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August 11, 1950

Rosenberg

E T H E L E . R O S E N B E R G , recalled and
again duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Now, Mrs. Rosenberg, you have again been sworn in and once again I want to advise you of your Constitutional rights, that is, you do not have to answer any questions the answers to which may tend to incriminate or degrade you, and the answers which you give before this body, this grand jury, are given voluntarily and they may be used against you in the event of a subsequent prosecution. Do you understand that? A Yes.

Q I believe you have had counsel? A Yes.

Q And you have been advised by your counsel as to your rights? A Yes.

Q That counsel is Emanuel Block, is that correct?

A Right.

Q Think very carefully on each question and answer very distinctly. Are you a member of the Communist Party?

A I decline to answer that question on the ground that this might tend to incriminate me.

Q Are you a member of the Young Communist League?

A Again I decline to answer that question on the grounds that this might tend to incriminate me.

Q Were you ever a member of the Communist Party?

A I decline to answer on the grounds that this might tend to incriminate me.

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Q Were you ever a member of the Young Communist League? A I decline to answer on the grounds that this might tend to incriminate me.

Q Are you or were you ever affiliated in any way with the Communist Party or Communist movement? A I decline to answer on the grounds that this might tend to incriminate me.

Q Have you ever attended Communist meetings? A I decline to answer on the grounds that this might tend to incriminate me.

Q Have you ever contributed money or your services to the Communist Party or Communist cause? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether or not your husband is or has been a member of the Communist Party or Young Communist League? A I decline to answer on the ground that the relationship that exists between my husband and myself is a confidential one, and this might tend to violate a confidential relationship.

Q Let me explain to you that you may refuse to answer questions on privilege as between husband and wife only as to conversations, not as to anything you may know. You may only refuse to answer that question on the grounds it may incriminate you, not your husband. What is the answer to that question? Do you know whether or not your husband is or was a member of the Communist Party?

A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your husband is or was in any way affiliated with the Communist Party? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your husband is or was in any way affiliated with the Soviet Union? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your husband ever attended any meetings of the Communist Party or the Young Communist League? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your husband ever attended any meetings of any agency or agencies affiliated with the Communist Party or Young Communist League? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your brother David was a member or affiliated in any manner with either the Communist Party or Young Communist League or both? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your sister-in-law, Ethel Greenglass, was a member of or affiliated with either the

Communist Party or Young Communist League or both?

A Excuse me. I was Ethel Greenglass. Do you mean my sister-in-law?

Q Yes. Do you know whether or not your sister-in-law Ruth Greenglass was affiliated with or a member of either the Communist Party or Young Communist League or both?

A I decline to answer on the grounds that this might tend to incriminate me.

Q Were you active in the Communist Party movement?

A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your husband was active in this movement? A I decline to answer on the ground that this might tend to incriminate me.

Q Do you know whether your brother, David Greenglass, and or your sister-in-law, Ruth, were active in the Communist Party movement? A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever discuss with Ruth Greenglass the work which her husband was doing at Los Alamos during the war? A I decline to answer on the grounds that this might tend to incriminate me.

Q Were you ever present at a discussion with Ruth Greenglass during which the topic was the work which her husband, David Greenglass, was doing at Los Alamos during the war? A I decline to answer on the grounds that this might tend to incriminate me.

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Q Did you ever hear your husband, Julius, discuss with Ruth Greenglass the work which her husband, David Greenglass, was doing at Los Alamos during the war?

A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever discuss with David Greenglass the work which he was doing at Los Alamos during the war?

A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever hear your husband discuss with David Greenglass the work which he was doing at Los Alamos during the war? A I decline to answer on the grounds that the relationship between my husband and myself is a confidential one and I do not want to violate it.

Q Let me explain to you again that when a third party is present during a conversation between you and your husband, the privilege of husband and wife is lost, it cannot be exercised, and the only reason you can decline to answer the question which has been put to you is on the grounds it may tend to incriminate or degrade you. Will you please answer the question? In other words, the privilege of husband and wife is only when the two of them are present; but when a third party is present the privilege is lost because it is overheard by a third party in your presence. Your ground for refusing to answer must be on the ground that the answer to the question which has been

put to you might tend to incriminate or degrade you.

A I'd like to ask advise of counsel at this point.

Q Where is your counsel? A At 299 Broadway.

Q What do you want counsel for? A I feel that I need legal counsel.

Q For what? For what reason? As to whether you should answer that question? A I have a right to ask for counsel.

Q For what reason? A Whatever the reason might be.

Q No; you have to give a reason for it. A Obviously, I want something clarified.

Q What do you want clarified? A I'd rather wait to discuss it with my counsel.

Q In other words, you want to discuss the answer to that question, on the grounds of privilege between you and your husband, is that right? A I would like the advice of counsel.

Q For what reason, Mrs. Rosenberg? Give us a reason for it. A I told you the reason. I feel that I need the advice of counsel.

Q For what reason? For what reason? You have declined to answer. I mean, do you want to answer these questions, is that why you want counsel? A I have a right to ask for counsel before I go --

Q You must give a reason for it. A Well, I have some questions to ask.

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Q About what? A About my rights.

Q You have already consulted one, haven't you?

A That's right.

Q Do you want to know whether you should answer this question, is that the reason why you want counsel?

A No. I want counsel to ask about my rights.

Q You know your rights. You do not have to answer any questions which may tend to incriminate or degrade you, and you have already answered the question. A But there is a question about the right of the confidential relationship.

Q I will withdraw the question then. You do not have to answer that at all. I won't even ask you that question. That question is withdrawn, the question, Did you ever hear David Greenglass and Julius Rosenberg discussing the atom bomb, or, rather, did you ever hear your husband discuss with David Greenglass the work which he was doing at Los Alamos during the war. We withdraw that. Did you ever hear David Greenglass discuss the work, his work, in connection with the atom bomb and nuclear fission? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know Anatole Makovlev? A I decline to answer on the grounds that this might tend to incriminate me.

Q Would you care to attempt to identify his picture?

A I would not care to attempt.

Q Do you know whether your husband knowsthis Yakovlev? A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever hear your husband mention the name Harry Gold? A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever give either David or Ruth Greenglass money? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your husband gave either one of the Greenglasses money? A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever write your brother, David Greenglass, during the war? A Yes, I wrote him.

Q Did you ever attend the Workers School? A I decline to answer on the ground that this might tend to incriminate me.

Q Did you ever sign a Communist Party nominating petition for elective office? A I did sign a Communist Party petition.

Q For elective office? A That I wouldn't recall, whether it was elective office -- no, it was for, I think --

Q Candidates for office? These petitions are sent around where candidates for office must get so many signatures for different offices of the Communist Party.

A You mean about putting the party on --

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Q Elective offices, for Governor or Senator and things like that -- petitions. They have to get so many names on petitions before the name can go on the ballot.

A Yes, I believe there was one.

Q Do you know which one it was? A Oh, it's way back -- when was it? I believe it was 1939 or 1940, something like that.

Q Now I show you some letters, and ask you if that is your writing? A That's right; that is my writing.

Q These are all your writing? A Yes; those are all my writing, yes.

Q They are all yours, are they? A That's my writing; that's my writing.

Q These are all letters which you sent to your brother David? A Yes, addressed to him. That's my writing, yes.

MR. LANE: May the record indicate that the witness has identified these letters as letters which she wrote to her brother David. And here is another?

THE WITNESS: Yes, that's my writing.

Q And these letters, these are all -- A My writing, yes.

Q Another batch? A Yes, that's my writing.

MR. LANE: These batches of letters which the witness has identified are letters which she wrote to her brother David, and she identifies them as being in

her writing and as being sent to her brother during the war.

(MARKED GRAND JURY EXS. 1 and 2, this date.)

Q Did you ever attend a Communist Party meeting at Madison Square Garden? A I decline to answer on the ground that this might tend to incriminate me.

Q Doyou read, purchase or subscribe to the Daily Worker? A I decline to answer on the grounds that this might tend to incriminate me.

Q is there anything else you want to tell us about this entire matter? A No.

Q Any statement you want to make to the jury? A No.

MR. LANE: Anything, Mr. Foreman, that the jury wants to ask? (No response) Can she be temporarily excused, just for a minute or two?

THE FOREMAN: You are excused.

(Witness again recalled.)

MR. LANE: Mr. Foreman, are there any questions? If there are no questions, would you please excuse the witness?

THE FOREMAN: You are excused.

(WITNESS EXCUSED)