

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE PETITION OF NATIONAL SECURITY)
ARCHIVE, AMERICAN HISTORICAL)
ASSOCIATION, AMERICAN SOCIETY OF LEGAL) Miscellaneous Action
HISTORY, ORGANIZATION OF AMERICAN)
HISTORIANS, SOCIETY OF AMERICAN)
ARCHIVISTS, AND SAM ROBERTS)
FOR ORDER DIRECTING RELEASE OF)
GRAND JURY MINUTES)
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DECLARATION OF ALLEN M. HORNBLUM

1. I am an author and a lecturer of Geography and Urban Studies at Temple University. My areas of expertise include crime and punishment, public policy, politics, and medical experimentation. I am an investigative writer, and I have published several books on previously unexplored topics. These books include *Sentenced to Science: One Black Man's Story of Imprisonment in America* (2007); *Confessions of a Second Story Man: Junior Kripplebauer and the K&A Gang* (2006); and *Acres of Skin: Human Experiments at Holmesburg Prison* (1998). In 2003, I wrote an extensive article for the *Philadelphia City Paper*, which provided one of the most authoritative biographies yet written of Harry Gold, the courier of atomic secrets who led the authorities to David Greenglass and, by extension, to the Rosenbergs. See "Gold Fingered," *Philadelphia City Paper*, June 19-25, 2003, available at <http://www.citypaper.net/articles/2003-06-19/cover.shtml>.

2. My interest in the Rosenberg case is central to my current writing project, a biography of Harry Gold. In my book, slated for publication in 2010, I will further develop the currently narrow historical understanding of Gold's life. While books have

been published on the other principals of the Rosenberg case—David Greenglass, Morton Sobell, the Rosenbergs themselves—Harry Gold remains an enigma to even the most persistent students of the Rosenberg case.

3. Harry Gold received much attention in the aftermath of the Rosenbergs' conviction. Gold was the lynchpin in the Rosenberg case. In 1950, Klaus Fuchs, a Soviet spy and atomic scientist who worked in the American military installation at Los Alamos, was captured in Great Britain. Fuchs led the authorities to Harry Gold, who had acted as the Soviet courier for Fuchs' secret atomic information, and was also the courier for other Soviet spies. Gold was apprehended by the FBI later that year at his home in Philadelphia, and he quickly revealed enough information to lead the FBI to David Greenglass.

4. During the mid-1940s, Greenglass had worked at Los Alamos and had access to some secrets of the atomic bomb. His brother-in-law, Julius Rosenberg, arranged for Greenglass to pass atomic information to Soviet courier Gold, who in turn passed the information to the Soviets via the Soviet handler, Anatoli Yakovlev. This act of atomic espionage was the crime for which the Rosenbergs were executed.

5. If Gold and his attorney had fought more vigorously against the FBI's accusations, and if Gold had not confessed, he would likely not have been convicted and jailed for 16 years. The authorities would likely not have discovered David Greenglass and the Rosenbergs. The Rosenbergs would not have been executed; Greenglass, Sobell, William Perl, and others would not have been imprisoned, and several Soviet spy rings would not have been dismantled.

6. Abraham Brothman and Miriam Moskowitz, New York business partners, were also arrested based on their connection with Harry Gold. During the 1940s, Brothman gave industrial information to the “Red Spy Queen” Elizabeth Bentley, who passed it to the Soviets. In the early 1940s, Bentley ended her relationship with Brothman, and Gold became his new Soviet contact. When Brothman and Moskowitz were called before a federal grand jury in 1947 and questioned about their relationship with Elizabeth Bentley, who by that time had become an FBI informant, they were untruthful and avoided prosecution. However, in 1950, Gold confessed to the FBI about his Soviet espionage activities. Gold provided the FBI with the information necessary to arrest Brothman and Moskowitz, who were charged with and convicted of conspiracy to obstruct justice based on their deceptive 1947 grand jury testimony.

7. The 1947 Brothman/Moskowitz grand jury testimony was partially released as a result of *In re Am Hist. Ass’n*, the 1999 case that unsealed the Alger Hiss grand jury records. This petition seeks the remainder of the Brothman/Moskowitz records. The currently sealed testimony of the Brothman/Moskowitz grand jury is of extreme importance to my research, as it would likely answer many questions regarding Gold’s mental state and the extent of Gold’s involvement with Soviet espionage.

8. Because of Gold’s key role in the Rosenberg case, he received much public scrutiny and abuse during the 1950s, 1960s, and 1970s. Many people believed the Rosenbergs were innocent, and they blamed Gold for the Rosenbergs’ execution. They called Gold a nebbish, a fantasist, and an FBI pawn, and they accused him of being unstable and brainwashed. Gold’s life was greatly damaged, and after his release from

prison, he worked quietly as a chemist in a hospital laboratory. Even his 1972 death went unnoticed by the press.

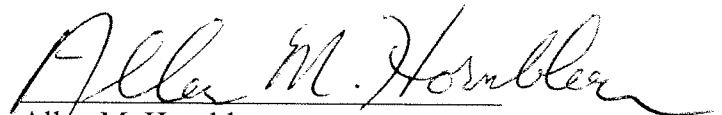
9. In my book, I hope to shed light on this unusual and important character. Gold finally cooperated when the FBI investigated him in May 1950, but he was certainly not psychotic. Instead, his story is a good example of the compliant Soviet courier who was “in over his head.” Gold likely was as much help to the FBI as he was to the Soviets because his confession severely rattled Soviet espionage efforts in the United States.

10. The grand jury records will be of great use to my book. The records will likely provide new information on the extent of Gold’s involvement in Soviet espionage. The records will also help to demonstrate the level of Gold’s psychological stability. These two issues have remained controversial, and the grand jury records will likely provide some of the best information to resolve the controversies.

11. My current research project demonstrates that the Rosenberg case continues to inspire serious historical scholarship and investigation. I strongly urge the court to release all the grand jury records relating to the Rosenberg case, including the Brothman/Moskowitz grand jury testimony.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing information is true and correct.

Executed in Philadelphia, Pennsylvania, this ___ day of January 2008.


Allen M. Hornblum