked whether he has given information about the Communist Party, it puts him in the position of knowing something about the Communist Party.

The CHAIRMAN. Not necessarily. I have given the FBI unlimited information about the Communist Party. One way we have of determining whether a Communist has broken with the party completely is whether they gave the proper law enforcement agencies any information he may have.

Mr. FRANKEL. May I suggest that is outside of the function of this particular committee.

The CHAIRMAN. Keep in mind that while we are primarily investigating espionage in the Signal Corps and in other Government installations, the committee would have the jurisdiction to call this man as an employee of an institution that is partially supported by the Government and inquire as to whether or not he is an espionage agent of a foreign power, a Communist agent, so that we would have the complete authority to call him entirely separate and apart from his radar work and Communist activities.

(Off-record discussion.)

Mr. FRANKEL. I think the witness can answer this particular question.

Mr. FURRY. The answer is, "No, sir."

The CHAIRMAN. Did you ever attend Communist meetings with your students?

Mr. FURRY. I refuse to answer that, sir.

The CHAIRMAN. Did you ever try to indoctrinate your students in the Communist philosophy?

Mr. FURRY. I refuse to answer that, sir, on the same grounds.

The CHAIRMAN. Did you ever solicit any of your students to join the Communist Party?

Mr. FURRY. I refuse to answer that on the same grounds.

The CHAIRMAN. Did you ever hold Communist meetings in your home?

Mr. FURRY. I refuse to answer that and as in the previous questions and this, I would like to claim that it is beyond the scope of the committee and irrelevant to this investigation.

The CHAIRMAN. And you are also invoking the fifth amendment privilege?

Mr. FURRY. Yes, sir.

The CHAIRMAN. Do you know any professors teaching at Harvard who are members of the Communist Party?

Mr. FURRY. As of the present, I will answer that I do not.

The CHAIRMAN. After it became known around Harvard that you would be called before this committee, did the president of the university discuss the matter with you?

Mr. FURRY. That is entirely outside the scope of this committee.

Mr. COHN. Does Harvard obtain any grant in any way from the Federal Government?

Mr. FURRY. I am completely unacquainted with such.

Mr. COHN. They definitely do.

The CHAIRMAN. Let's not argue. You will be ordered to answer the question.

Mr. FURRY. I have not, sir. I have forgotten how it was worded.

The CHAIRMAN. Did the president call you in and ask you whether or not you were a Communist?

Mr. FURRY. No, sir.

The CHAIRMAN. As far as you know, he has expressed no interest in whether or not you were a member of the Communist Party? As far as you know?

Mr. FURRY. As far as I know?

The CHAIRMAN. He didn't discuss your appearance here today, didn't discuss any of the testimony you would give?

Mr. FURRY. I believe this is completely irrelevant to the purpose of the committee. The answer is "No."

The CHAIRMAN. He didn't discuss your appearance before other committees investigating communism.

Mr. FURRY. You mean the president of the university?

The CHAIRMAN. Yes.

Mr. FURRY. No, sir.

The CHAIRMAN. Who is the president?

Mr. FURRY. Mr. Pusey.

Mr. COHN. Professor, following any appearance you made before the House Un-American Activities Committee, were you suspended from your post at Harvard University?

Mr. FURRY. No, sir.

Mr. COHN. No action has ever been taken against you?

Mr. FURRY. Yes. Certainly action has been taken against me.

Mr. COHN. Up at Harvard?

Mr. FURRY. Yes, sir.

Mr. COHN. Trace that very briefly.

Mr. FURRY. Well, I was, so to speak, placed on trial. My case was considered.

Mr. COHN. By whom?

Mr. FURRY. By the Harvard Corp. for a number of weeks. At the end of that time I was rather severely censured and placed on probation.

Mr. COHN. You were censured?

Mr. FURRY. And placed on probation. Again I will say these things seem to have nothing to do—

Mr. COHN. When was it you were placed on probation?

Mr. FURRY. Last May.

Mr. COHN. For how long a period of time?

Mr. FURRY. Three years.

Mr. COHN. You still go on teaching your classes?

Mr. FURRY. Yes.

Mr. COHN. Do you do any work for the Government, directly or indirectly?

Mr. FURRY. No, sir.

Mr. COHN. No research work?

Mr. FURRY. I do research work for the university, the sort of problems chosen by me.

Mr. COHN. None of it reaches the Government directly or indirectly?

Mr. FURRY. No, sir.

Mr. COHN. Do you know anybody on the faculty at Harvard who ever was a member of the Communist Party?

Mr. FURRY. I will claim the privilege in answer to that.

Mr. COHN. The same question, MIT?

Mr. FURRY. Claim the privilege.

Mr. COHN. Anybody who worked on radar at the laboratory at MIT and is now working for the United States Government, who you then knew to be a member of the Communist Party?

Mr. FURRY. I have already claimed the fifth amendment.

Mr. COHN. You don't think that is information you can give us. Is that right.

Mr. FURRY. Right.

Mr. COHN. Were you a member of the party in November 1947?

Mr. FURRY. I will claim the privilege of refusing to answer that, sir.

Mr. COHN. At any time during 1947 were you a member of the party?

Mr. FURRY. I will claim the privilege on that.

Mr. COHN. Do you know a man by the name of Hyman Yamins?

Mr. FURRY. I believe I must have known him when we were students at Harvard. To the best of my knowledge, I haven't seen him since.

Mr. COHN. Was he a member of the Communist Party?

Mr. FURRY. I will claim the privilege on that, sir.

The CHAIRMAN. You said you were not a Communist since March 1, 1951. Have you ever attended any Communist Party meetings since that time?

Mr. FURRY. No, sir.

The CHAIRMAN. Did you since that time ever attempt to indoctrinate your students with the Communist philosophy?

Mr. FURRY. No, sir.

The CHAIRMAN. Do you believe in the Communist system?

Mr. FURRY. No, sir.

The CHAIRMAN. Did you in February of 1951 believe in it?

(No answer.)

The CHAIRMAN. What is your answer to that question?

Mr. FURRY. I will claim the privilege on that, sir.

The CHAIRMAN. Would you care to tell us at what period of time you no longer believed in the Communist system?

Mr. FURRY. I will claim the privilege and not answer that, sir.

The CHAIRMAN. Did you drop out of the Communist Party, drop your formal membership for the sole reason that you felt that to keep your job you could no longer formally associate with the Communist Party? Is that correct?

Mr. FURRY. That question contains an implication and I would claim the privilege on that under the fifth amendment. It does contain the implication that I was an active Communist.

The CHAIRMAN. If that is not a correct implication you can answer the question. If it is incorrect you can answer.

Mr. FURRY. There is no question about that.

The CHAIRMAN. Have your beliefs in regard to communism changed over the past 4 years, let's say?

Mr. FURRY. My beliefs on many subjects, including this, have gone through changes.

The CHAIRMAN. In other words, your beliefs on communism had changed in the last few years?

Mr. FURRY. On that and other subjects.

The CHAIRMAN. Do you have a lower opinion of communism than you had 4 years ago.

Mr. FURRY. I think that is probably true, sir. I have a lower opinion than I had 4 years ago.

Mr. COHN. Professor, one thing here troubles me very much. You undoubtedly know the committee is investigating subversion and espionage in the radar field. You are an expert in that field undoubtedly and know what the transmission of various secrets to anyone seeking to destroy the United States might mean to the American people.

In view of that, I wonder if you don't feel you could tell us the Communist Party members who were working on radar secrets with you at MIT.

Mr. FURRY. I would like to make a comment on that, if I may; that is that a shelf of something like 20 volumes has been published which contains all of the work that I have heard of being done at MIT, so far as I know—

Mr. COHN. When was that published?

Mr. FURRY. As rapidly as possible after the fall of 1945.

Mr. COHN. How about prior? Was there anything secret that you were working on prior to that publication after 1945?

Was there anything you were working on that was marked secret at that time? Don't you think it would be of value to know who was giving out things when they were secret and see where they are today and what they are doing today? You are blocking us in that, Professor.

Mr. FURRY. I would like to say that to the best of my knowledge and memory I have never known, other than the case of Mr. Yamins—anyone who had employment with the Signal Corps or Fort Monmouth.

Mr. COHN. You don't know that. You don't know where everyone is who was working with you. You don't want to undertake to represent the exact whereabouts, occupations, directly and indirectly, the activities of people who worked with you at MIT laboratory, do you?

Mr. FURRY. There may be some of them about whom I don't know.

The CHAIRMAN. Let me ask you this, Professor. Let's take a hypothetical case of John Jones who knew of someone working in our secret laboratories on secret work. If John Jones knew Communists who were there working in this secret work and would not give that information to a Government committee, which is investigating espionage, would you consider John Jones a traitor?

Mr. FURRY. I am a little bit lost in this hypothetical question.

The CHAIRMAN. Let me give you a real question. If Professor Furry was a member of the Communist Party in 1945 and under Communist Party discipline; if Professor Furry was working on secret material having to do with the defense of this Nation; and if Professor Furry now knows that Communists were getting that information, made it available to them; if Professor Furry now knows of the Rosenbergs' case, for example, knows this information was passed on to Communist Russia, and an espionage ring attempted to get them that information; if Furry is called before a committee and asked to give us the names of Communists with whom he himself discussed this secret information and he refused to give us the names of those Com-

munists or any others known to him who worked in the laboratory at that time, would you say Furry is a traitor to the United States or not?

Mr. FURRY. Well, this question claims to be hypothetical question but it uses the name which sounds a little like mine, although it wasn't exactly like mine. I refuse to answer that on the grounds of self-incrimination.

(Off-record discussion.)

The CHAIRMAN. You will consider yourself under subpoena. We will want you in public session.

May I ask, Mr. Furry, we have the committee rule that the committee does not give the names of any witnesses to the public.

The witness himself can give his name if he wants to. You can discuss with anyone what went on in this room as it affects you. I may say in your case someone gave the press in Boston, either you or your lawyer—we don't care. We didn't give the press anything. Someone told the press you were going to be here. I assume they know you are here. I wasn't criticizing you for doing it. I merely wanted to state we did not.

Thank you very much.

BOSTON PUBLIC LIBRARY



3 9999 05445 3061

