



CHAPTER 4

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Counterintelligence Between The Wars

Introduction

The “war to end all wars” was over and the United States was poised on the threshold of world leadership, when the American people retreated into a period of isolationism. They wanted to forget the war, and its destructive influence on the nation’s psyche, and forget the world’s problems. Americans wanted to be happy and enjoy life.

Enter the “Roaring Twenties.” Depicted in movies by speakeasies, gangsters, dapper college boys and flapper girls dancing to the new, electrifying jazz, it displayed an era of happy, carefree Americans enjoying a materialistic lifestyle. That image disguised the many problems facing the nation. Most Americans still harbored deep-rooted bias against foreigners immigrating to the United States. To them, these refugees from abroad were undercutting their dreams of a good life by willing to work for low wages. They also brought the evils associated with the Old World and the new evil of communism.

A “Red Scare” began to sweep the country. American business leaders alleged that there was more to the growing strikes across the nation than workers desiring higher pay. They accused the foreign “Reds” and anarchists, Bolsheviks, Communists and Socialists of plotting to destroy the American way of life. Hysteria increased. Government leaders said that unless these anarchists were stopped, a Red revolution would subvert America.

In June 1919 a bomb exploded outside the home of Attorney General, A. Mitchell Palmer, which killed the bomber. A search of the body found leaflets, which suggested a foreign conspiracy. Almost six months later, Palmer, using the Bureau of Investigation and citizen volunteers, launched a series of raids on “radical” meetings. Thousands of people were arrested without cause. Palmer was a hero but as the raids and the abuses committed by the raiders continued, American public opinion shifted. In the end, Palmer and the Bureau of Investigation were rebuked.

There were cries that the Bureau of Investigation be stripped of its investigative authority and that the Secret Service be given this role. Instead, a new Attorney General, Harlan Fiske Stone, decided that the Bureau was needed but had to operate under strict legal guidelines. Stone fired William Burns, chief of the

Bureau, and abolished the General Intelligence Division, headed by J. Edgar Hoover. Hoover was then made acting director and later director of the Bureau.

Further, after World War I ended, the military did not want to terminate its cryptographic and decoding activities. Working with the Department of State, a Cipher Bureau was established in New York with secret funds provided by State. This bureau became known as the "Black Chamber." Using cooperative liaison contacts in Western Union Telegraph Company and the Postal Telegraph Company, the Black Chamber was given access to diplomatic cable traffic. The Chamber operated until the new Secretary of State, Henry Stimson, withdrew State Department's funding in 1929. The military then transferred the Chamber's functions to the Army Signal Corps.

In the early 1930s, a special committee, led by New York Congressman Hamilton Fish, was authorized by the House of Representatives to investigate communism. After almost a year of study, the committee concluded that the federal intelligence community had no authority to deal with the growing problem of communist activity. The committee recommended that the Department of Justice severely crackdown on communists but the recommendation fell on deaf ears.

In 1934 Congress granted the Bureau of Investigation the power to make arrests but required the Bureau to obtain a warrant from the Judiciary prior to making the arrest. To obtain the warrant, the Bureau was required to show reasonable grounds for suspecting the person to be arrested and the Judiciary had to agree with the grounds.

In 1938, Texas Congressman Martin Dies, who headed a special committee to investigate subversion in the United States, continued to shove the Roosevelt Administration and the FBI to be more active in the investigation of communists and Nazis. The FBI informed Congressman Dies and his committee that it had commenced "building up a system of internal security" since early 1935.

There was an ardent desire by the counterintelligence community to counter this newly perceived threat but the old arguments surfaced as to what government entity would be in charge. President Roosevelt, also feeling the heat from the Dies Committee, directed the creation of the modern federal counterintelligence system. He temporarily solved the mistrust and discord that plagued the counterintelligence community in a series of presidential directives that gave the FBI the mantle of lead agency to investigate and conduct domestic surveillance against individuals and organizations posing a threat to the United States.

Having gained the advantage over the Army's Military Intelligence Division and Navy's Office of Naval Intelligence, Hoover would never waive his primary role. This would have serious consequences when the Office of Strategic Services is formed during World War II and the Central Intelligence Agency is created in 1947.

The Corps Of Intelligence Police From 1917 To World War II

During World War I the Intelligence Section, American Expeditionary Force, recommended and the War College Division sanctioned the establishment of the Corps of Intelligence Police. Authority for such action was contained in the provisions of Section II of an Act of Congress (approved 18 May 1917) giving the President the power to increase the Army to meet the national emergency. This Corps of fifty men in the rank of sergeant of infantry was to report for counterespionage duty under the Commanding General, American Expeditionary Force. On 13 August 1917, War Department General Orders officially established the Corps of Intelligence Police.

A French-speaking officer with experience in police work was given the mission of recruiting the men. He traveled to New Orleans and New York City where he advertised in the local newspapers for men who could speak French to do intelligence work in France. He accepted all candidates who could pass the Army physical examination and answer a few simple questions in French.

On 25 November 1917, the Corps of Intelligence Police, fifty strong, arrived in St. Nazaire, France. Some were sent to British Intelligence at Le Havre for further training. The others were assigned to the rear area under the control of General Headquarters or were merged with divisional intelligence sections. The Le Havre Detachment worked at copying British suspect lists and counterespionage summaries and began indexing these lists. This training continued until a short while before the Armistice.

In January 1918, the Corps opened its office in Paris and began work on its central card file, securing names from British, French, and American sources. At the end of the war this file contained some 50,000 names.

The first actual counterespionage work was done at St. Nazaire where enemy agents were reported to be active. Agents apprehended by the Corps of Intelligence Police were immediately turned over to

French authorities for disposition. Civilians were screened, travelers checked, and passports examined. In addition to work of a counterespionage and security nature, the Corps of Intelligence Police also did investigative work for the Department of Criminal Investigation by conducting fraud and graft investigations. Members of the Corps of Intelligence Police were assigned to the American Peace Delegation in Paris. One detachment was assigned to guard President Wilson's residence while he was in France.

In January 1918, authorization was granted to increase the Corps gradually to an eventual strength of 750 men. One year later, there were 405 agents on duty with the American Expeditionary Force. However, the allotted 750 vacancies were never filled because of the Armistice and demobilization of the Corps.

Meanwhile, during the years 1917-1918, the work of the Corps of Intelligence Police in the continental United States was carried out under the Chief of the War College Division, General Staff. On 28 November 1917, the Corps was increased to 300 men, 250 of whom were to work within the United States. In March 1918, with the abolition of the War College Division of the General Staff, the Corps of Intelligence Police was transferred to the control of the Military Intelligence Branch of the Executive Division of the General Staff.

The next increase in strength came in an order from The Adjutant General dated 4 September 1918. This was deemed necessary because of the rapid increase in the number of investigations being conducted throughout the United States and the territorial departments.

However, these goals were never reached, for by January 1920, of a total of 600 men who had been on duty in the Corps of Intelligence Police, only 18 remained. This caused serious concern among those who saw the menace of failing to provide a permanent place for the Corps of Intelligence Police in the organization of the Army. Many saw the necessity for such personnel, in New York, Washington, and

the Western and Southern Departments for investigation and guard duties of a strictly confidential nature. Therefore, authority was requested to detail not more than 24 sergeants of the duly authorized organizations of the Army for intelligence service. These were to be evenly divided among the Eastern, Western, and Southern Departments, and the District of Columbia. The Adjutant General granted the authority for such action on 7 February 1920. These men were to be subject to the orders of the Department Commander in whose territory they were assigned, except for the six men on duty with the Western Department who were to be subject to the orders of the Director of Military Intelligence. However, this order did not create a permanent status for the Corps of Intelligence Police in the organization of the Army.

A series of memoranda, prepared by the Director of Intelligence, pointed out the necessity for such a body of men, requested a permanent organization for the Corps of Intelligence Police, and set forth the quotas for the Corps Areas and Departments. The quota of 45 sergeants allotted by the resultant order was not as great as had been desired by the various Corps Areas and Departments, but it did give the Corps of Intelligence Police a permanent foothold in the organization of the Army.

Duties of the Corps of Intelligence Police were outlined by the War Department in the spring of 1921. All individuals who might be suspected of operating against the Military Establishment were to be closely observed. In addition, the Corps of Intelligence Police was directed to report on radical activities in political and industrial fields. This was a tremendous assignment for a handful of men whose number was reduced to a mere 30 in 1922 when the Army was cut to 125,000 men.

The policy of isolationism that swept the country at that time made it impossible to increase the Army in general and the Corps of Intelligence Police in particular. Although there was important work for the Corps, the policy of the Army prohibited the Corps of Intelligence Police from growing large enough to control subversive activity or directly affecting, the Military Establishment. However, in 1926, when it became clear that the Corps of Intelligence Police would have to expand rapidly

in an emergency, a "Mobilization Plan" for the Corps was drawn up. The initial strength of the Corps was set at 250 men with provision for increments as the mobilization progressed. The functions of the personnel were outlined more clearly, and a promotion plan formulated.

Despite the best intentions of the men who were aware of the real value of the Corps of Intelligence Police, a further decrease occurred in 1926, which brought the total to 28; and in November 1933, strength was decreased to 15. This curtailment of essential personnel was effected as an economy move in the days of the depression. It was argued that the grades held by the men were too high for the clerical duties they were performing. It was even suggested that other military personnel or civilian employees replace the Corps of Intelligence Police in certain localities. To this, the Philippine Department answered:

"This Department presents a special case in that its distance from the homeland, its close proximity to World Powers, its heterogeneous mixture of foreigners, and the uncertainty of the future, all tend to emphasize the importance of keeping the Commanding General fully informed at all times. In order to perform this important duty, the scope of the organization charged with its execution is wide and varied...All of the present members of the Corps of Intelligence Police are men of proven ability, loyalty, and experience... Were any of these agents replaced by civilians or military personnel, it would confront this office with the necessity of building a new organization and discarding one which has reached its present state of efficiency after years of intelligence effort and experience."

From 1934 to 1939, with but a single increase of one man authorized for work in the Philippine Department, the Corps of Intelligence Police existed precariously with its small quota. Meanwhile, continued reports indicated that Japanese and Nazi activity were on the upswing in the Panama, Hawaiian, and Philippine Departments. Finally, in June, 1939, President Franklin D. Roosevelt issued a proclamation which stated that the control of all matters of an espionage, counterespionage, and sabotage nature would be handled by the Federal Bureau of Investigation of the Department of Justice, the Military Intelligence Division of the War Department, and the Office of Naval Intelligence of

the Navy Department. The Directors of these three agencies were ordered to function as a committee to coordinate their activities.

One year later, the chiefs of the three agencies involved drew up an agreement as to jurisdiction, with particular emphasis given to foreign operations. Further revision of this agreement, defining clearly the work to be handled by each agency, was made in February 1942. This has become known as the Delimitations Agreement of 1942.

Expansion of the Corps began almost immediately. In June 1940, authorization was granted to bring in an additional 26 men. In December 1940, the allotment was increased to 188 men. Although some difficulty was experienced in recruiting, because of a lack of definite standards of qualifications, it was soon established that only men of the highest integrity with a high school education or better would be selected. On 20 February 1941 a total of 288 men was reached. A total of 18 agents was allotted to the important Panama Canal Department. By 31 May the over-all total swelled to 513, and by 17 February 1942 the Panama Canal Department alone could count 59 men on duty there.

In January 1941, the office of the Chief of the Corps of Intelligence Police-Sub-Section, Investigating Section, Counter Intelligence Branch, Military Intelligence Division, was established. On 24 February 1941, the Corps of Intelligence Police Investigators School became operational in the Army War College and, after two classes, was moved to Chicago. By April, Technical Manual 30-215 (Tentative) was published, thereby creating a definite and consistent procedure of training for all personnel in the Corps.

On 6 December 1941, the eve of Pearl Harbor, the Corps of Intelligence Police was a permanent organization of the Army, organized under the direction of the Assistant Chief of Staff, G-2, General Staff. It had authorization for 513 enlisted men, and had begun the task of expanding its work under the policies set forth in the Delimitations Agreement. Suddenly the days of begging for men and money had come to an end. The problem was now to grow as rapidly as possible, procure and train men, and do a professional job simultaneously.

Memo to Director of Naval Intelligence

*United States Asiatic Fleet
U.S.S. Huron, Flagship
Manila, P.I.
24 December 1923*

From: Commander in Chief
To: Director of Naval Intelligence
Subject: Orange¹ Radio Code

1. Information has been received from a reliable military source that considerable progress has been made in the Department of Military Intelligence, Washington, in breaking certain Orange Radio Codes.

2. If the above information is true, the Commander in Chief considers it of vital importance that all such data be available in his SECRET files prior to any emergency that may arise.

3. Should the above information be sent to the Commander in Chief, and if the Director of Naval Intelligence considers it advisable, the mailing envelope will be kept sealed and the seal unbroken until such conditions arise that make it advisable to open it.

4. In connection with the above, it is considered highly desirable that an officer who has completed the Orange language course be made available for duty in the Asiatic Fleet. One such officer is at present on duty on board the flagship, but he is at present under orders to the United States, and his departure will leave no one who is able to speak or translate Orange language.

Thos. Washington
Army's Domestic Intelligence

Under the terms of the National Defense Act of 1920, the six territorial departments of the Army within the continental limits of the United States, were superceded for purposes of administration, training and tactical control by nine corps areas. Likewise, for inspection, maneuvers, war mobilization and demobilization, these same corps areas were further grouped into three larger army areas with the commanding officers and staffs for them to be named

from time to time only as necessity arose. The overseas territorial commands, however, continued to remain officially designated as departments.

Subsequent War Department orders also required that there should be an "Assistant Chief of Staff for Military Intelligence" included on the staff of the Commanding General of each Corps Area and Department. This, of course, would have been a particularly appropriate time for the War Department authorities to describe in detail the specific duties assigned to these Corps Area and Department Military Intelligence officers, as well as to establish beyond any doubt their precise relationship to the Assistant Chief of Staff G-2 in Washington. Unfortunately for all concerned, though, these two important steps were not properly taken.

Both the MID officials and the Corps Area Intelligence officer soon felt the need for additional information to provide the latter with effective guidance in the conduct of their assigned duties. It was finally decided, therefore, to furnish each Corps Area and Department Headquarters with six hastily revised copies of a pamphlet that had been prepared during 1918 for use by the field intelligence offices in order to form a divisional intelligence service. This obsolete wartime pamphlet was given the new title of "Provisional Instructions for the Operations of the Military Intelligence Service in Corps Areas and Departments" but it still contained a number of references to approved wartime methods for investigating individuals and groups who might become involved in domestic disorders within the United States. Its issuance under peacetime conditions thus plainly presaged future difficulties for the departmental military intelligence agency.

Following the conclusion of World War I, most of the experienced intelligence personnel within the War Department felt strongly that MID should continue to follow the growth of all significant radical movements either at home or abroad, so as to discharge fully its basic military intelligence responsibilities.² This action appeared to be even more essential in view of the possible need for a sudden commitment of Federal troops in the event of major domestic disturbance³ and because of the constantly increasing efforts by various extremist groups to subvert members of the armed

forces. There was no desire on the part of these same officials; however, to examine in any way the political beliefs or other private opinions held by military personnel.⁴ That was one reason why an agreement had been concurred in calling for the War Department to relinquish all previous activities connected with military graft and fraud investigations and to turn the entire function without delay over to the Department of the Justice.⁵

Despite every possible effort by the department intelligence authorities to execute their domestic intelligence responsibilities in a manner calculated to avoid outside criticism, they were steadily forced on the defensive. Important segments of the American public were in no mood to countenance any military intelligence activities which they could construe as being an intrusion into their own private affairs, while left wing socialist and pacifist organs remained constantly on the alert to publish in sensational style whatever evidence that came to light point toward military intelligence involvement in such matters.⁶ In the MID annual report for the fiscal year ending 30 June 1921, the military security mission assigned to the Negative Branch was most carefully defined as consisting only of the following non-operational tasks:

1. Observation of movements within the United States whose object is the overthrow by violence of the government of the United States, or the subversion of the loyalty of the personnel of the military establishment.
2. Observation of the activities based on foreign countries the object of which is the overthrow of the United States by force.
3. Study of the measures necessary for carrying out the counter-espionage service in the military establishment in time of war."⁷

The problem of how best to acquire needed information on important radical movements in the United States during peacetime, without stirring up a public furor or encroaching upon the established authority of the Department of Justice, continued to remain an exceedingly vexatious one for the military intelligence authorities to solve. It already had become clearly evident that it no longer be practicable for MID to perform any actual investigations of

American individuals engaged in radical activities, even though their activities were closely related to military subversion or might bear directly upon the possible use of Federal troops in domestic disturbances.⁸ The only practicable course of action appeared to lie in working out some sort of an arrangement wherein MID could regularly receive from the Department of Justice "sufficient information on individuals to enable it to have full knowledge of radical and interracial movements" developing within the United States. Necessary steps were taken toward the end of 1920, to initiate a series of conferences between the responsible officials of MID and the Department of Justice on domestic intelligence matters.⁹ When these exploratory talks proved to be successful, a formal agreement was jointly signed by Maj. W.W. Hicks, Chief, MI4 and J. Edgar Hoover, which said:

1. The Department of Justice will transmit to MID eleven additional copies of its General Intelligence Bulletin, for distribution to each of the Corps Area and Department Intelligence Officers of the Army. Also, after having been officially designated to the Department of Justice by MID, these same Corps Area and Department of Intelligence officers will be granted full access by the Divisional Superintendents of the Department of Justice to their field reports. Such reports, however, are to be examined at the Department of Justice field offices and not removed therefrom by the military intelligence personnel.

2. MID will furnish to the Division of Investigation enough extra copies of its "G-2 Weekly Situation Survey" for distribution to the nine Divisional Superintendents of the Department of Justice in the field.¹⁰

Upon completing this noteworthy agreement with the Army intelligence authorities, Hoover took the occasion to declare:

*"I sincerely hope that the plan which we have devised for a more thorough and effective cooperation will be satisfactorily carried out and if there is any matter which should arise in connection with the arrangements do not hesitate to bring the same to my attention as I am particularly desirous of establishing a thorough cooperation between our two services."*¹¹

Although the MID officials did manage in this way to remain for the time being comparatively well-

informed regarding the domestic intelligence situation, problems of an extremely embarrassing nature kept coming up on the subject at frequent intervals. These problems were derived principally from the fact that many of the Corps Area G-2's were still conducting undercover investigations along the lines described in their previously issued "Provisional Instructions for the Operation being of the Military Intelligence Service in Corps Areas and Departments." Since activities of this type had already caused a large amount of adverse public comment to be directed against the United States Army, the Director of Military Intelligence, in June 1922, secured permission from the Office of the Chief of Staff to rescind that offending pamphlet. At the same time, the Corps Area Commanders were specifically instructed, as follows:

The Assistant Chiefs of Staff, G-2 of Corps Areas should be charged with such of the specific duties of the Military Intelligence Division enumerated in paragraph 9, AR 10-15, as are applicable within their respective boundaries. They should be required to make studies from an opponent's point of view of possible operations on the frontier contiguous to their areas, as such studies are necessary for the formulation of mobilization and defense plans. In general, except for the supervision of all activities concerning Military Topographical Surveys and Maps, the collection of information pertaining to our own territory is a function of staff sections or branches other than G-2.¹²

This noticeably vague letter describing the duties of the Corps Area G-2's fell far short of constituting a suitable official directive for delimiting their operations within the domestic intelligence field. Questionable intelligence practices continued in most of the Corps Areas, especially because all the higher tactical headquarters of the Army were still being required to maintain an up-to-date emergency plan covering the possible commitment of their troops in local civil disturbances.¹³ It was finally considered necessary, therefore, to dispatch another letter on the same subject to the Corps Area Commanders, in December 1922 as follows:

The Secretary of War is much concerned at reports from time to time of the activities of intelligence officers in the United States. It is obvious that the

*American people are very sensitive with regard to any military interference in their affairs. Harmless and even readily justifiable inquiries arouse suspicion and opponents of the Army are very apt to quote such acts as forms of Russian or Prussian military supervision. During the World War it became necessary to investigate individuals, groups and corporations.... All investigations ceased shortly after the Armistice but the general idea was kept alive by the seeking of information preparatory to the drafting of the various local War Plans White. The result is that in the minds of civilians and those of many officers as well, the word "intelligence" is associated with the investigations and inquiries mentioned above.*¹⁴

While this more strongly worded communication seemed to put across the desired point effectively to the Corps Area G-2's themselves, it failed to solve the problem of curbing activities of the more enthusiastic intelligence officers at post, camps and stations, or members of the Military Intelligence Section of the Officers Reserve Corps (M.I. Reserve) who were sponsoring semi-private investigations of radical groups on their own. As long as these individuals kept operating, it probably would be only a matter of time when one of them would undertake some embarrassing project and put military intelligence right back on the front pages of the so-called liberal press. An incident of this sort did take place, derived from a circular letter written by 1st Lt. W.D. Long, Post Intelligence Officer, Vancouver Barracks, Washington, and addressed to all "County Sheriffs of the State of Oregon."¹⁵

Sent out on his own initiative and without the knowledge or sanction of his commanding officer, the letter contained the following highly explosive statements:

The Intelligence Service of the Army has for its primary purpose the surveillance of all organizations or elements hostile or potentially hostile to the government of this country, or who see to over-throw the government by violence.

Among organizations falling under the above heads are radical groups such as the I.W.W., World War Veterans, Union of Russian Workers, Communist Party, Communist Labor Party, One Big Union, Workers International Industrial Union, Anarchists,

Bolsheviki, and such semi-radical organizations as the Socialists, Non-partisan League, Big Four Brotherhoods, and the American Federation of Labor.¹⁶

As might well be expected, when this circular letter was reproduced in such news organs as *The Nation* and *The Labor Herald*, a violent storm erupted. The affair not only received prominent editorial coverage throughout the country but also caused a deluge of protesting letters to reach the President and Secretary of War, many of them signed by politically influential labor leaders.¹⁷ Secretary of War John W. Weeks ordered the immediate relief of Lt. Long from his military duties¹⁸ and instructions dispatched to all Corps Area Commanders for them to take whatever steps were necessary to insure that no intelligence officer would be appointed in the future at any post, camp or station unless the assignment was specifically prescribed under an existing table of organization.¹⁹ Furthermore, whenever a table of organization did call for the assignment of such an intelligence officer, his responsibilities were to be limited strictly to training troops in their combat intelligence duties.²⁰

Still remaining at hand, however, was the ticklish problem of curbing unofficial investigative activities on the part of individual M.I. Reserve officers. This matter was soon handled by addressing a War Department letter to all listed members of the M.I. Reserve and forwarding it to them through their respective Corps Area Commanders. The letter first emphasized that the mere fact of an appointment in the M.I. Reserve did not automatically give the individual permission to perform military security investigations and then went on to forbid the actual conduct of any operations of such type unless they had been directly authorized by the War Department. It also warned each M.I. Reserve officer against taking any personal advantage of his military commission to promote some unofficial investigation in which he might be privately engaged.²¹

These various strictures on domestic intelligence activities were originally applied with equal force both within the overseas Departments and the Corps Areas. It was not long, though, before the intelligence officials of the overseas departments started to complain that they were being seriously hindered by

them in the execution of their primary missions. For example, on 16 February 1924, the Assistant Chief of Staff G-2, Hawaiian Department, protested that owing to the peculiar racial conditions existing throughout his area and the absence of any other governmental agency capable of keeping him properly informed about the domestic situation, it was necessary for him to carry out investigations similar to those described in the recently rescinded War Department countersubversive pamphlet. He requested permission, therefore, to continue maintaining "the close watch and supervision that is now being kept on our alien and other racial groups" in Hawaii.²² Despite the admitted special conditions in his area, the MID authorities chose to reply to him most indefinitely as follows: "You must appreciate that both the letter and spirit of the recent instructions are opposed to investigation activities by military authorities and contemplate them only when absolutely necessary in the interest of national defense or when civilian agencies do not function."²³

The G-2's of the Panama Canal and Philippine Departments likewise expressed themselves as being thoroughly dissatisfied with the new domestic intelligence situation. The former commented that "a G-2 should be able to give warning of approaching trouble and not wait until trouble starts to find out what it is all about," while the latter felt that in the Philippine area it was "essential that the G-2 be fully informed of the political situation at all times and to do this it is necessary to carry on a modified form of espionage."²⁴

On 8 March 1924, the Assistant Chief of Staff G-2, Sixth Corps Area, finally made the rather telling point that he could hardly be expected to devise a suitable counterespionage system for his command under the existing War Department Mobilization Plan unless he was granted access to some effective form of official guidance in the matter. When he further requested that the rescinded provisional instruction pamphlet be reissued to him for such purpose, the action was approved by the Deputy Chief of Staff but only with the proviso that all the returned copies would be clearly stamped "To Be Used Solely in the Preparation of War Plans."²⁵

A discouraging climax to the entire postwar domestic intelligence effort occurred early in April

1925. By the time it had become completely apparent to Col. (later Brig. Gen.) James H. Reeves, the Assistant Chief of Staff G-2, War Department General Staff²⁶, that MID was not receiving enough information under the approved system to fulfill its assigned military security responsibilities for developing the War Department General Mobilization Plan. He believed that the Corps Area Commanders should again be required to forward periodic reports to the War Department "relative to groups and organizations which might be involved in internal disorders or in aiding an enemy." To accomplish this action, he had a letter drafted in MID for dispatch to all the major unit commanders that slightly modified the restrictions that were already in force covering the collection of such information. When this proposed letter was submitted to the Chief of Staff for his approval, it came back with the following unfavorable notation inscribed on it:

DISAPPROVED: *G-2 in liaison with Department of Justice should keep in good touch with general situation without calling on Corps Area Commanders.*

By order of the Secretary of War

/s/ D.E. Nolan

*D.E. NOLAN
Major General
Deputy Chief of Staff²⁷*

A marked deterioration in the performance of basic counterintelligence responsibilities within MID was now plainly evident, with irresistible pressures generated by a hostile public opinion having forced the departmental military intelligence authorities to adopt an essentially negative approach to the whole problem. During 1927, 1928, and 1929, therefore, with reference to domestic intelligence, the following carefully worded paragraph appeared as a regular part of the G-2 Annual Report:

The collection of information by G-2 regarding the radical situation in the United States is confined to that which appears in the public press. The information collected is studied in connection with the possible effect of the radical situation upon the execution of any existing or proposed war plans. It

is also studied in connection with the effect upon the efficiency of the Army of the United States at the present time, especially with reference to the military training in schools, colleges and activities of pacifists and radicals.²⁸

It was during this particular period that M/Sgt. John J. Mauer, Corps of Intelligence Police, was put in personal charge of all MID activities bearing upon Communist activities and the subversion of Army personnel. He continued to supervise these operations until 18 January 1943, when he was finally forced to transfer to an inactive reserve status "by reason of physical disqualification." His duties were considered to be so ultra-secret that even many members of his own MID branch had no true idea of who was or what he was actually doing. Under his efficient direction, the cellular organization commencing at company level, which had been introduced into the Army in World War I to detect subversives, was first reestablished and then revitalized.

During 1929, in compliance with a provision of the War Department General Mobilization Plan, the MID Operations Branch completed a new "Regulations for Counter Espionage in Time of War." These regulations were promptly approved by the Chief of Staff but with the stipulation that they would be issued only to key field commanders who might have a definite need for them in the appropriate development of their respective mobilization plans.

Early in 1931, with the Nation already in the midst of a severe economic depression and the threat of serious domestic disturbances mounting daily, Brig. Gen. A.T. Smith, the new Assistant Chief of Staff G-2²⁹, decided to reopen once more the sensitive question of MID shortcomings in not being able to maintain an effective surveillance over radical activities in the United States. On 19 February 1931, he submitted a relevant study to the Chief of Staff, which strongly recommended the lifting of all restrictions in regard to corps area and other field intelligence officers investigating such matters. Even though this recommendation had been formally concurred in by the G-1, G-3, G-4, and the Chief of the War Plans Division, it was disapproved by the Chief of Staff, Gen. Douglas MacArthur, who declared "it is not believed advisable at this time to

initiate this procedure."³⁰ Unfortunately for the departmental military effort, this adverse decision was made just when the first bonus marches were being organized throughout the country for the avowed purpose of converging upon the District of Columbia and intimidating the United States Government. Six months later, though, permission was finally obtained on a temporary basis to have the Corps Area Commanders forward to the War Department a monthly report covering subversive activities detected within their own areas.

After the initial bonus marcher groups had actually started to undertake a mass descent upon Washington, the Assistant Chief of Staff G-2, was belatedly instructed by higher authority to follow their detailed progress. Accordingly, on 25 May 1932, a secret War Department memorandum was sent out to all Corp Area Intelligence Officers directing them to investigate and report regularly concerning "bonus demonstrations by veterans." At the same time, MID commenced to forward a daily memorandum to the Chief of Staff describing the current status of the bonus marcher situation within the Nation's capital.³¹ Because of this intensified intelligence effort, the anti-subversive files of the departmental intelligence agency soon grew to be richly productive in valuable information and personnel data covering the large number of Communist agitators who were operating with the Bonus Expeditionary Force (BEF).³²

The principal sources utilized by MID in collecting information on subversive individuals within the ranks of the bonus marchers were through direct observation by departmental military intelligence personnel, civil police³³ and press reports, and interviews held with cooperative BEF members. Alerted United States Army troop units stationed in or near the District of Columbia also executed a number of special reconnaissance missions and notified MID of the results obtained. The departmental agency thus soon found itself actually acting as an operational intelligence center, with Sergeant Mauer in direct charge. Oddly enough, in this same connection, when the Assistant Chief of Staff G-2, Second Corps Area, queried a local representative of the Division of Investigation of the Department of Justice on the subject of bonus marcher activities, he was told that "the Bureau has no

jurisdiction over communistic or radical activities and cannot engage in any inquiry concerning same.”³⁴

Even after the remarkably successful eviction, on 28-29 July 1932, of the original bonus marcher expedition from the District of Columbia by United States Army elements without firing a single shot, the threat of further domestic disturbances along similar lines continued to remain dangerously acute.³⁵ As a matter of fact, radical elements had recently launched a concerted subversive drive among the ranks of the Civilian Conservation Corps, which was then in the process of being organized as an anti-depression measure by the national administration. Communist-inspired efforts to stir up discontent of major proportions not only continued throughout the life of that particular corps but also were later coupled with a companion effort aimed at personnel of the National Guard.³⁶

The United States Army now stood in obvious need of an active and efficient counterintelligence organization centered about MID but it was not long before the powerful influences which were constantly trying to limit activities along such lines again became controlling. Effective 19 March 1934, for example, “in order to relieve the Corps Area G-2’s of the burden of preparing monthly subversive reports, that profitable requirement was abruptly terminated.³⁷ Nevertheless, to overcome the effects of this unfavorable development, an informal practice shortly grew up wherein the Corps Area Assistant Chief of Staff G-2’s continued to forward to MID a series of unofficial monthly “Notes on the Subversive Situation.”³⁸ They were severely handicapped in this irregular enterprise, however, since they did not dare to engage in any open investigative activity to support it.

During early 1934, with Japanese-American relations rapidly worsening, both the President and the War Department began to receive a large number of letters claiming information to the effect that the Panama Canal was in immediate danger of sabotage. As might well be expected, these warnings proceeded to set off a complicated train of events involving the departmental military intelligence agency. After a high-level conference on the subject, attended by representatives of the War, Navy and State

Departments, the Secretary of War addressed a letter to the Commanding General, Panama Canal department, with information copy to the Governor of the Canal Zone, directing that “no effort be spared to maintain the safety of the Canal from any type of sabotage.”³⁹ A corresponding conference was then held within the Panama area, which mainly resulted in a request to Washington for additional counterespionage funds and the assignment of a qualified specialist to coordinate and advise the Governor relative to military security matters. The Secretary of War duly approved these two requests on 11 April 1934.

In searching for a counterintelligence expert to assist the Governor of the Canal Zone as requested, Brig. Gen. A.T. Smith first consulted with J. Edgar Hoover and W.H. Moran, Chief of the United States Secret Service, hoping that one of these key internal security officials might be able to recommend an acceptable civilian for the position. When neither of them seemed willing to do so, he was then forced to turn to the Officer Reserve Corps list in order to find a qualified person with suitable military intelligence background. After careful reviewing the considerable number of applications he had received, General Smith finally selected Maj. Harry A. Taylor, Infantry Reserve, for the assignment. Major Taylor was directed to report to Panama without delay, to become the “Intelligence Specialist for the Governor of the Canal Zone.”⁴⁰

Under the existing “Joint Cooperative Plan for the Defense of the Panama Canal,” the G-2 Office, Panama Canal Department, was designated as the “coordinating agency for protective information gathered by the Canal Administration, Army and Navy.” Although the American Legation in Panama had not formed a part of this early collection arrangement, the MID officials felt that it should now be brought into the regional intelligence picture just as soon as possible. Hence, the Secretary of War was prevailed upon to direct the Governor of the Canal Zone to reach an agreement with the American Administer in Panama City, which would serve to link the Legation in security matters with the three other parties concerned and thereby insure a maximum coordination of effort for collecting information on Canal Zone protection. The eventual result was the creation of a four-member

Interdepartmental Intelligence Liaison Board to accomplish that particular purpose, composed of appropriate local intelligence representatives from the Canal Zone Administration, American Legation in Panama, Naval District and Army Department.

The pressures caused by that particular sabotage scare not only served to improve the conduct of counterintelligence operations throughout the Panama Canal area measurably but also helped the Assistant Chief of Staff G-2, War Department General Staff, gain requisite authority to reopen the American military Attaché Office in Columbia, which had been closed in 1932 as an economy measure. On the other hand, similar requests for reopening inactive military posts in Peru and Venezuela failed to obtain like approval until 1939 and 1940, respectively.

During the same general period, MID received numerous reports from a wide variety of more or less reliable sources claiming to describe the operations of Japanese intelligence agents both in the United States and its overseas territories. Additionally, the Army Signal Corps succeeded in intercepting and translating a significant volume of Japanese governmental and commercial coded messages. There was, therefore, a gradual but notable resurgence of counterintelligence activity within the War Department that finally culminated on 17 April 1939, in the establishment of a separate MID Counterintelligence Branch.

This new Counterintelligence Branch was purposely designed to achieve a better functional concentration for military security activities than had been obtainable under the earlier catchall Operations Branch. For that reason, it was given the more aptly descriptive name of "counterintelligence" in denoting its activities, instead of the less adequate terms of "negative intelligence" or "counterespionage." Initially allocated an officer complement of only one colonel, one lieutenant colonel and one major, the branch was called upon to accomplish the following specific tasks:

1. *Plans and regulations for both national and military censorship.*
2. *Plans and regulations for counterespionage and passport control.*
3. *Domestic intelligence information.*

4. *Safeguarding of military information.*
5. *Plans and regulations for espionage.*⁴¹

One of the immediate effects of the improved counterintelligence situation in MID was to place a greatly increased emphasis upon issuing proper security instructions for use by the United States Army. This was a most important matter because the current instructions were not only in obvious need of re-codification but also often in actual conflict with each other. The first AR 380-5 "Safeguarding Military Information," dated 19 June 1939, therefore, sought to combine all of the existing rules and regulations on that complicated subject into one concise document. A new counterintelligence field manual was then promptly prepared, which later formed an integral part of the BFM 30 (Military Intelligence) series that was issued to the Army commencing in 1940.

Because the War Department Mobilization Instructions for 1938 had stressed that all subordinate mobilization plans must provide for the immediate institution of military censorship in case of an emergency, the new counterintelligence manual included detailed instructions covering the establishment of such censorship in the field.⁴² Censorship planning at the departmental and national level was also expedited in order to complete a joint (Army-Navy) censorship plan by early 1941, which was then approved by the President. While most of the activity within the censorship field continued to remain only in the planning stage prior to the end of the peacetime period, several selected officer-specialists were sent to Bermuda for the purpose of observing British censorship methods and an informal lecture course in military censorship for "certain key officers" was opened at Clarendon, Virginia. Finally, effective 1 September 1941, a separate Censorship Branch was created in MID.

Along with the rest of MID, the Counterintelligence Branch was being sorely handicapped at this time by a constant lack of insufficient and qualified personnel. During June 1940, though, after the assignment of three recent graduates from the Army War College, it was reorganized on a much sounder basis and placed in a better position to conduct an orderly expansion if and when more funds might become available. Early in 1941, the branch also managed to

establish a school for the express purpose of training counterintelligence agents. Instructors for this school were selected from among former FBI agents and civilian detectives holding ORC commissions. Its initial graduates all had to be utilized directly by MID in attempting to uncover subversives working at Army arsenals or plants executing government contracts but it was later possible to assign some of them to tactical units in the field.⁴³

There were several other important counter-intelligence developments just before Pearl Harbor, as follows:

1. Shortly after the Counterintelligence Branch was formed, the problem of satisfying the basic requirements for establishing suitable security measures in industrial plants working on manufacturing projects for the Army became acute. Since the FBI had already started to make lengthy surveys along such lines⁴⁴, there was also a compelling need for devising more effective coordination procedures among the many different government agencies involved. Any new system adopted would have to be extended without delay in order to cover the numerous plants and arsenals still operating directly under military control. In October 1939, therefore, Maj. (later Brig. Gen.) W.E. Crist, received instructions from the Assistant Chief of Staff G-2, War Department General Staff, to form a "Plant Protection Section." His new section then promptly commenced to compile pertinent security data with reference to civilian manufacturing facilities engaged in classified or sensitive government contracts, as well as for all military installations handling critical items.

2. In June 1940, MID issued a revised confidential pamphlet entitled "Countersubversive Instructions" to all Army, Corps Area, Department and GHQ Air Force Intelligence Officers. The Chief purpose of this security pamphlet was to clarify earlier instructions regarding the formation of a cellular countersubversive control organization within their respective commands starting at the company level. The new instructions were optimistically intended to achieve a high degree of lateral coordination between this undercover security system and the normal chain of command, a most desirable goal but one which had never before been satisfactorily attained.

3. In view of the impressive combat successes that had recently been gained throughout Western Europe

by the German Army, the Assistant Chief of Staff G-2 became gravely concerned early in 1940 with the problem of providing appropriate security in the rear areas of American military forces operating in the field. He felt that under currently accepted defense doctrines a serious "fifth column" threat could easily develop within these areas, occasioned either by a major domestic disturbance or a full-scale attack from without. For this reason, he had already directed the preparation in MID of a "War Department Counter Fifth Column Plan." This plan, which was submitted to the Chief of Staff on 6 October 1940,⁴⁵ not only described the effective organization of a rear area defense without any important commitment of combat troops but also contemplated the timely accumulation of sufficient counterintelligence information in the United States and possessions to cover all areas where such a defense might become necessary. It was given prompt official approval and forwarded to the Corps Area and Department Commanders on 22 October 1940.⁴⁶

4. Early in January 1941, Brig. Gen. (later Maj. Gen.) C.H. Bonesteel, Commanding General, Sixth Corps Area, addressed a letter to the War Department calling attention to certain military steps which should be taken without further delay to insure the security and continued operation of the canal and locks situated near Sault Ste. Marie, Michigan. Both the Director, FBI, and the Transportation Commissioner of the Advisory Commission for the Council of National Defense had previously written personnel letters on this same subject to the Secretary of War.⁴⁷ The matter was far from simple, though, because one of the locks was located on Canadian territory and there were two international bridges crossing the canal area. Brig. Gen. (later Maj. Gen.) Sherman Miles, the Acting Assistant Chief of Staff G-2, had displayed an active interest in the problem and MID was already preparing a detailed intelligence study pertaining to it. When finished, this study recommended the immediate institution of more than twenty new security procedures at critical defense plants and the transfer of an infantry battalion from Camp Custer to Fort Brady, Michigan, so as to give such points more substantial military protection. It also recommended stationing a Coast Artillery unit with the general area. Eventually, the War Department created, effective 15 March 1941, a special "District of Sault Sainte Marie" defense sector in the Sixth Corps Area for the announced purpose of "safeguarding and protecting the St. Mary's Falls Canal and Great Lakes Waterway from Whitefish Bay to Lake Huron."⁴⁸

5. On 10 June 1941, in view of the national emergency,⁴⁹ the Assistant Chief of Staff G-2 was finally granted permission to instruct the Corps Area and Department Commanders to “maintain a digest of subversive situation which will be kept in such form that a brief estimate of the situation, with conclusions, may be submitted promptly by telephone, radiogram, or otherwise, upon request of the War Department.” These same commanders were again cautioned, however not to allow any unauthorized investigative activities by their intelligence personnel in accomplishing this newly assigned mission.

6. The President, on 14 November 1941, directed the Secretary of State, to set up a “comprehensive system for the control of all persons, citizens and aliens alike, entering or leaving the United States and its possessions.” In compliance, the Secretary of State soon requested the War Department to provide proper representation on several visa committees and one seaman’s passport committee, which were being established. MID was naturally called upon to furnish this representation, so the departmental military intelligence agency once more commenced to take part in handling passport and visa control matters for the United States Government.

Hence, after undergoing an abrupt shrinkage immediately following the conclusion of World War I, domestic intelligence operations for the United States Army were soon committed to a lengthy period of enforced inactivity. This unfavorable situation was dictated principally by a public opinion that remained consistently hostile to any form of military intelligence activities along such lines. The handicaps stemming from such outside pressure were somewhat overcome in 1932, though, when the Government was confronted with a series of threatening domestic disturbance caused to a large extent by economic unrest but also conveniently exploited throughout by Communist and other radical elements. These same events likewise served to focus the attention of the national authorities upon the prompt necessity for uncovering Communist attempts to subvert members of the Civilian Conservation Corps and the National Guard. A rapid succession of espionage and sabotage scares pointing toward an alarming increase in foreign agent activities, especially Japanese, against the United States, further contributed to this delayed recognition of the seriousness of the domestic intelligence problem.

Even though the creation of a separate Counterintelligence Branch, within the MID in April 1939, resulted in a more effective domestic intelligence program, this branch, along with the rest of the departmental agency, continued to suffer from a persistent lack of personnel and funds. As a matter of fact, it was not until after the President had issued his limited emergency proclamation in September 1939 that these crippling conditions were permitted slightly to ease. They gradually did improve, however, to the extent that during the last year before Pearl Harbor, there was a marked increase in all phases of Army counterintelligence operations. By 7 December 1941, the Counterintelligence Branch of MID had progressed to the point where it was relatively well-prepared to perform most of its major functional responsibilities and to participate actively in the crucial military security problems which were about to face the Nation.

ONI Message

From: Director of Naval Intelligence
To: Pacific Coast Communication Superintendent
Subject: Japanese Government Radio Traffic
Reference: (a) Letter 1651-24 of 25 January 1924

1. Reference (a) addressed to the Chief of Naval Operations was referred to this office. The letter itself has been referred to the Director of Naval Communications so far as the traffic problem is concerned.

2. The enclosures have been examined in this office and they are all from Japanese officials in this country to Japanese Government offices, principally to the Ministry of Foreign Affairs.

3. The copies enclosed have been sent to the Cryptographic Section of the Code & Signal Section, where they are accumulating a file of all Japanese code messages and it is noted that code and English and code and Japanese have been mixed which is a valuable aid in cryptography.

4. This office also picked up one or two names from Buenos Aires that are interesting from the espionage standpoint and the message regarding

Loomis shows his standing as a propagandist in the Japanese Government.

5. It is believed highly desirable that copies of all Japanese messages in code and all Japanese messages in plain Japanese addressed to government offices in Japan or in the United States be sent to this office for examination and later to be sent to the Code & Signal Section for cryptographic work. It is requested if practicable that this be done. It is impossible to get from the telephone companies or cable companies any Japanese messages, government of otherwise.

/s/ Henry H. Hough

Attorney General Harlan Stone's Reforms

In April 1924, a new Attorney General took charge of a scandal-ridden Department of Justice. Harlan Fiske Stone, former Dean of the Columbia Law School, had been appointed by President Calvin Coolidge to replace the late President Warren Harding's political crony Harry Daugherty. Stone confronted more than simply corruption in the Justice Department when he took office. The Department's Bureau of Investigation had become a secret political police force. As Stone recalled later, "The organization was lawless, maintaining many activities which were without any authority in federal statutes, and engaging in many practices which were brutal and tyrannical in the extreme."⁵⁰

Attorney General Stone asked for the resignation of the Bureau Director William J. Burns, former head of the Burns Detective Agency, and directed that the activities of the Bureau "be limited strictly to investigations of violations of the law, under my direction or under the direction of an Assistant Attorney General regularly conducting the work of the Department of Justice." Stone also ordered a review of the entire personnel of the Bureau, the removal of "those who are incompetent and unreliable," and the future selection of "men of known good character and ability, giving preference to men who have had some legal training."⁵¹ The Attorney General chose the young career Bureau official, J. Edgar Hoover, as Acting Director to implement these reforms, largely because

of Hoover's reputation within the Justice Department as an honest and efficient administrator.⁵²

A principal problem Stone faced was the Bureau's domestic intelligence operation. He was vividly aware of the violations of individual rights committed in the name of domestic security at the time of the 1920 "Palmer raids." He had joined a committee of protest against Attorney General Palmer's round up of radical aliens for deportation and had urged a congressional investigation. When a Senate Judiciary Subcommittee began hearings in 1921, its first order of business was a letter from Stone calling for "a thoroughgoing investigation of the conduct of the Department of Justice in connection with the deportation cases."⁵³

In considering *J. Edgar Hoover* for the position of permanent Director of the Bureau of Investigation, Attorney General Stone was aware that he had played a major role in the "Palmer raids" as head of the Justice Department's General Intelligence Division. Roger Baldwin of the American Civil Liberties Union told Stone that he was skeptical of Hoover's ability to reform the Bureau.

With the Attorney General's knowledge, Baldwin met with Hoover to discuss the future of the Bureau. Hoover assured Baldwin that he had played an "unwilling part" in the activities of Palmer, Daugherty, and Burns. He said he regretted their tactics but had not been in a position to anything about them. He intended to help Stone build an efficient law enforcement agency, employing law school graduates, severing connections with private detective agencies, and not issuing propaganda. Most important from the American Civil Liberties Union's point of view, the Bureau's "radical division" would be disbanded. Baldwin wrote Stone, "I think we were wrong in our estimate of his attitude," and announced to the press that the ACLU believed the Justice Department's "red-hunting" days were over.⁵⁴

When Attorney General Stone arrived in 1924, he requested a review of the applicability of the federal criminal statutes to Communist activities in the United States. Various patriotic organizations had urged that Communists be prosecuted under the federal sedition conspiracy law, but the courts had

ruled that this Civil War statute required proof of a definite plan to use force against the government.⁵⁵ Justice Department lawyers also rejected prosecution under the Logan Act, enacted in the 1790s to punish hostile communications between American citizens and a foreign country.⁵⁶ These conclusions buttressed the Attorney General's decision to abolish the Bureau's domestic intelligence operations, although Stone told Roger Baldwin of the ACLU that he had no authority to destroy the Bureau's intelligence files, without an Act of Congress.⁵⁷

Attorney General Stone may also have contemplated the possibility of future investigations under Congress's prewar revision of the Justice Department appropriations statute. He asked Acting Director Hoover whether the Bureau would have the authority to investigate Soviet and Communist activities within the United States for the State Department in connection with the question of recognition of the Soviet government. Hoover replied that the appropriations act did allow such investigations, upon formal request by the Secretary of State and approval of the Attorney General. The



John Edgar Hoover

Acting Director stressed that such investigations "should be conducted on an entirely different line than previously conducted by the Bureau of Investigation" and that there should be no publicity "because any publicity would materially hamper the obtaining of successful results."⁵⁸

After 1924, the Bureau of Investigation continued to receive information volunteers to it about Communist activities, and Bureau field offices were ordered to forward such data to headquarters. But the Bureau made "no investigations of such activities, inasmuch as it does not appear that there is any violation of a Federal Penal Statute involved."⁵⁹ Military intelligence officers still had a duty, under an Army emergency plan, to gather information "with reference to the economical, industrial and radical conditions, to observe incidents and events that may develop into strikes, riots, or other disorders and to investigate and report upon the industrial and radical situation."

However, by 1925 the military lacked adequate personnel and requested the Bureau of Investigation to provide information on "radical conditions."⁶⁰ J. Edgar Hoover replied that the Bureau had discontinued "general investigations into radical activities," but would communicate to the military any information received from specific investigations of federal violations "which may appear to be of interest" to the military.⁶¹

Despite the curtailment of federal intelligence operations, it would be misleading to say that domestic intelligence operations ceased in the United States after 1924. The efforts of state and local authorities to investigate possible violations of state sedition laws continued in many parts of the country. Moreover, private industry engaged the services of detectives and informers to conduct surveillance of labor organizing activities. These industrial espionage programs reached their peak in the early 1930's.

A Senate committee investigations in 1936 exposed these tactics and influenced at least one private detective firm, the Pinkerton Agency, to discontinue its anti-labor spying. The Senate inquiry documented the efficient techniques developed by labor spies for destroying unions. They wreaked havoc on union

locals, generating mistrust, inciting violence, and reporting the identities of union members to hostile employers.⁶²

On one major occasion early in the Depression, military intelligence was reactivated temporarily. Army Chief of Staff Douglas MacArthur ordered corps area commanders in mid-1931 to submit reports on subversive activities in their areas. When the "bonus marchers" began arriving in Washington in 1932 to demand veteran benefits, military intelligence agents investigated Communist influence with the help of American Legion officials, reserve officers, and other volunteers.

Military intelligence reports exaggerating the threat of "insurrectionists" among the veteran protestors contributed to the decision to use troops in a mass assault to clear the demonstrators out of Washington. Criticism of this operation led military authorities to instruct that intelligence officers be more discreet although they continued to gather intelligence on civilian groups.⁶³

Therefore, while Attorney General Stone had stopped the Justice Department's intelligence efforts in 1924, safeguards did not exist against state, private or military intelligence operations. Moreover, the Bureau of Investigation retained its massive domestic intelligence files from the 1916-1924 period, as well as the vague legal authority under the appropriations act to conduct investigations going beyond the detection of federal crimes if a future Attorney General and a Secretary of State should direct it to do so.

Nevertheless, when Congressman Hamilton Fish and members of a Special House Committee to Investigate Communist Activities in the United States proposed legislation authorizing the Bureau of Investigation to investigate "Communist and revolutionary activity" in 1931, Director Hoover opposed it. He told Congressman Fish that it would be better to enact a criminal statute and not expand the Bureau's power beyond criminal investigation, especially since the Bureau had "never been established by legislation" and operated "solely on an appropriation bill."⁶⁴

Hoover advised the Attorney General a year later,

The work of the Bureau of Investigation at this time is...of an open character not in any manner subject to criticism, and the operations of the Bureau of Investigation may be given the closest scrutiny at all times...The conditions will materially differ were the Bureau to embark upon a policy of investigative activity into conditions which, from a federal standpoint, have not been declared illegal and in connection with which no prosecution might be instituted. The Department and the Bureau would undoubtedly be subject to charges in the matter of alleged secret and undesirable methods...as well as to allegations involving charges of the use of "Agents Provocateur."

Hoover assumed that the Immigration Bureau with jurisdiction to deport Communist aliens conducted such investigation and, if it did not, "would be subject to criticism for its laxity along these lines." Thus, the Director's position was not based on opposition to the idea of domestic intelligence itself, but rather on his concern for possible criticism of the Bureau if it were to resume "undercover" activities which would be necessary "to secure a foothold in Communistic inner circles" and "to keep fully informed as to changing policies and secret propaganda on the part of Communists."⁶⁵

Letter Hoover to Lang

September 18, 1925

Commander E.K. Lang
Office of Naval Intelligence
Navy Department
Washington, D.C.

There has just come to my attention certain information which I thought might be of some interest and value to you. The son of a friend of mine in New York has succeeded in picking up Nijui Novgorod Soviet Government Radio laboratory on his short wave set. The transmission is now experimental, as announced by the operation of the Soviet station.

It has occurred to me that the Navy short wave station might probably be interested in this

information and might be able to pick up some code which would be interesting to decipher. The set which the son of this friend of mine is using was made by him and I have no doubt but that other parties who really have an interest in getting information from Russia are operating sets that are receiving messages from the Soviet station. Knowing that the Soviets are still disseminating propaganda and are in touch with parties on this side, it occurred to me that the medium of the radio would be excellent to use in sending code messages.

Very truly yours,

/s/ J. Edgar Hoover
Director

Navy Department Memo

*Navy Department
Office of Chief of Naval Operations
Washington
22 September 1925*

From: Officer-in-Charge, Code and Signal Section
To: Lieut. Comdr. E.K. Lang, U.S.N.

SUBJECT: Messages from Nujui Novgorod Soviet Government Radio Laboratory

Reference: Letter from Mr. J. Edgar Hoover, of 18 September 1925

1. The Navy short wave receiving sets are all engaged in handling traffic or in experimental work and cannot be spared for the purpose of copying foreign traffic in which the State Department may be interested.

2. It is suggested that you request this amateur, through Mr. Hoover, to copy such traffic from the Nujui Novgorod Radio Laboratory as he can, and forward it direct to the Office of Naval Intelligence. This traffic will probably be in plain language (if for propaganda) and can be translated by your Translating Section.

3. Such parts of this traffic as may be in cipher can be forwarded to the Code and Signal Section.

/s/ D. J. Friedell

Special Committee To Investigate Un-American Activities

This committee was established in 1934 and chaired by Representative John W. McCormack from Massachusetts. The committee was charged with investigating activities by Communists, Nazis and Fascists. The committee concluded that communism was not sufficiently strong enough to harm the United States but its continued growth did represent a future danger to the country. The committee's report cited that attempts were being made from abroad and by diplomatic or consular officials to influence Americans. They also found that some efforts were being made to organize some of the citizens and resident aliens and said that constitutional rights of Americans had to be preserved from these "isms." They found Nazism, Fascism and Communism all to be equally dangerous and unacceptable to American interest.

To solve the problem, the Committee recommended that a law be enacted:

1. that required the registration of all publicity, propaganda, or public relations agents, or other agents who represent any foreign country;

2. that the Secretary of Labor have authority to shorten or terminate any visit to the United States by any foreign visitor traveling on a temporary visa if that person engaged in propaganda activities;

3. that the Department of State and Department of Labor negotiate treaties with other nations to take back their citizens who are deported;

4. that Congress make it unlawful to advise, counsel or urge any military or naval member, including the reserves, to disobey the laws and regulations governing such forces;

5. that Congress enact legislation so the U.S. Attorneys outside the District of Columbia can proceed against witnesses who refuse to answer questions, produce documents or records or refuse to appear or hold in contempt the authority of any Congressional investigating committee; and

6. that Congress make it unlawful for any person to advocate the overthrow or destruction of the United

States Government or the form of government guaranteed to the States by Article IV of the fourth section of the Constitution.

On the basis of the Committee's recommendation, Congress enacted the McCormack Foreign Agents Registration Act in 1938.

The FBI Intelligence Program, 1936-1938

Instructions were issued to FBI agents immediately after Director Hoover's meeting with the President and the Secretary of State. FBI field offices were ordered "to obtain from all possible sources information concerning subversive activities being conducted in the United States by Communists, Fascists, representatives or advocates of other organizations or groups advocating the overthrow or replacement of the Government of the United States by illegal methods."⁶⁶

Theoretically, this directive included purely domestic matters besides the international Communist and Fascists movements. There is no indication; however, that the President or the Attorney General were advised of this order; and the communications between the FBI Director and his superiors made no mention of advocacy of overthrow of the government. Instead, the terms used in 1936 were "general intelligence" and subversive activities."

Following the Hoover-Roosevelt meetings, FBI officials also began developing a systematic organization for intelligence information "concerning subversive activities." The following general classifications were adopted:

Maritime Industry
Activities in Government Affairs
Activities in the Steel Industry
Activities in the Coal Industry
Activities in the Newspaper Field
Activities in the Clothing, Garment and Fur Industries
General Strike Activities
Activities in the Armed Forces of the United States
Activities in Educational Institutions

General Activities—Communist Party and Affiliated Organizations
Activities of the Fascists
Anti-Fascists Movements
Activities in Organized Labor Organizations

Steps were also taken to determine whether certain individuals were "available for service in the capacity of an informant," to "index the material previously submitted," and to "prepare memoranda dealing individually with those persons whose names appear prominently at the present time in the subversive circles." The Director was to receive daily memoranda on "major developments in any field" of subversive activities.⁶⁷

The President's instructions had dealt with relations between the FBI and other federal agencies. At this initial meeting with Hoover, the President said that the Secret Service "had assured him that they had informants in every Communist group," but Roosevelt believed this" was solely for the purpose of getting any information upon plots upon his life." He told Hoover that the Secret Service "was not to be brought in on this matter of protecting his life and the survey which he desired to have made with on a much broader field." In addition, the President suggested that Hoover "endeavor to coordinate any investigation along similar lines which might be made by the Military or Naval Intelligence Services."⁶⁸

The Director told his subordinates that he had advised the Attorney General that he would "coordinate, as the President suggested, information upon these matters in the possession of the Military Intelligence Division, the Naval Intelligence Division, and the State Department."⁶⁹

The FBI and the military intelligence proceeded along these lines in 1937-1938. The President designated Attorney General Cummings "as Chairman of a Committee in inquire into the so-called espionage situation" in October 1938, and to report on the need for "an additional appropriation for domestic intelligence." The Attorney General advised the President that a "well defined system" was functioning, made up of the FBI, the Military Intelligence Division, and the Office of Naval Intelligence, whose heads were "in frequent contact

and are operating in harmony.” He recommended that the appropriations be increased by \$35,000 each for MID and ONI and by \$300,000 for the FBI. He also submitted a plan prepared by Director Hoover in consultation with the military agencies. He observed that “no additional legislation to accomplish the general objectiveness seems to be required” and that “the matter should be handled in strictest confidence.”⁷⁰

The FBI Director’s memorandum spelled out the reasons why legislation was considered undesirable. Hoover believed the FBI’s expansion could “be covered” by the language in the appropriations statute relating to “other investigations” conducted for the State Department:⁷¹

Under this provision investigations have been conducted in years pasts for the State Department of matters which do not in themselves constitute a specific violation of a Federal Criminal Statute, such as subversive activities. Consequently, this provision is believed to be sufficiently broad to cover any expansion of the present intelligence and counter-espionage work which it may be deemed necessary to carry on. . . .

In considering the steps to be taken for the expansion of the present structure of intelligence work, it is believed imperative that it be proceeded with, with the utmost degree of secrecy in order to avoid criticism or objections which might be raised to such an expansion by either ill-informed persons or individuals having some ulterior motive. The word “espionage” has long been a word that has been repugnant to the American people and it is believed that the structure which is already in existence is much broader than espionage or counterespionage, but covers in a true sense real intelligence values to the three services interested, namely, the Navy, the Army, and Justice. Consequently, it would seem undesirable to seek any special legislation which would draw attention to the fact that it was proposed to develop a special counter-espionage drive of any great magnitude.⁷²

Hoover noted that Army and Navy Intelligence did not need additional legislation “since their activities...are limited to matters concerning their respective services.”

The FBI Director reviewed the current and proposed future operations of each of the three intelligence agencies. The FBI had set up a General Intelligence Section to investigative and correlate information dealing with “activities of either a subversive or a so-called intelligence type.”

Each FBI field office had “developed contacts with various persons in professional, business, and law enforcement fields” to obtain this information. The following was a break-down of the subject matter in the Intelligence Section: “Maritime; government; industry (steel, automobile, coal, mining, and miscellaneous); general strikes; armed forces; education institutions Fascists; Nazi; organized labor; Negroes; youth; strikes; newspaper field; and miscellaneous.” All information “of a subversive or general intelligence character pertaining to any of the above” was reviewed and filed at FBI headquarters, with index cards on individuals which made it possible to identify the persons “engaged in any particular activity, either in any section of the country or in a particular industry or movement.”

This index then included “approximately 2500 names...of the various types of individuals engaged in activities of Communism, Nazism, and various types of foreign espionage.” In addition, the FBI had “developed a rather extensive library of general intelligence matters, including sixty-five daily, weekly, and monthly publications, as well as many pamphlets and volumes dealing with general intelligence activities.” From both investigative sources and research, the FBI from time to time prepared “charts...to show the growth and extent of certain activities.”⁷³

The Office of Naval Intelligence and the Military Intelligence Division were concerned with “subversive activities that undermine the loyalty and efficiency” of Army and Navy personnel or civilians involved in military construction and maintenance; with sabotage of military facilities or of “agencies contributing o the efficiency:” of the military; and with “spy activities that may result in divulgence of information to foreign countries or to persons when such divulgence is contrary to the interests of our national defense.” However, MID and ONI lacked

trained investigators, and they relied on the FBI “to conduct investigative activity in strictly civilian matters of a domestic character.” The three agencies exchanged information of interest to one another, both in the field and at headquarters in Washington.

For the future, all three agencies agreed that other federal agencies should be excluded from intelligence work since others were “less interested in matters of general intelligence and counter-intelligence.” And because “the more circumscribed this program is, the more effective it will be and the less danger there is of its becoming a matter of general public knowledge.” The FBI hoped to expand its personnel so that it could assign an agent specializing in intelligence to each of its forty-five field offices and could reopen offices in Hawaii, Alaska, and Puerto Rico. Additional funds would also be used to expand FBI facilities for “specialized training in general intelligence work.”⁷⁴

Director Hoover met with the President in November 1938 and learned that he had instructed the Budget Bureau “to include in the Appropriations estimate \$50,000 for Military Intelligence, \$50,000 for Naval Intelligence and \$150,000 for the Federal Bureau of Investigation to handle counter-espionage activities.” The President also said “that had approved the plan which (Hoover) had prepared and which had been sent to him by the Attorney General,” except for the revised budget figures.⁷⁵

The Search For Japanese Spies

The Office of Naval Intelligence (ONI) suspected that the Japanese naval attaché office at the Japanese Embassy in Washington, D.C. controlled their spy operations throughout the United States. Under ONI guidance, efforts were increased to cover Japanese activities, including surveillance of Embassy military officials and suspected Japanese naval officers posing as students at major American universities. Their efforts resulted in the expulsion of Japanese assistant naval attaché, Yoshiro Kanamoto, who was caught photographing the U.S. Navy’s fuel oil reserve depot at Point Loma and sketching the North Island Naval Air Station.

William D. Puleston, ONI Director, took a personal interest in the so-called language students. “The personality and movements of Japanese language officers are matters of greatest interest to this office, because experience in the past has shown that they engage in illegal activities.” ONI was able to confirm the Director’s concerns about this perceived threat from deciphering Japanese coded radio messages.

In reviewing a Japanese message, a cryptanalyst, Miss Aggie Driscoll, had marked a section with contained the word “TO-MI-MU-RA.” Not knowing what it meant, Miss Aggie, as her colleagues called her, showed the message to a Japanese language expert. The expert initially said that the word could reflect a Japanese name but Miss Aggie did not buy that explanation. The expert next suggested that the part of the word “mura” means town but also has an alternate meaning of “son.” By putting the first part of the word with “son,” the word becomes “Tomison or Thompson. ONI now a lead to a possible spy.

The lead led to Harry J. Thompson, a clerk in the Navy, who was contacting his ex-shipmates on behalf of the Japanese. His case officer was Commander Miyazaki, who was in the United States under English language student cover. When the FBI arrested Thompson, Miyazaki suddenly left the United States for Japan. Thompson was convicted under the Espionage Act of 1917 and sentenced to fifteen years at McNeil Island.

The radio traffic also revealed another possible American spy, codenamed Agent K. ONI investigation resulted in identifying Agent K as John Semer Farnsworth.

John Semer Farnsworth was arrested on 14 July 1937 and charged with selling confidential papers of the U.S. Navy to an agent of the Japanese government. Farnsworth, a former Lt. Commander, was held on \$10,000 bond and confined to the Washington, D.C. jail until his preliminary hearing.

The Japanese embassy depicted the charges as “astonishing” and stated that the first time they heard of Farnsworth was on the day before his arrest when someone called the embassy twice to ask for money in connection with a recent spy case. The spy case

the embassy was referring to involved a former navy enlisted man, Harry T. Thompson, who was convicted and sentenced at Los Angeles, California for selling naval secrets to a Japanese agent.

FBI Director, J. Edgar Hoover, denied the arrest of Farnsworth was connected to the Thompson case. Thompson was the first man convicted of espionage since World War I. The U.S. Navy said that Farnsworth and Thompson are the only two such espionage cases in the history of the navy. Later years would see many more such cases.

Farnsworth, born 13 August 1893 in Chicago, Illinois, was appointed to the U.S. Naval Academy in 1911. The Naval Academy yearbook described Farnsworth as “daring and reckless.” The writer of the account stated that if Farnsworth had resided in the days of the old navy, he “would have been famous for his desperate deeds and hairbreadth escapes.” The writer closed his remarks with a quote from John Milton, “He can, I know, but doubt to think he will.”

After his graduation in 1915, he was assigned to the Asiatic fleet, where in 1916 he went aboard the



Photograph of John Semer Farnsworth in the U.S. Naval Academy Yearbook.

S.S. Galveston. He returned to the United States in 1917 and was given the temporary rank of lieutenant. His next assignment was in 1920 when he took flight training at Pensacola Air Station. He completed his training in 1922 and received ratings on seaplanes and airships. Farnsworth returned to Annapolis for a post-graduate course and then on to Massachusetts Institute of Technology and a college in New York to complete his post-graduate studies.

He was assigned to duty with VO Squadron 6, Aircraft Squadron, Scouting Fleet. Farnsworth, considered to be one of the most brilliant of the navy’s young officer, was court-martialed in 1927. He was dismissed from the service on 12 November 1927 for conduct “tending to impair the morale of the service” and for “scandalous conduct tending to the destruction of good morale. The official explanation for the dismissal of one of the Navy’s bright future stars was that Farnsworth borrowed money from enlisted men and committed perjury in disclaiming indebtedness.

Farnsworth was under surveillance for two years by Office of Naval Intelligence (ONI) and FBI officers. Surveillance began after Farnsworth visited Annapolis where he was reported to have pushed the wife of a high-ranking navy officer to allow him to read official documents. The wife reported the incident to Navy authorities. Since the case concerned a former navy officer and navy equities, ONI and the FBI jointly worked the investigation.

Farnsworth was destitute and needed money. To try to solve his problem, he began to recontact former associates to solicit documents. The warrant for his arrest charged that “on or about May 15, 1935,” Farnsworth sold to a Japanese agent a confidential Navy publication, “The Service of Information and Security.” The warrant stated that Farnsworth, “did with intent and reason to believe that the same was to be used to the injury of the United States, and to the advantage of a certain foreign nation, communicate, deliver and transmit to an officer and agent of the imperial Japanese navy a certain document and writing relating to the national defense— to wit, a certain book entitled ‘The Service of Information and Security,’ a confidential publication of the U.S. Navy.

This publication was first issued in 1916 under the title, "Scouting and Screening," but the title was changed in 1917 to the present title. The publication contains plans for battle information and tactics that were gathered from actual fleet maneuvers and tested by high-ranking naval officials.

On 17 July 1937, Farnsworth admitted to a journalist that he did show photographs of U.S. Navy aviation equipment to a Japanese agent while he was negotiating employment with the Japanese Air Force. He said that the photographs were available to anyone from the U.S. Navy's Public Relations Office. He also said that he included with the official photographs, some of his own photos taken during his naval service. He was attempting to demonstrate to the Japanese his experience and knowledge by including the photographs with his employment application.

He told the journalist that he had accidentally sent the document, mentioned in the warrant, home with his personal effects when he left the navy. He said the document, along with other personal items, was destroyed by a fire at his house. He denied passing the document to the Japanese agent.

Three days later, Farnsworth informed a newsman that he did sell two articles or monographs on naval subjects to the Japanese agent for \$1,000. He said the articles were not classified. One of the articles was on a London naval conference and the other on naval aviation training.

The case was given to a grand jury. During the grand jury testimony it was revealed that Farnsworth had telephoned the Japanese embassy twice on the day before his arrest. Lt. Commander Leslie G. Genhres testified that Farnsworth took the confidential study from his desk in the Navy Department on 1 August 1934. An employee of the navy photostat plant, Mrs. Grace Jamieson, said that Farnsworth made frequent visits to the plant to copy military documents.

Based on the evidence presented, the grand jury indicted Farnsworth on two charges. The first charge was that Farnsworth actually transmitted the confidential book to an agent of Japan and the second count alleges an attempt to transmit the volume.

At the upcoming trial, Farnsworth faced a maximum penalty of 20 years, authorized under the provisions of the law making it illegal in peacetime "to disclose information affecting the nation's defense. Farnsworth said he would base his defense on an aircraft accident he had when he was an aviation student at Pensacola Naval Air Station. The Navy said it had no record of such an accident but Farnsworth's parents insisted that their son had been "irresponsible: since the accident.

In November 1936, Farnsworth's lawyer asked the court-martial commission to have the American Consul General in Tokyo take depositions from the two Japanese naval officers with whom Farnsworth was alleged to have conspired. The two officers, Yosiyuki Itimiya and Akira Yamaki, both Lt. Commanders of the Imperial Japanese Navy, were formerly stationed at the Japanese embassy in Washington, D.C. as naval observers. Farnsworth's lawyer argued that since the two Japanese officers were no longer accredited to the United States as diplomats, they could freely testify and that their answers to defense questions were material to the case.

In December, Japan refused to authorize its naval officers to present testimony to any disposition in the Farnsworth case. The embassy noted that Japanese law could not compel its military officers to answer interrogations of foreign nations.

On 15 February 1937, Farnsworth changed his innocent plea to *nolo contendere* and threw himself on the mercy of the court. The prosecution had a list of fifty witnesses ready to testify against Farnsworth. The judge said he wanted to review the aspects of the case before pronouncing sentence. A few days later, Farnsworth requested to again change his plea from *nolo contendere* to not guilty. In his written request to the judge, he said that he made his decision without the advice of his counsel and it based on the publicity the case received. He claimed that his family suffered from the publicity and he was under the mistaken impression that his *nolo contendere* plea would not bring such adverse notoriety. The judge said that Farnsworth was in his rights to change his plea before sentencing and that he would hear Farnsworth's motion.

This was the first in a series of moves by Farnsworth to have his case dismissed. Farnsworth's lawyers withdrew from the case, and Farnsworth tells the judge that he will conduct his own defense. His next move was to file a writ of habeas corpus to get released from prison. He argued that the facts alleged in the indictment, under which he was convicted, did not constitute a crime. He claimed that he did not understand *nolo contendere* meant guilty and wanted to withdraw the plea but the court rejected it. The judge denied his writ and upheld the indictment.

Farnsworth was sentenced on 27 February 1937 to serve "not less than four years nor more than twelve years in prison."

In January 1938, Farnsworth again appealed the judge's decision in the writ of habeas corpus. He alleged that the court erred in holding a petitioner could not be released "from unlawful imprisonment" by habeas corpus proceedings; that the trial court did not have the jurisdiction in the case and that the court did not have the power to pronounce an indeterminate sentence. Farnsworth's sentence was upheld by the U.S. Fifth Circuit Court of Appeals for conspiracy to divulge military secrets to Japan. The court ruled that Farnsworth and others conspired "to communicate and transmit to a foreign government-to wit Japan- writings, code books, photographs and plans relating to the national defense with the intent that they should be used to the injury of the United States."

Special House Committee For The Investigation Of Un-American Activities

Martin Dies, a Texas Congressman, introduced a resolution on 21 July 1937 to create a special committee to investigate subversion in the United States. After prolonged debate the resolution passed on 26 May 1938. The committee, known as the Dies Committee after its chairman, was formed on 6 June but formal hearings did not begin until 12 August. The major target of the committee was organized labor groups, particularly the Congress of Industrial Organizations. A major tactic employed by Dies, and

one that set a pattern for how the committee functioned until after World War II, was his meeting alone and secretly with friendly witnesses who accused hundreds of individuals of supporting Communist activities. The press sensationalized these accusations but only a few of the accused were given the opportunity to defend themselves.

Because the Dies Committee was a special committee, its mandate had to be renewed by the Congress every two years. This changed in 1945 when it was replaced by the permanent standing Committee on Un-American Activities. Over the next five years the committee originated investigations into the motion picture industry, hunting for communists. Their investigation resulted in the blacklisting of producers, writers and actors by Hollywood. But the committee's greatest fame was its investigation of Alger Hiss and his eventual perjury, which fixed internal communism as a leading political issue. As a major political force, the Committee used contempt citations as a major weapon against those who refused to testify by taking the Fifth Amendment right against self-incrimination. In 1950, for example, the Committee issued 56 citations out of the 59 citations voted by the House of Representatives.

In the 1950s, Senator Joseph McCarthy began his investigations into communists in government, which overshadowed the work of the committee. Being in the background, the committee did not suffer any affect from McCarthy's downfall. The committee continued to pursue communists and other un-American activities until the beginning of 1960. For the next two decades, the committee focused on the black militants, the anti-war movement, other radical youth groups and terrorism. In 1968 the committee was renamed the Committee on Internal Security. In 1975 the committee was abolished.

Defectors

Alexander Gregory Barmine

Alexander Gregory Barmine, born 16 August 1899, in Russia, joined the Red Army as a private and rose through the ranks to become a brigadier general. He was recruited by Soviet military intelligence (GRU)

from his graduating class in the Soviet General Staff Academy in 1921.

Following three years of language study at the Oriental Institute, he joined the People's Commissariat of Foreign Trade. He served as a foreign trade specialist at several diplomatic posts in Europe. In addition, Barmine reported on his contacts to the GRU.

In 1937, while assigned as Soviet Charge d'Affaires in Athens, Greece, Barmine defected. He first fled to Paris as a political refugee. Three years later he entered the United States where he became a naturalized citizen in July 1943. During World War II he joined the US Army and later served with the Office Strategic Services (OSS) from 1943 until September 1944. He was dismissed from the OSS for absenteeism.

In October 1948, Barmine began work as a consultant with the Department of State. Prior to his retirement in the spring of 1972, he served as chief of the Russian Desk of the Voice of America.

In July 1951 he testified before the Senate Committee on Un-American activities. He wrote two books, *Memoirs of a Soviet Diplomat* (published in 1938 in London—translated by Gerard Hopkins) and *One Who Survived* (published in 1945 by Putnam) as well as occasional anti-Soviet magazine articles.

Ignace Reiss

Ignace Reiss, born January 1899 in Galicia, a part of the old Austro-Hungarian Empire. His true name was apparently Poretskiy. His mother was reportedly a Russian Jewess and his father a gentile. In 1922, while in the Soviet Union, Reiss married Else Bernaut, a student. The couple had one son, Roman Bernaut. Else kept her maiden name and, at times, Reiss used this surname operationally.

From 1921 to 1931 Reiss traveled throughout Europe where he engaged in political action operations for the COMINTERN and then in espionage for the GRU. In 1931 he was recruited by the Soviet Security Service and assigned to industrial espionage directed primarily against Germany. In the Soviet Security Service he was known as "Ludwig." After Hitler's rise to power, Reiss operated from countries bordering on Germany.

In the spring of 1937, Reiss, whose family was living in the West with him, decided to break with the Soviets because of the brutal purges then under way in the Soviet Union. During this time, he established contacts with Trotskyites in Western Europe. On 17 July 1937, Reiss wrote a letter to the Central Committee of the Communist Party of the Soviet Union and delivered it to the Soviet Commercial Mission in Paris. In this letter he condemned the frightful excesses of Stalin and the Soviet Security Service. He then fled to Switzerland where his family was located.

Turning their full attention to the liquidation of Reiss, Soviet agents tracked him down in Switzerland. On 4 September 1937 Reiss was shot and killed by Soviet assassins and his bullet-ridden body dumped on the side of a road in Chamblandes outside Lausanne, Switzerland.

Reiss' wife identified the body bearing identity papers with the name Herman Eberhardt as that of Ignace Reiss. In later years after World War II, she was at time in contact with US intelligence about Soviet Security Service operations and personnel. She also wrote *Our Own People: A Memoir of Ignace Reiss and his Friends* (published in London in 1969). The book is a study of their involvement in pre-World War II Soviet operations in Europe. One of Reiss' friends mentioned in the book was the defector Walter Krivitsky.

An active participant in the Soviet operation against Reiss was Roland Abbiate, born 15 August 1905 in London, who lived at one time in the United States during the early twenties. Abbiate disappeared after the murder. Later, during World War II, he turned up again in the United States where he served as a Soviet diplomat, Vladimir Sergeyvich Pravdin.

Anatoli Golitsyn, another Soviet defector in the 1960s, also claimed that Pravdin was active in Austria after World War II, often passing as a Frenchman.

The French Ministry of Interior study, *A Soviet Counter-espionage Network Abroad—the Reiss Case*, published on 20 September 1951, stated "The assassination of Ignace Reiss on 4 September 1937 at Chamblandes near Lausanne, Switzerland, is an excellent example of the observation, surveillance

and liquidation of a 'deserter' from the Soviet secret service."

Walter G. Krivitsky

Walter G. Krivitsky, born 28 June 1899 in Podwoloczyska, Russia, was a Soviet military intelligence officer who defected to the West prior to World War II. Krivitsky, whose true name was Samuel Ginsburg, spent nearly twenty years in Soviet intelligence.

At the age of thirteen, Krivitsky became active in the Russian working class movement and five years later, in 1917, he joined the Bolshevik Party. Shortly after the revolution, he entered the Red Army and was assigned to military intelligence.

In 1920, he was sent to Danzig, with orders to prevent the landing of French munitions being shipped to the Polish army. He was also instructed to organize strikes against arms shipments in other European cities. In 1922 Krivitsky, along with other Soviet officers, was dispatched to Berlin to mobilize elements of unrest in the Ruhr; to create the German Communist Party's intelligence service; and to form the nucleus of the future German Red Army.

By 1926, Krivitsky was chief for Central Europe in Soviet Military Intelligence. After several years in Moscow he was posted to The Hague in 1935 as Chief of Military Intelligence for Western Europe.

During this assignment, he provided Moscow with information about secret negotiations then taking place between Japan and Germany. In 1936, Krivitsky was instructed to create a system to purchase and transport arms to the Red forces fighting in the Spanish Civil War.

In September 1937, one of Krivitsky's closest colleagues and friends, Ignace Reiss, was murdered after having broken with the Soviets. Krivitsky feared that he too was doomed to be purged. In later years he claimed that his friend's death, coupled with Stalin's purges of the Old Bolshevik Guard, many of whom were his friends and colleagues, were key factors influencing his own decision to sever his connection with the Soviet government and the Communist Party of the Soviet Union in October 1937.

Krivitsky with his family were given asylum by the French government in October 1937. During the next year, while living in France and guarded by the French police, the Soviets tried unsuccessfully to assassinate him. In November 1938, Krivitsky, who planned to write a book, arrived in the United States for an extended visit. The following year he testified before the House Committee on Un-American Activities and was interviewed by British authorities.

Traveling from Canada, Krivitsky re-entered the United States in October 1940 in order to settle in New York under the name Walter Poref. On 10 February 1941 he was found shot to death in a hotel room in Washington, D.C. where he was in transit to New York. Questions still remain whether his death was a suicide or a Soviet liquidation.

Krivitsky's book *I Was Stalin's Agent*, was published in London in 1940. In it, he warned of high-level penetrations in Western governments.

Aleksandr Orlov

Aleksandr Orlov, whose true name was Leon Lazarevich Feldbin, was born on 21 August 1885 in Bobruisk, Russia. He was drafted into the Russian army and stationed in the Urals in 1916. The next year he joined the Bolshevik Party and graduated as a second lieutenant from the Third Moscow Military School.

By September 1920 he was with the 12th Red Army on the Polish front where he was in charge of guerrilla activity and counterintelligence. The successes of his work on the Polish front brought him to the attention of Feliks Dzerzhinskiy, chief of the Cheka, the Soviet State Security Service at the time. A year later, during a brief assignment to Archangel, Orlov was married.

With his wife, Orlov returned to Moscow in 1921 to become assistant prosecutor to the Soviet Supreme Court. While in this position, he worked on the formation of the Soviet criminal code and, at Dzerzhinskiy's request, investigated Soviet citizens accused of economic crimes. Soon thereafter Dzerzhinskiy brought Orlov into the Cheka as deputy chief of the Economic Directorate. He served in this position until 1925 when he became brigade commander of the border guards in Armenia. The

following year Orlov was reassigned to the Foreign Department in a newly created headquarters unit that was to oversee and control Soviet foreign trade. Shortly thereafter, under the alias Leon Nikolayev, Orlov was transferred to the Paris representation as chief of Soviet intelligence operations in France.

From 1928 until 1931 he served at the Soviet Trade Delegation in Berlin where he again was concerned with economic intelligence. As deputy chief of the headquarters economic control component from 1933 to early 1936, Orlov traveled frequently to Europe, directing illegals in operations against Germany. While still assigned in Moscow, he served a year as deputy chief of the Department of Railways and Sea Transport in the Soviet State Security Service.

In 1936 Orlov was sent to Spain as Soviet liaison representative to the Republican Government for matters of intelligence, counterintelligence, and guerrilla warfare. Throughout Orlov's stay in Spain, tales mounted of secret trials, summary executions, and widespread terror in the Soviet Union.

In July 1938, Orlov was abruptly ordered to Paris. While in transit, he stopped to see his family, which was living in France not far from the Spanish border. Orlov discussed with his wife his growing suspicions and his moral revulsion, and then decided to break with Stalin and the Soviet Union. After first enlisting the aid of the Canadians, the Orlovs entered the United States on 13 August 1938. Eighteen years later they were granted permanent residence.

After Orlov's defection, he provided much information to US intelligence on pre-World War II personnel and operations of the Soviet State Security Service. With the publication of his book, *The Secret History of Stalin's Crimes* in 1953, the true history of the Soviet Union from 1934 to 1938 was revealed for the first time. In 1955 and again in 1957, Orlov appeared before the Senate Subcommittee on Internal Security. His second book, *The Handbook of Intelligence and Guerrilla Warfare*, was published in 1963.

In April 1973 Orlov died in the United States.

FBI Intelligence Authority And Subversion

There is no evidence that either the Congress in 1916 or Attorney General Stone in 1924 intended the provision of the appropriations statute to authorize the establishment of a permanent domestic intelligence structure. Yet Director Hoover advised the Attorney General and the President in 1938 that the statute was "sufficiently broad to cover any expansion of the present intelligence and counter-espionage work which it may be deemed necessary to carry on."⁷⁶ Because of their reluctance to seek new legislation in order to keep the program secret, Attorney General Cummings and President Roosevelt did not question the FBI Director's interpretation. Nevertheless, the President's approval of Director Hoover's 1938 plan for joint FBI-military domestic intelligence was a substantial exercise of independent presidential power.

The precise nature of FBI authority to investigate "subversion" became confusing in 1938-1939. Despite the references in Director Hoover's 1938 memorandum to "subversion," Attorney General Cummings cited only the President's interest in the "so-called espionage situation."⁷⁷ Cummings' successor, Attorney General Frank Murphy, appears to have abandoned the term "subversive activities."⁷⁸ Moreover, when Director Hoover provided Attorney General Murphy a copy of his 1938 plan, he described it (without mentioning "subversion") as a program "intended to ascertain the identity of persons engaged in espionage, counter-espionage, and sabotage of a nature not within the specific provision of prevailing statutes."⁷⁹

Moreover, a shift away from the authority of the appropriations provision, which was linked to the State Department's request, became necessary in 1939 when the FBI resisted an attempt by the State Department to coordinate domestic intelligence investigations. Director Hoover urged Attorney General Frank Murphy in March 1939 to discuss the situation with the President and persuade him to "take appropriate action with reference to other governmental agencies, including the State

Department, which are attempting to literally chisel into this type of work. . . .” The Director acknowledged that the FBI required “the specific authorization of the State Department” where the subject of an investigation “enjoys any diplomatic status,” but he knew of “no instance in connection with the handling of the espionage work in which the State Department has had any occasion to be in any manner or degree dissatisfied with or apprehensive of the action taken by Bureau agents.”⁸⁰

Director Hoover was also concerned that the State Department would allow other Federal investigative agencies, including the Secret Service and other Treasury Department units, to conduct domestic intelligence investigations.⁸¹ The FBI cited the following example in communications to the Attorney General in 1939:

On the West coast recently a representative of the Alcohol Tax Unit of the Treasury Department endeavored to induce a Corps Area Intelligence Officer of the War Department to utilize the services of that agency in the handling of all investigations involving espionage, counter-espionage, and sabotage. . . .

*A case was recently brought to the Bureau's attention in which a complaint involving potential espionage in a middle western State was referred through routine channels of a Treasury Department investigative agency and displayed in such a manner before reference ultimately in Washington to the office of Military Intelligence and then to the Federal Bureau of Investigation, that a period of some six weeks elapsed. . . .*⁸²

*During a recent investigation . . . an attorney and Commander of the American Legion Post . . . disclosed that a Committee of that Post of the American Legion is conducting an investigation relating to un-American activities on behalf of the Operator in Charge of the Secret Service, New York City.*⁸³

Consequently, at the FBI Director's request, the Justice Department asked the Secret Service, the Bureau of Internal Revenue, the Narcotics Bureau, the Customs Service, the Coast Guard, and the Post Office Department to instruct their personnel that information “relating to espionage and subversive activities” should be promptly forwarded to the FBI.⁸⁴

The Justice Department letter did not solve the problem, mainly because of the State Department's continued intervention. Director Hoover advised Attorney General Frank Murphy “that the Treasury Department and the State Department were reluctant to concede jurisdiction” to the FBI and that a conference had been held in the office of an Assistant Secretary of State “at which time subtle protests against the handling of cases of this type in the Justice Department were uttered.” Hoover protested this “continual bickering” among Departments, especially “in view of the serious world conditions which are hourly growing more alarming.”⁸⁵

Two months later the problem remained unresolved. Assistant Secretary of State George S. Messersmith took on the role of “coordinator” of a committee composed of representatives of the War, Navy, Treasury, Post Office, and Justice Departments. The FBI Director learned that under the proposed procedures, any agency receiving information would refer it to the State Department which, after analysis, would transit the data to that agency which it believed should conduct the substantive investigation. FBI and Justice Department officials prepared a memorandum for possible presentation to the President, pointing out the disadvantages of this procedure:

The inter-departmental committee by its operations of necessity causes delay, which may be fatal to a successful investigation. It also results in a duplication of investigative effort . . . because of the lack of knowledge of one agency that another agency is working upon the same investigation. The State Department coordinator is not in a position to evaluate properly the respective investigative ability of the representatives of particular departments in a manner comparable to that which the men actually in charge of an investigative agency may evaluate the proper merit of his own men.⁸⁶

Endorsing this view, Attorney General Murphy wrote the President to urge abandonment of this interdepartmental committee and “a concentration of investigation of all espionage, counterespionage, and sabotage matters” in the FBI, the G-2 section of the War Department, and the Office of Naval Intelligence. The directors of these agencies would “function as a committee for the purpose of coordinating the

activities of their subordinates.” To buttress his recommendation, the Attorney General pointed out that the FBI and military intelligence:

“...have not only gathered a tremendous reservoir of information concerning foreign agencies operating in the United States, but have also perfected methods of investigation and have developed channels for the exchange of information, which are both efficient and so mobile and elastic as to permit prompt expansion in the event of an emergency.”

Murphy stressed that the FBI was “a highly skilled investigative force supported by the resources of an exceedingly efficient, well equipped, and adequately manned technical laboratory and identification division.” This identification data related “to more than ten million persons, including a very large number of individuals of foreign extraction.” The Attorney General added, “As a result of an exchange of data between the Departments of Justice, War and Navy, comprehensive indices have been prepared.”⁸⁷

President Roosevelt agreed to the Attorney General’s proposal and sent a confidential directive drafted by FBI and Justice Department officials to the heads of the relevant departments. This June 1939 directive was the closest thing to a formal charter for the FBI and military domestic intelligence: It read as follows:

It is my desire that the investigation of all espionage, counterespionage, and sabotage matters be controlled and handled by the Federal Bureau of Investigation of the Department of Justice, the Military Intelligence Division of the War Department, and the Office of Naval Intelligence in the Navy Department. The Directors of these three agencies are to function as a committee to coordinate their activities.

No investigations should be conducted by an investigative agency of the Government into matters involving actually *or potentially* any espionage, counterespionage, or sabotage, except by the three agencies mentioned above.

I shall be glad if you will instruct the heads of all other investigative agencies than the three named, to refer immediately to the nearest office of the Federal

Bureau of Investigation any data, information, or material that may come to their notice bearing directly *or indirectly* on espionage, counterespionage, or sabotage. ⁸⁸ (Emphasis added.)

The legal implications of this directive are clouded by its failure to use the term “subversive activities” and its references instead to *potential* espionage or sabotage and to information bearing *indirectly* on espionage or sabotage. This language may have been an effort by the Justice Department and the FBI to deal with the problem of legal authority posed by the break with the State Department. Since the FBI no longer wanted to base its domestic intelligence investigations on State Department requests, some other way had to be found to retain a semblance of congressional authorization. Yet the scope of the FBI’s assignment made this a troublesome point. In 1936, President Roosevelt had wanted intelligence about Communist and Fascist activities generally, not just data bearing on potential espionage or sabotage; and the 1938 plan provided for the FBI to investigate “activities of either a subversive or a so-called intelligence type.”⁸⁹ There is no indication that the President’s June 1939 directive had the intent or effect of limiting domestic intelligence to the investigation of violations of law.

Consistent with the FBI Director’s earlier desires, these arrangements were kept secret until September 1939 when war broke out in Europe. At that time Director Hoover decided that secrecy created more problems than it solved, especially with regard to the activities of local law enforcement. He learned that the New York City Police Department had “created a special sabotage squad of fifty detectives . . . and that this squad will be augmented in the rather near future to comprise 150 men.” There had been “considerable publicity” with the result that private citizens were likely to transmit information concerning sabotage “to the New York City Police Department rather than the FBI.” Calling this development to the attention of the Attorney General, the Director strongly urged that the President “issue a statement or request addressed to all police officials in the United States: asking them to turn over to the FBI “any information obtained pertaining to espionage, counterespionage, sabotage, and neutrality regulations.”⁹⁰

A document to this effect was immediately drafted in the Attorney General's office and dispatched by messenger to the White House with a note from the Attorney General suggesting that it be issued in the form of "a public statement."⁹¹ In recording his discussions that day with the Attorney General's assistant, Alexander Holtzoff, FBI official E. A. Tamm referred to the statement as "an Executive Order." Tamm also talked with the Attorney General regarding "the order":

Mr. Murphy stated that when he was preparing this he tried to make it as strong as possible. He requested that I relay this to Mr. Hoover as soon as possible and stated he knew the Director would be very glad to hear this. Mr. Murphy stated he prepared this one on the basis of the memorandum, which the Director forwarded to him.⁹²

The President's statement (or order or Executive Order) read as follows:

The Attorney General has been requested by me to instruct the Federal Bureau of Investigation of the Department of Justice to take charge of investigative work in matters relating to espionage, sabotage, and violations of the neutrality regulations.

This task must be conducted in a comprehensive and effective manner on a national basis, and all information must be carefully sifted out and correlated in order to avoid confusion and irresponsibility.

To this end I request all police officers, sheriffs, and other law enforcement officers in the United States promptly to turn over to the nearest representative of the Federal Bureau of Investigation any information obtained by them relating to espionage, counterespionage, sabotage, subversive activities and violations of the neutrality laws.⁹³

The statement was widely reported in the press, along with the following remarks by Attorney General Murphy at a news conference held the same day:

Foreign agents and those engaged in espionage will no longer find this country a happy hunting ground for their activities. There will be no repetition of the

confusion and laxity and indifference of twenty years ago.

We have opened many new FBI offices throughout the land. Our men are well prepared and well trained. At the same time, if you want to this work done in a reasonable and responsible way it must not turn into a witch-hunt. We must do no wrong to any man.

Your government asks you to cooperate with it. You can turn in any information to the nearest local representative of the Federal Bureau of Investigation.⁹⁴

Three weeks later Murphy reiterated that the government would "not act on the basis of hysteria." He added, "Twenty years ago inhuman and cruel things were done in the name of Justice; sometimes vigilantes and others took over the work. We do not want such things done today, for the work has now been localized in the FBI."⁹⁵

Two days after issuing the FBI statement, President Roosevelt proclaimed a national emergency "in connection with and to the extent necessary for the proper observance, safeguarding, and enforcing of the neutrality of the United States and the strengthening of our national defense within the limits of peacetime authorizations." The proclamation added, "Specific direction and authorizations will be given from time to time for carrying out these two purposes."⁹⁶

Thereupon, he issued an Executive Order directing the Attorney General to "increase the personnel of the Federal Bureau of Investigation, Department of Justice, in such number, not exceeding 150, as he shall find necessary for the proper performance of the additional duties imposed upon the Department of Justice in connection with the national emergency."⁹⁷ President Roosevelt told a press conference that the purpose of this order expanding the government's investigative personnel was to protect the country against "some of the things that happened" before World War I:

There was sabotage; there was a great deal of propaganda by both belligerents, and a good many definite plans laid in this country by foreign governments to try to sway American public opinion.

*... It is to guard against that, and against the spread by any foreign nation of propaganda in this country, which would tend to be subversive—I believe that is the world—of our form of government.*⁹⁸

President Roosevelt never formally authorized the FBI or military intelligence to conduct domestic intelligence investigations of “subversive activities,” except for his oral instruction in 1936 and 1938. His written directives were limited to investigations of espionage, sabotage, and violations of the neutrality regulations. Nevertheless, the President clearly knew of and approved informally the broad investigations of “subversive activities” carried out by the FBI.

President Roosevelt did use the term “subversive activities” in a directive to Attorney General Robert Jackson on wiretapping in 1940. This directive referred to the activities of other nations “engaged in the organization of propaganda of so-called ‘fifth columns’” and in “preparation for sabotage.” The Attorney General was directed to authorize wiretapping “of persons suspected of subversive activities against the Government of the United States, including suspected spies.” The President also instructed that such wiretaps be limited “insofar as possible to aliens.”⁹⁹

With respect to investigations generally, however, the confusion as to precisely what President Roosevelt authorized is indicated by Attorney General Francis Biddle’s description of FBI jurisdiction in 1942 and by a new Presidential statement in 1943. Biddle issued a lengthy order defining the duties of the various parts of the Justice Department in September 1942. The pertinent section relating to the FBI stated that it had a duty to “investigative” criminal offenses against the United States and to act as a “clearing house” for the handling of “espionage, sabotage, and other subversive matters.”¹⁰⁰ This latter “clearing-house” function was characterized as a duty to “carry out” the President’s directive of September 6, 1939.

Four months prior, President Roosevelt renewed his public appeal for “police cooperation” and added a request that “patriotic organizations” cooperate with the FBI. This statement describes his September 1939 order as granting “investigative” authority to the FBI and not simply a “clearing-house” function. However, the President defined that authority as limited to

“espionage, sabotage, and violations of the neutrality regulations” without any mention of “subversion.”¹⁰¹

The statement was consistent with Attorney General Biddle’s internal directive later in 1943 that the Justice Department’s “proper function” was “investigating the activities of persons who may have violated the law.”¹⁰²

A similar problem is involved with the authority for “counterespionage” operations by the FBI and military intelligence. President Roosevelt’s confidential order of June 1939 explicitly authorized the FBI and military intelligence to handle counterespionage matters, and the 1938 plan used the terms “counter-espionage” and “counter-intelligence.” However, none of the President’s public directives formally authorized counterespionage measures going beyond investigation; and the Justice Department’s regulations made no reference to this responsibility.

Presidential Directive

Directive of the President of the United States
June 26, 1939:

“It is my desire that the investigation of all espionage, counterespionage, and sabotage matters be controlled and handled by the Federal Bureau of Investigation of the Department of Justice, the Military Intelligence Division of the War Department, and the Office of Naval Intelligence of the Navy Department. The directors of these three agencies are to function as a committee to coordinate their activities.

“No investigations should be conducted by any investigating agency of the Government into matters involving actually or potentially any espionage, counterespionage, or sabotage, except by the three agencies mentioned above.

“I shall be glad if you will instruct the heads of all other investigative agencies that the three named, to refer immediately to the nearest office of the Federal Bureau of Investigation any data, information, or material that may come to their notice bearing directly or indirectly on espionage, counterespionage, or sabotage.”

Letters To/From ONI

H.G. Dohrman to Ellis

*369 South Pacific Avenue
Pittsburgh, Penna.
April seventh 1934*

My dear Captain Ellis:-

Have been much disquieted lately by the news constantly trickling in revealing the very widespread scope of existent radical activities.

My own impression is that the calling of the strike at the works of the New York Shipbuilding and Drydock Co., was a tactical error, for thereby it focused the attention of the nation upon the danger to the nation of the interruption of our belated shipbuilding program. Some master mind among the radicals must have been asleep for they well know that strikes called in a half-dozen or more plants fabricating essential elements of naval construction will as effectually block progress towards the completion of the ships, as will a single prominent strike.

Deem it unfortunate that it was publicly noted that the modernization of two ships of the battleship squadron was advisedly postponed.

I write with the full knowledge of the fact that no emergency requires the return to active duty as such officers as myself and that therefore no compensation is either asked or expected.

For something over one year, while attached to the Bureau of Ordnance, worked under the late Commander A.L. Norton, on a very extensive program of anti-radical work, directed towards uncovering such movements, issuing advance warnings of all those likely to interrupt the continuous flow of navy material, or to be destructive to life and property.

My understanding, through my old time friend the late Vice-Admiral Niblack, was to the effect that Intelligence was kept advised of our movements as made or proposed. My number was "7 - 6".

We were able at that time to command, without expense, the services of the intelligence divisions of several of our greatest corporations, of men prominent alike in civil life and the clergy.

It is not purpose to convey to you the impression that the excellence of that service, and numerous commendatory letters and verbal statements, indicated that it was distinctly serviceable, can be repeated.

Wide and continued travel was necessary and much personal, as well as departmental, expense was incurred. Like almost every other man in business have suffered reverses that prohibit personal expenditures of that nature; however, my desire to be of service to the Navy is as ardent as it has been these forty-odd years.

The basis of that war time interchange of information was based on the inviolability of all such information, which was received, digested and the important portions forwarded where needed. Such Navy information as it was not incompatible with the public interests to reveal was passed along and information from private conversations between Captain Norton and myself and sources were never mentioned.

This afternoon, in the course of a two hour conversation with the executive head of the greatest of these private intelligence organizations, he expressed a willingness to renew in somewhat the same form the old relations. As a matter of fact this man and myself have almost weekly conversations and exchange information upon such subjects, for I still keep in touch with several of the best of our former men. One in particular visits constantly every place of consequence on the Mississippi and all of its tributaries, covering the entire Middle West, inclusive of the extreme northern and southern portions thereof. I am confident that he will gladly report conditions exactly as he finds them, and I may say that such reports as he may make can be absolutely relied upon. Have known him well for thirty-five years, he is professionally highly competent and his judgment sound.

If the idea appeals to you believe I can secure for you the cooperation of at least three of the nation's greatest industrial intelligence organizations, whose services will not cost the Bureau a penny. My own duty would be to act in the capacity of a screen, removing all non-essential information before forwarding the result to you.

I shall be glad to contribute as much time as possible and postage, unless it is in the end the latter

should become burdensome, for these days we have to carefully scrutinize even such relatively small items as postage.

In the manner above suggested it will be feasible to cover, in a fairly thorough manner, radical activities promising future potential harm to the Navy, over the most prominent of the centers devoted to the fabrication of steel and to the kindred industries that often are found in steel districts.

In any event am offering the above for your thought; if the idea does not seem either sound or practicable to you, do not hesitate for a moment to say so.

It may be proper to add that in, to me, a highly expensive adventure into the soft coal industry, as president of an operating company kept the Tri-State Operators so fully advised of every movement of the military strikers, that violence and loss of life in our district was almost negligible throughout the strike period of 1922 and 1923.

I fully understand that it is often impossible for a Bureau Chief to do officially what he would like to do personally, even though no cost be attached to the Bureau. I know that much even if we didn't have a General McCord in that day.

Believe me to be with warmest regards and best wishes.

Cordially,

H. G. Dohrman

Ellis to Dohrman

*Op-16-B-2
Apr 12, 1934*

My dear Dohrman:

I am very grateful indeed to receive your extremely interesting letter of April 7th in regard to radical activities in the shipbuilding and steel industries.

Naturally this office is very much interested in receiving information along the lines you suggest and I assure you that your generous and patriotic offer to devote your time and effort without compensation to securing such information is greatly appreciated.

If you can arrange to keep in touch with the private intelligence organizations which you mention and secure a flow of information regarding the current activities of radical groups, I shall be very glad to provide for the matter of postage.

Thanking you for your communication and with assurance of my personal regards.

Very sincerely,

/s/ Hayne Ellis
Rear Admiral, U.S.N.,
Director of Naval Intelligence

Dohrman to Ellis

April twentieth 1934

My dear Admiral

Thank you for your cordial letter of the 18th, I sincerely hope that your ten days leave will prove to be both pleasant and beneficial.

Am now able to definitely say that we will have the hearty cooperation of the following:-

The Aluminum Company of America,
The Carnegie Steel Corporation,
The Jones and Laughlin Steel Corporation,
and
The National Steel Corporation

The first and fourth at present time have no special intelligence service of their own, but do have excellent police organizations together with an unofficial but usually effective inside organization.

These concerns have plants in almost every important manufacturing district of the nation and information will be received from all of them.

Other sources previously mentioned, and some only considered but not yet mentioned, will materially add to the area covered and the efficiency of the service. When all arrangements have been completed, you will be duly advised.

If a list can be procured from C&R Ordnance and Aeronautics giving only the plants holding Navy contracts, the material under fabrication being impossible to obtain elsewhere, we will do our best

to advise all such plants in advance of visits from agitators, etc. Plants making material that can be secured from numerous other plants of like type need not be included in such lists. The material being fabricated or the amounts of the several contracts are immaterial: our sole aim will be to insure, if possible, the uninterrupted flow of Navy material.

So far all former members of our old wartime organization who have been approached and had the situation explained to them, have agreed to go along with us.

With sincere good wishes,

Cordially,

/s/ H.G. Dohrman

Dohrman to Ellis

April twenty-seventh, 1934

My dear Admiral:-

Supplementing my informal report of progress made as of the twentieth, am glad to be able to advise you that negotiations have been closed with the following:

New York Central Ry. Lines
The Pennsylvania Railroad
The Westinghouse Electric & Mfg. Co., and,
D.W. Sowers.

The latter is the executive head of a very efficient Buffalo (N.Y.) organization, maintained at private expense and not for profit, whose business it has been for approximately twenty years to combat radicalism. I know by experience in cooperating with it in the past how very efficient it has been. Mr. Sowers is president of a large manufacturing concern there that bears his name., and he had promised us cordial and prompt cooperation. His card files contain the names of some 4,000 actual and semi-radicals.

When our intelligence clearing house once gets going in good shape, we hope that it will be of value to you.

You will note that we gave covered, with the exception of the New England, Southern and far Western states, the heart of the nation's

manufacturing, and through one of my old men, to whom previous reference has been made, a considerable portion of the South will likewise be covered.

As you will appreciate, it is something of a task to coordinate these varied sources of information, and to put the information received into shape for instant dissemination.

The time is certainly ripe for action. There were no evening papers here today, one paper had it's large windows smashed with bricks, etc. A strike of the folders.

In each case those cooperating with us have been advised, in advance, that the sources of information would not be revealed, and that each participant would receive only the information appertaining or useful to them. Some of those interested with us have excellent organizations already, others possess the nucleus. As often hapens the organization that needs it most has the poorest present service of information.

With best wishes and regards,

Cordially,

H.G. Dohrman

Dohrman to Ellis

April thirtieth 1934

My Dear Admiral:-

The enclosure¹⁰³ will illustrate the method of gleaning information adopted. You already know the institutions whose intelligence service has been placed at our disposal and with whom we now arranging inter-communicating services.

If you have two or three hundred of the green second sheets, like the enclosure, can use them to advantage. The green gives quick identification in our files.

The enclosure represents the 18 plants employing almost 17,000 men, the plants being distributed throughout the states enumerated, and all, as you have doubtless already gathered from the keyed numbers, being those of a single concern.

The other concerns are as large or larger, though their interests are not so widely scattered.

While all operations for the present are being conducted from the local Carnegie Steel offices, the probabilities are that the several concerns, later, will provide a separate office, as the work so far gives promise of assuming a considerable volume.

Conditions are not good here; four local theatres were bombed here last night due to the rivalry of two unions, one anti-AFL. A street car strike is brewing, the truck drivers and garage attendants seem likely to "go out," so there is the devil to pay generally around here.

With best wishes and regards,

Cordially,

/s/ H.G. Dohrman

Hoover to Ellis

*Division of Investigation
U.S. Department of Justice
Washington, D.C.*

May 21, 1934

Rear Admiral Hayne Ellis
Director, Naval Intelligence
Navy Department
Washington, D.C.

Dear Sir:

I am in receipt of information from the Pittsburgh Office of this Division to the effect that it has been learned from a reliable source there that one Horatio Garrott Dohrman is active in that vicinity in soliciting funds and organizing a unit for the alleged purpose of investigating communistic and other subversive activities. It is reported that Dohrman has represented himself as a former Lieutenant Commander in the Navy, in view of which it is believed that this information may be of interest to you.

Very truly yours,

/s/ J. E. Hoover
Director

Presidential Directive Of September 6, 1939

The attorney general has been requested by me to instruct the Federal Bureau of Investigation of the Department of Justice to take charge of investigative work in matters relating to espionage, sabotage, and violations of neutrality regulations.

This task must be conducted in a comprehensive and effective manner on a national basis, and all information must be carefully sifted out and correlated in order to avoid confusion and irresponsibility.

To this end I request all police officers, sheriffs, and all other law enforcement officers in the United States promptly to turn over to the nearest representative of the Federal Bureau of Investigation any information obtained by them relating to espionage, counterespionage, sabotage, subversive activities and violations of the neutrality law.

Police Cooperation

On September 6, 1939, I issued a directive providing that the Federal Bureau of Investigation of the Department of Justice should take charge of investigative work in matters relating to espionage, sabotage, and violations of the neutrality regulations, pointing out that the investigations must be conducted in a comprehensive manner, on a national basis, and all information carefully sifted out and correlated in order to avoid confusion and irresponsibility. I then requested all police officers, sheriffs, and other law enforcement officers in the United States, promptly to turn over to the nearest representatives of the Federal Bureau of Investigation any such information.

I am again calling the attention of all enforcement officers to the request that they report all such information promptly to the nearest field representative of the Federal Bureau of Investigation, which is charged with the responsibility of correlating this material and referring matters which are under the jurisdiction of any other Federal agency with responsibilities in this field to the appropriate agency.

I suggest that all patriotic organizations and individuals likewise report all such information

relating to espionage and related matters to the Federal Bureau of Investigation in the same manner.

I am confident that all law enforcement officers, who are now rendering such invaluable assistance toward the success of the internal safety of our country, will cooperate in this matter.

(Signed) Franklin D. Roosevelt

The Scope Of FBI Domestic Intelligence

A central feature of the FBI domestic intelligence program authorized by President Roosevelt was its broad investigative scope. The breadth of intelligence gathering most clearly demonstrates why the program could not have been based on any reasonable interpretation of the power to investigate violations of law. The investigations were built upon a theory of "subversive infiltration" which remained an essential part of domestic intelligence thereafter. This theory persisted over the decades in the same way the Roosevelt directives continued in effect as the basis for legal authority. Moreover, there was a direct link between the policy of investigating "subversive" influence and the reliance on inherent executive power. The purpose of such investigations was not to assist in the enforcement of criminal laws, but rather to supply the President and other executive officials with information believed to be of value for making decisions and developing governmental policies. The "pure intelligence" function was precisely what President Roosevelt meant when he asked for "a broad picture" of the impact of Communism and Fascism on American life.

A second purpose for broad domestic intelligence investigations was to compile an extensive body of information for use in the event of an emergency or actual war. This information would supply the basis for taking preventive measures against groups or individuals disposed to interfere with the national defense effort. If such interference might take the form of sabotage or other illegal disruptions of defense production and military discipline the collection of preventive intelligence was related to law enforcement. But the relationship was often

remote and highly speculative, based on political affiliations and group membership rather than any tangible evidence of preparation to commit criminal acts. As the likelihood of American involvement in the war moved closer, preventive intelligence investigations focused on whether individuals should be placed on a Custodial Detention List for possible arrest in case of war. This program was developed joint by the FBI and a special Justice Department unit in 1940-1941.

These two objectives—"pure intelligence" and preventive intelligence—were closely related to one another. Investigations designed to produce information about subversive infiltration also identified individuals thought potentially dangerous to the country's security. Likewise, investigations of persons alleged to be security threats contributed to the overall domestic intelligence picture.

Internal FBI instructions described the scope of surveillance in detail. On September 2, 1939, all FBI field offices were ordered to review their files and secure information from "reliable contacts" in order to prepare reports on "persons of German, Italian, and Communist sympathies," as well as other persons "whose interest may be directed primarily to the interest of some other nation than the United States." Such information included "a list of subscribers" and officers of all German and Italian language newspapers in the United States, language newspapers published by the Communist Party or "its affiliated organizations," and both foreign and English language newspapers "of pronounced or notorious Nationalistic sympathies." FBI offices were also instructed to identify members of all German and Italian societies, "whether they be of a fraternal character or of some other nature," and of "any other organization, regardless of nationality, which might have produced Nationalistic tendencies."¹⁰⁴

In October 1939 the FBI was investigating the Communist Party and the German American Bund, using such techniques as "the employment of informants," "research into publications," "the soliciting and obtaining of assistance and information from political émigrés, and organizations which have for their purpose the maintenance of files of information bearing upon this type of study and inquiry," and "the attendance of mass meetings and

public demonstrations.” The compilation of information on other organizations and groups “expressing nationalist leanings” continued pursuant to the September 1939 instructions. In addition, the FBI was conducting “confidential inquiries” regarding “the various so-called radical and fascist organizations in the United States” for the purpose of identifying their “leading personnel, purposes and aims, and the part they are likely to play at a time of national crisis.”¹⁰⁵

In November 1939, the FBI began preparing a list of specific individuals “on whom information is available indicating strongly that (their) presence at liberty in this country in time of war or national emergency would constitute a menace to the public peace and safety of the United States Government.” The list comprised persons “with strong Nazi tendencies” and “with strong Communist tendencies.” The citizenship status of each individual was determined, and cards prepared summarizing the reasons for placing him on the list.¹⁰⁶

FBI field offices were instructed to obtain information on such persons from “public and private records, confidential sources of information, newspaper morgues, public libraries, employment records, school records, et cetera.” FBI agents were to keep the purpose of their inquiries “entirely confidential” and to reply to questions by stating as a cover that the investigation was being made in connection with “the Registration Act requiring agents of foreign principals to register with the State Department.” FBI headquarters supervisors divided the list into two categories:¹⁰⁷

Class #1. Those to be apprehended and interned immediately upon the outbreak of hostilities between the government of the United States and the Government they service, support, or owe allegiance to.

Class #2. Those who should be watched carefully at and subsequent to the outbreak of hostilities because their previous activities indicate the possibility but not the probability that they will act in a manner adverse to the best interests of the Government of the United States.¹⁰⁸

This program was described as a “custodial detention” list in June 1940, and field offices were again instructed to furnish information on persons possessing “Communist, Fascist, Nazi or other nationalistic background.”¹⁰⁹

The primary subjects of FBI intelligence surveillance under this program in mid-1940 were active Communists (including Communist candidates for public offices, party officers and organizations, speakers at Communist rallies, writers of Communist books or articles, individuals “attending Communistic meetings where revolutionary preachings are given,” Communists in strategic operations “or holding any position of potential influence” and Communist agitators who participate “in meetings or demonstrations accompanied by violence”), all members of the German-American Bund and similar organizations, Italian Fascist organizations and American Fascist groups such as “Silver Shirts, Ku Klux Klan, White Camelia, and similar organizations.”¹¹⁰ Director Hoover summarized these “subversive activities” in a memorandum to the Justice Department:

The holding of official positions in organizations such as the German-American Bund and Communist groups; the distribution of literature and propaganda favorable to a foreign power and opposed to the American way of life; agitators who are adherents of foreign ideologies who have for their purpose the stirring up of internal strike (sic), class hatreds and the development of activities which in time of war would be a serious handicap in a program of internal security and national defense...¹¹¹

Director Hoover claimed publicly in 1940 that advocates of foreign “isms” had “succeeded in boring into every phase of American life, masquerading behind front organizations.”¹¹² Intelligence about “front” groups was transmitted to the White House. For example, in 1937 the Attorney General had sent an FBI report on a proposed pilgrimage to Washington to urge passage of legislation to benefit American youth. The report stated that the American Youth Congress, which sponsored the pilgrimage, was understood to be strongly Communist.¹¹³ Later reports in 1937 described the Communist Party’s role in plans by the Workers Alliance for nationwide demonstrations protesting the plight of the

unemployed, as well as the Alliance's plans to lobby Congress in support of the federal relief systems.¹¹⁴

FBI investigations and reports (which went into Justice Department and FBI permanent files) covered entirely lawful domestic political activities. For example, one local group checked by the Bureau was called the League for Fair Play, which furnished "speakers to Rotary and Kiwanis Clubs and to schools and colleges." The FBI reported in 1941 that:

"...the organization was formed in 1937, apparently by two Ministers and a businessman for the purpose of further fair play, tolerance, adherence to the Constitution, democracy, liberty, justice, understanding and good will among all creeds, races and classes of the United States."

A synopsis of the report stated, "No indications of Communist activities."¹¹⁵ In 1944 the FBI prepared a more extensive intelligence report on an active political group, the Independent Voters of Illinois, apparently because it was the target of Communist "infiltration." The Independent Voters group was reported to have been formed:

"...for the purpose of developing neighborhood political units to help in the re-election of President Roosevelt and the election of progressive congressmen. Apparently, IVI endorsed or aided democrats for the most part, although it was stated to be "independent." It does not appear that it entered its own candidates or that it endorsed any Communists. IVI sought to help elect those candidates who would favor fighting inflation, oppose race and class discrimination, favor international cooperation, support a "full-employment program," oppose Fascism, etc."¹¹⁶

Thus, the Bureau gathered data about left-liberal groups in its search for subversive "influence." At the opposite end of the political spectrum, the activities of numerous right-wing groups like the Christian Front and Christian Mobilizers (followers of Father Coughlin), the American Destiny Party, the American Nationalist Party, and even the less extreme "America First" movement were reported by the FBI.¹¹⁷

The Bureau even looked into a Bronx, New York, child center which was "apparently dominated and run" by Communists to determine whether it was

being used as a "front" for carrying out the Communist Program.¹¹⁸

One example of the nature of continuing intelligence investigations is the FBI's reports on the NAACP. The Washington, D.C. Field Office opened the case in 1941 because of a request from the Navy Department for an investigation of protests against racial discrimination in the Navy by "fifteen colored mess attendants." FBI agents used an informant to determine the NAACP's "connections with the Communist party and other Communist controlled organizations."¹¹⁹

FBI headquarter sent a request to the Oklahoma City field Office in August 1941 for an investigation of "Communist Party domination" of the NAACP in connection with the development of "Nationalistic Tendency Charts." The field office report concluded, on the basis of an informant's reports, "that there is a strong tendency for the NAACP to steer clear of Communistic activities. Nevertheless, there is a strong movement on the part of the Communists to attempt to dominate this group through an infiltration of communistic doctrines. Consequently, the activities of the NAACP will be closely observed and scrutinized in the future."¹²⁰

FBI informants subsequently reported on NAACP conferences at Hampton, Virginia, in the fall of 1941 at Los Angeles in the summer of 1942. These investigations were conducted "to follow the activities of the NAACP and determine further the advancement of the Communist group has made into that organization."¹²¹ Similar reports came to headquarters from field offices in Richmond, Virginia; Springfield and Chicago, Illinois; Boston, Massachusetts; Oklahoma City, Oklahoma; Indianapolis, Indiana; Savannah, Georgia; and Louisville, Kentucky, in 1942-1943. Informants were used to report on efforts "to place before the NAACP certain policies or ideas which ...may be favorable to the Communist Party."¹²² An informant attended an NAACP convention in South Carolina in June 1943 and reported on his conversations with NAACP counsel Thurgood Marshall. The informant believed that Marshall was "a loyal American" and "would not permit anything radical to be done."¹²³

Informants for the Oklahoma City Field Office reported on Communist efforts to “infiltrate” the NAACP and advised that the Communist Party would “be active” at a forthcoming NAACP conference.¹²⁴ On the other hand, an informant for the Chicago office reported “no evidence that there is any Communist infiltration in the Chicago branch.”¹²⁵ And informants for the Detroit office advised that there were “numerous contacts by the CP members and NAACP members, some collaboration on issues which affect negroes, presence of CP members at NAACP meetings, interest of CP in NAACP, but no evidence of CP control.”¹²⁶

FBI investigation of the NAACP reflected in these and other reports to headquarters produced massive information in Bureau files about the organization, its members, their legitimate activities to oppose racial discrimination, and internal disputes with some of the chapters. One thirty-five page report contained the names of approximately 250 individuals and groups, all indexed in a table of contents.¹²⁷ The reports and their summaries contained little if any information about specific activities or planned activities in violation of federal law.

The scope of the information compiled through these investigations of alleged Communist “infiltration” is indicated by FBI estimate that by 1944 “almost 1,000,000 people knowingly or unknowingly had been drawn into Communist-Front activity.”¹²⁸

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IMPORTANT DATES AND COUNTERINTELLIGENCE EVENTS

THE PERIOD BETWEEN THE WORLD WARS,
1920-1939

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| 1920 | 1 January | The “Red Raids,” also known as the “Palmer Red Raids,” and the “Slacker Raids” initiated. |
| 1921 | 16 January | Public backlash against the “Palmer” raids prompted a Senate investigation. |
| | 6 June | Army establishes Signal Intelligence Service (later renamed the Signal Security Agency (1 June 1943) and 4 Nov 1952 became NSA. |
| | 19 May | Emergency Quota Act restricts immigration to 3% of 1910 census. |
| | 23 December | President Harding pardons Eugene Debs and others convicted under the Sedition Act of 1918 and other measures designed to curb dissent during World War I. |
| 1924 | 26 May | National Origins Act places strict quotas on European immigration and bars all immigration from Asia. |
| | 1 July | Japanese condemn immigration humiliation in “Hate America” rallies. |
| | 10 May | J. Edgar Hoover is appointed head of Bureau of Investigation. |
| 1928 | 4 June | Supreme Courts upholds Olmstead Case that use of wiretap evidence in a federal court did not by itself violate constitutional guarantees in the 4 th and 5 th Amendments against unreasonable searches and seizures and self-incrimination. |
| 1929 | 29 October | Secretary of State withdraws funding from the “Black Chamber,” effectively abolishing the office. |
| 1933 | 30 January | Hitler is appointed as the German Chancellor. |
| | 7 June | Congress authorizes use of subpoena power in sabotage cases. |
| | 16 November | US establishes diplomatic relations with the Soviet Union. |
| | 27 August | Corp. R. Osman court-martialed for violating Espionage Act. Sentenced to two years hard labor and fined \$10,000. President Roosevelt orders new trial in 1934. He was acquitted on 21 May. |
| 1934 | 15 December | Japan asks France, England, and U.S. for removal of diplomatic status from Army and Navy language officers in Tokyo as one is suspected of espionage. U.S. grants request. |

THE PERIOD BETWEEN THE WORLD WARS,
1920-1939

| | | |
|------|-------------|---|
| 1936 | 12 December | German pro-Nazi Bund societies formed as “Amerika-deutscher Volkbund,” ostensibly devoted to social and athletic pursuits. |
| | 2 July | H.T.Thompson tried on charges of selling U.S. naval information to Lt. Comdr. Miyazaki, Japanese Spy. |
| | 15 July | John Semer Farnsworth, ex-U.S. naval officer, held on charges of selling confidential naval book to Japanese. Found guilty and sentenced to prison. |
| 1938 | 26 May | Dies Committee established to investigate un-American activities. |
| | 19 August | President Roosevelt, in reaction to Turrou incident, says he favors larger appropriations for military intelligence services to expand counterespionage activities in the U.S. However, he made it clear he would not sanction espionage by American agents abroad. |
| | 16 October | Ernst Kuhrig and Heinrich Schackow, German citizens, arrested on espionage charges in the Canal Zone. Both sentenced to two years in prison in January 1939. |
| 1939 | 26 June | Interception of Soviet communication between New York and Moscow that would be the subject of the VENONA project begins. |
| | 17 April | Counterintelligence Branch established in Army’s Military Intelligence Division. |
| | 15 June | Mixed Claims Commission finds Germany guilty of both the Black Tom and Kingsland explosions but Germany never pays the \$55 million damage award. |
| | 26 June | Presidential Directive gives investigations of all espionage, sabotage and counterespionage to FBI, Military Intelligence Division and Office of Naval Intelligence. |
| | 1 September | World War II begins as Germany invades Poland. |
| | 2 September | Journalist Don Levine escorts Whittaker Chambers to Asst. Secretary of State Adolph Berle’s home where Chambers reveals intelligence activities of Alger and Donald Hiss. |
| | 4 September | French intelligence informs American Ambassador Bullitt in Paris that Alger and Donald Hiss are Soviet agents. |
| | 6 September | Presidential Directive gives FBI the sole responsibility for investigating espionage, counterespionage and sabotage. |

American Revolution

End Notes

1. This article was written by Frank J. Rafalko, Chief Community Training Branch, National Counterintelligence Center.
2. Thomas Hutchinson came from a prominent New England family. In 1737, despite his family's admonishment to him about going into politics, he was elected to the Massachusetts House of Representative. He later served as Chief Justice of the colony and then royal governor.
3. Francis Bernard was the nephew of Lord Barrington, the secretary of state for war in London. Barrington arranged for Bernard to be appointed as royal governor of New Jersey, but after two years Bernard move to Massachusetts to become royal governor there. He was recalled to London in 1769.
4. Dr. Benjamin Church.
5. A.J. Langguth, Patriots The Men Who Started the American Revolution, Simon and Schuster, New York, 1988, p. 311.
6. Edmund R. Thompson, ed., Secret New England Spies of the American Revolution, The David Atlee Phillips New England Chapter, Association of Former Intelligence Officers, Kennebunk, Maine, 1991, p. 17.
7. Allen French, General Gage's Informers, Greenwood Press, New York, 1968, p166-167.
8. Capt. James Wallace.
9. Godfrey Wainwood or Wenwood, Letter from Washington to the President of Congress, October 5, 1775.
10. Letter from George Washington to the President of Congress, October 5, 1775.
11. The 28th article of war provided that anyone caught communicating with the enemy should suffer such punishment as a court martial might direct. Unfortunately for those who favored hanging Dr. Church, article 51 stated that such punishment was limited to thirty-nine lashes, or a fine of two months' pay, and/or cashiering from the service.
12. Letter from George Washington to Governor Jonathan Trumbull, November 15, 1775 in which Washington inserted the resolve of Congress he received from John Hancock regarding Church.
13. This article was written by Frank J. Rafalko, Chief, Community Training Branch, National Counterintelligence Center.
14. Col. Jacobus Swartwout (d.1826), commander of the 2d Dutchess County Regiment of Minute Men.
15. Johnathan Fowler.
16. James Kip.
17. This article was written by Dan Lovelace, National Counterintelligence Center.
18. Carl Van Doren's description of Benedict Arnold in his Secret History of the American Revolution.
19. This article is copyrighted by Eric Evans Rafalko and used with his permission.
20. Secret New England Spies of the American Revolution, ed. by Edmund R. Thompson (The David Atlee Phillips New England Chapter, Association of Former Intelligence Officers, Kennebunk, Maine, 1991, p. 73.
21. Revolutionary Diplomatic Correspondence of the United States, ed. by Francis Wharton, U.S. Department of State, 6 vols., Washington, Government Printing Office, 1889, pp. 78-80.
22. Silas Deane to the Secret Committee of Congress, August 18, 1776, in The Deane Papers, ed. Charles Isham, 5 vols, New York Historical Society Collections, Vols. XIX-XXIII, New York, 1886-1891, XIX, p. 206.
23. Bemis, Samuel F., The Diplomacy of the American Revolution, New York, D. Appleton Co., 1935, pp. 44-45.
24. Dr. Edward Bancroft to the Most Honorable Marquis of Carmarthen, September 17, 1784, Samuel F. Bemis,

British Secret Service and the French-American Alliance, *American Historical Review*, XXIX, No. 3 (April, 1924), p. 493.

25. There was no organization within the government known as the British Secret Service. Intelligence collection was conducted by major figures within the Foreign Ministry or military for their own purposes. In this respect, Eden was probably in charge of a small group of intelligence collectors for Lord Suffolk.

26. Dr. Edward Bancroft to the Most Honorable Marquis of Carmarthen, September 17, 1784, *op. cit.*, p. 493.

27. *Secret New England Spies of the American Revolution*, ed. Edmund R. Thompson, *op. cit.*, p. 80.

28. Jacob Bankson was one of Washington's spies.

29. Thomas Shanks, formerly an ensign of the Tenth Pennsylvania Regiment. He had been cashiered Oct. 12, 1777, for stealing shoes.

30. The board voted 10 to 4 that he was a spy and 8 to 6 that he ought to suffer death.

31. Elijah Hunter, assistant commissary of forage, at Bedford, N.Y.

32. Elijah Hunter. In the draft he is designated "H——."

33. Lieut. Gen. Frederick Haldimand, Governor of Canada.

34. This article was written by Frank J. Rafalko, Chief, Community Training Branch, National Counterintelligence Center.

35. Smith obtained this information which he communicated to Eden in "Information obtained by Lt. Col. Smith during the six weeks of his intercourse with Capt. Hyson, in February and March 1777," Mar 27-28, 1777, Stephens's Facsimiles of Manuscripts in European Archives relating to America, 1773-1783, no. 670.

36. William Eden to George III, Oct 20, 1777, Stevens, *op. cit.*, no. 275.

Civil War End Notes

1. Dr. Harold R. Relyea, Analyst in American National Government, Government and General Research Division, Congressional Research Center, Library of Congress, for the Select Committee on Intelligence and printed in *Supplemental Reports on Intelligence Activities, Book VI, Final Report of the Select Committee to Study Governmental Operations with respect to Intelligence Activities*, United States Senate, 1976.
2. George Fort Milton. *Abraham Lincoln and the Fifth Column*. New York, the Vanguard Press, 1942, p.48.
3. Frederick Bancroft. *The Life of Williams H. Seward (Vol.2)*. New York, Harper and Brothers, 1900, p. 260.
4. *Ibid.*, pp. 261-262.
5. See Richardson, *op cit.* (Vol.7), pp.3303-3305.
6. The correspondence of this panel and lists of those released at its direction may be found in Fred C. Ainsworth and Joseph W. Kirkley, comps. *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, Series II (Vol.2). Washington, U.S. Govt. Print. Off., 1897.
7. Milton, *op. cit.*, p. 49.
8. See John W. Headley, *Confederate Operations in Canada and New York*. New York and Washington, The Neale Publishing Company, 1906; also of related interest is James D. Bulloch, *The Secret Service of the Confederate States in Europe*, New York, Thomas Yoseloff, 1956; originally published 1884.
9. Milton, *loc. cit.*
10. *Ibid.*, pp.50-51.
11. This article was written by Louise Sayre, National Security Agency.
12. Allan Pinkerton, *The Spy of the Rebellion*, New York, G.W. Carleton and Company, 1883, pp. 247-248.
13. *Ibid*, pp. 429-430.
14. Dr. Harold R. Relyea, Analyst in American National Government, Government and General Research Division, Congressional Research Center, Library of Congress, for the Select Committee on Intelligence and printed in *Supplemental Reports on Intelligence Activities, Book VI, Final Report of the Select Committee to Study Governmental Operations with respect to Intelligence Activities*, United States Senate, 1976.
15. See L.C. Baker, *History of the United States Secret Service*, Philadelphia, King and Baird, 1868, pp. 15-20; Jacob Mogelever, *Death to Traitors: The Story of General Lafayette C. Baker, Lincoln's Forgotten Secret Service Chief*. New York, Doubleday and Company, 1960, pp-22-48.
16. Baker, *op. cit.*, pp. 45-72; Mogelever, *op. cit.* pp. 48-62.
17. Baker. *op. cit.*, pp. 72-84; Mogelever, *op. cit.*, pp. 68-72.
18. Mogelever, *op. cit.*, p. 73.
19. See Baker, *op. cit.*, pp. 85-101.
20. *Ibid.*, pp. 102-111; Mogelever, *op. cit.*, pp. 74-79.
21. Mogelever, *op. cit.*, p. 79.
22. See *Ibid.*, pp. 79-81.
23. *Ibid.*, p. 84.
24. See Mogelever, *op. cit.*, pp. 86-88.
25. *Ibid.*, p. 89.
26. Wilfred E. Binkley. *President and Congress*. New York, Alfred A. Knopf, 1947, p. 126.
27. Letter to Albert G. Hodges (April 4, 1864) in Roy P. Baslet, ed. *The Collected Works of Abraham Lincoln* (Vol. 8). New Brunswick, Rutgers University Press, 1953, p. 281.
28. Rossiter, *op. cit.*, p. 229.
29. Mogelever, *op. cit.*, p. 91.
30. *Ibid.*, pp. 95. 169.
31. *Ibid.*, p. 111.
32. *Ibid.*, pp. 169-170.

33. *Ibid.*, p. 109.
34. *Ibid.*, p. 242; also see Baker, *op. cit.*, pp. 174-178.
35. *Ibid.*, p. 241.
36. *Ibid.*, p. 164.
37. See *Ibid.*, pp. 101-107, 139-140.
38. See *Ibid.*, p. 108.
39. See *Ibid.*, pp. 107-108.
40. See Baker, *op. cit.*, pp. 195-203.
41. Mogelever, *op. cit.*, p. 214; the District of Columbia had only one cavalry unit during the civil war but counted the First and Second Regiment Infantry, serving from 1861 until 1865, and several short-lived infantry battalions and militia companies which were hastily organized in 1861 and mustered out by the end of the year.
42. *Ibid.*, pp. 215-216.
43. *Ibid.*, p. 220.
44. *Ibid.*, p. 221.
45. See Baker, *op. cit.*, pp. 241-253; Mogelever, *op. cit.*, pp. 245-248.
46. Generally see Mogelever, *op. cit.*, pp. 213-241.
47. Baker's own account of his bureau's activities and his troops' adventures is thin and, compared with the Mogelever account which relies on Baker's correspondence and the letters and diaries of relatives, fails to convey the questionable nature of their operations or their possible illegality; see Baker, *op. cit.*, pp. 147-198, 230-241, 253-261, 329-378, 384-452.
48. Mogelever, *op. cit.*, p. 249; in 1863 (12 Stat. 713 at 726) Congress authorized the Secretary of the Treasury to appoint three revenue agents". . . to aid in the prevention, detection, and punishment of frauds upon the revenue." These were the small beginnings of the Treasury Department's intelligence organization and the only designated investigative force available to the Secretary at the time of the Baker inquiry.
49. See Mogelever, *op. cit.*, p. 252.
50. Generally, see *Ibid.*, pp. 252-278; Baker, *op. cit.*, pp. 261-287.
51. Generally, see Baker, *op. cit.*, pp. 452-476; Mogelever, *op. cit.*, pp. 278-292; John W. Headley, *Confederate Operations in Canada and New York*, New York and Washington, The Neale Publishing Company, 1906, pp. 211-382.
52. Mogelever, *op. cit.*, 291-292.
53. See *Ibid.*, p. 337.
54. *Ibid.*, p. 339.
55. Generally, see Baker, *op. cit.*, pp. 476-567; Mogelever, *op. cit.*, 342-385.
56. Mogelever, *op. cit.*, p. 386.
57. Generally, see Baker, *op. cit.*, pp. 582-693; Mogelever, *op. cit.*, pp. 385-419.
58. Dr. Harold R. Relyea, Analyst in American National Government, Government and General Research Division, Congressional Research Center, Library of Congress, for the Select Committee on Intelligence and printed in *Supplemental Reports on Intelligence Activities, Book VI, Final Report of the Select Committee to Study Governmental Operations with respect to Intelligence Activities*, United States Senate, 1976.
59. G.R. Tredway, *Democratic Opposition to the Lincoln Administration in Indiana*. Indianapolis, Indiana Historical Bureau, 1973, pp. 209-210.
60. *Ibid.*, p. 216.
61. Milton, *op. cit.*, pp. 76-77.
62. Tredway, *op. cit.*, p. 217.
63. *Ibid.* p.216: also see William Dudley Foulke. *Life of Oliver P. Morgan* (Vol.1). Indianapolis-Kansas City, The Bowen-Merrill Company, 1899, pp.405-407; also, for a view of Carrington's spies reporting on each other and otherwise over-ingratiating themselves with unsuspecting rebels, see Tredway, *op. cit.*, pp. 216-217.
64. Tredway, *op. cit.*, p. 218.

Post Civil War End Notes

1. This article was written by S/A Wayne Goldstein, Naval Criminal Investigative Service.
2. Jeffrey M. Dorwart, *The Office of Naval Intelligence, The Birth of America's First Intelligence Agency, 1865-1918*, 1979, p. 6.
3. *Ibid.*, pp. 10-11.
4. Thomas F. Troy, *Donovan and the CIA: A History of the Establishment of the CIA*, Frederick, MD, 1981, p. 8.
5. *Ibid.* p. 120.
6. 38 Stat 770. Enabling legislation was also passed three days later to provide for raising volunteer forces as needed "in time of actual or threatened war." See: Stat 347-51.
7. Memo Chief of Staff for TAG, 3 Mar 1914. This crippling restriction against crossing the border was not lifted until after General Pershing's Punitive Expedition had entered Mexican territory in 1916.
8. 38 Stat 514-16.
9. See "Report of the Signal Officer," *War Department Annual Reports, 1913*, I, p. 781.
10. The latter item had recently received its first boost since 1903, in the meager form of an increase from \$10,000 to \$11,000 for FY 1915.
11. Memo, Chief of War College Division for Chief of Staff, 3 May 1915.
12. *Ibid.*
13. A German sabotage campaign at impeding the flow of munitions and supplies from America to the Allied powers was in full swing at this time. See: Henry Landau, *The Enemy Within*, New York, 1937.
14. Maj. Gen. Otto L. Nelson, Jr., *National Security and the General Staff*, Washington, 1946, pp. 145-147.
15. Telegram Squire to AG for McClernaud, 14 December 1912.
16. Memorandum from Col. Biddle to Col. Hughes, 9 February 1914, and Memorandum from Col. Biddle to Chief of Staff, 27 April 1914.
17. Memorandum from Brig. Gen. Macomb for Chief of Staff, 3 August 1914. Nevertheless, Lt. Col. George O. Squier, the American Military Attache in London, was allowed to visit the British Army in France as an official military observer from 16 November 1914 to 2 January 1915.
18. Memorandum from Brig. Gen. Charles G. Treat, Acting Chief of War College Division, to Chief of Staff, 14 November 1916.
19. War Division memorandum 14 November 1916.
20. Letter, Chief, Military Mission, Paris to Chief, War College Division, 29 December 1916.
21. James Morton Callahan, *American Foreign Policy in Mexican Relations*, New York, 1932, pp. 562-63.
22. "Report of the Chief of Staff," *War Department Annual Reports, 1916*, I, p. 187.
23. From August 1911 to July 1914, Maj. Ryan had been an associate professor of modern languages at the United States Military Academy. He was replaced as Expedition Intelligence officer by Capt. (later Lt. Col.) W.O. Reed, 6th Cav, on 30 April 1916.
24. Van Deman, R.H. (Maj. Gen.), Memorandum, 8 April 1949.
25. "Report of the Chief of Staff," *War Department Annual Reports, 1916*, I, p. 201.
26. Letter, Pershing to Commanding General Southern Department, 27 March 1916, subject: Preliminary Report of Punitive Expedition.
27. Capt. Nicholas N. Campanole, "Report Covering Operations of United States Punitive Expedition, Intelligence Section, 15 March 1916-5 February 1917."

Capt. (later Col.) Campanole succeeded Capt. W.O. Reed as Expedition Intelligence Officer, effective 10 October 1916, and then remained in that capacity until the withdrawal of the force from Mexico on 5 February 1917.

28. Harry Aubrey Toulmin, *With Pershing in Mexico*, Harrisburg, 1935, pp. 85-88. This turned out to be the last time that the US Army employed a regular Indian Scout unit in its field operations.
29. Van Deman memorandum, 8 April 1949.
30. *Ibid.*
31. Comment, Brig. Gen. H.H. Macomb for Chief of Staff, 21 June 1916, attached to Van Deman "Historical Sketch."
32. Three years earlier, in compliance with a formal request from Secretary of War Stimson, the General Staff had prepared a full report on "The Organization of the Land Forces of the United States," which recommended several specific military reforms regarding the effective mobilization of American manpower. As soon as Woodrow Wilson became President in 1912, however, this so-called "Stimson Plan" was pigeonholed. See: "Report of the Secretary of War," *War Department Annual Reports*, 1912, pp. 69-128.
33. "Report of the Chief of Staff," *War Department Annual Reports*, 1916, p. 155.
34. "Report of the Secretary of War," *War Department Annual Reports*, 1915, pp. 22-23. This plan was generally known as the "Continental Army Plan."
35. Memo from Chief, War College Division for Chief of Staff, 11 December 1916.
36. Written by Charles H. Harris and Louis R. Sadler. This article appeared in *The Americas*, Volume XXXIX, July 1982, Number 1. Used with the permission of the authors.
37. *Mexican Rebel: Pascual Orozco and the Mexican Revolution, 1910-1915* (Lincoln, 1967).
38. Robert Ryall Miller, *Arms Across the Border: United States Aid to Juarez During the French Intervention in Mexico* (Philadelphia, 1973), pp.7, 32, 38.
39. Francisco Almada's *La rebelion de Tomochi* (Chihuahua, 1938) is the standard source for the insurrection. Also see the U.S. v Victor L. Ochoa, District Court, El Paso, FRC-FW, No. 893 and District Court, El Paso, nos. 4,8,7,6,5,1009, 1024, all in FRC-FW. See also Yolanda Guaderrama Alexander, "Las Palomas: Years of Turmoil, 1893-1917" (Graduate Seminar Paper, Department of History, New Mexico State University, 1974), pp. 7-16.
40. U.S. v. Leocardio B. Trevino et al., U.S. Commissioner, El Paso, FRC-FW, no. 83, and District Court, El Paso, FRC-FW, No. 1361. See also U.S. Commissioner, El Paso, FRC-FW, nos. 100, 156, 88, 117, 101. Additional details are available in National Archives, Numerical and Minor Files of the Department of State, Microcopy M-862, roll 429, file nos. 5026 and 5028; and Richard Estrada, *Border Revolution: The Mexican Revolution in the Ciudad Juarez/El Paso area, 1906-1915*, (unpublished M.A. thesis, University of Texas, at El Paso, 1975), pp. 38-44.
41. Charles H. Harris III and Louis R. Sadler, "The 1911 Reyes Conspiracy: The Texas Side," *Southwestern Historical Quarterly* (April, 1980), pp 325-348.
42. For a study of United States arms policy see Harold Eugene Holcombe, "United States Arms Control and the Mexican Revolution, 1910-1924," (unpublished Ph.D. dissertation, University of Alabama, 1968), pp.26-33. The Madero government's use of the British Foreign Office in persuading Taft to ban the exportation of munitions to the Orozquitas can be found in: Lord Codry telegram to the British Ambassador in Washington James Bryce, March 12, 1912; Cowdry to Bryce, March 13, 1912; Cowdry to Enrique Creel, March 12, 1912; and Foreign Office minute of March 13, 1912, all in Foreign Office 115/1683, British Public Record Office, Kew Gardens, London. See also Peter Calvert, *The Mexican Revolution, 1910-1914: The Diplomacy of Anglo-American Conflict* (Cambridge, 1968), pp. 108-109.
43. Ironically, the Rangers, whose strength had been more than doubled (15-43) in October, 1911 at federal expense to pacify the Texas border had been reduced to their former numbers by late January, 1912, because the border appeared peaceful. Senate Document no. 404, 62nd Cong., 2nd sess. (Washington, 1912). During the Orozco rebellion, after first being ordered not to assist Federal officials in the enforcement of the neutrality laws, they generally worked closely with the Bureau of Investigation. See Texas Governor O.B. Colquitt to Adjutant General Henry Hutchings, February 2, 1912, Walter Prescott Webb Papers, vol. 18, Barker Texas History Center, University of Texas at Austin. Also see

Monthly Returns Company A, March, April and June, 1912 and Company B, February, May and June, 1912, Texas Ranger Archive, Texas State Library, Austin, Texas.

44. The key word in the statement is blatant. As is well known, the British Secret Intelligence Service operated on a rather large scale in the United States during both World War I and II; however, they were rather more discreet. See for example, H. Montgomery Hyde, *Room 3603: The Story of the British Intelligence Center in New York during World War II* (New York, 1963) and William Stephenson's somewhat sensationalized *A Man Called Intrepid: The Secret War* (New York, 1976).
45. H.A. Thompson to S.W. Finch, April 21, 1912, National Archives, Federal Bureau of Investigation (hereafter cited as BI), Record Group 65, microcopy, no number, roll 1; See also Edward Tyrell to Chief, U.S. Secret Service, September 26, 1912, National Archives, Microcopy no. 3, 157, Record Group 87, Records of the U.S. Secret Service, Daily Reports of Agents, 1875 through 1936, Daily Report, March 1, 1912, BI, roll 2.
46. F.H. Lancaster report, March 1, 1912, BI, roll 2.
47. Testimony of James G. McNary, Vice-President, First National Bank of El Paso, who stated that \$500,000 was involved, *Revolutions in Mexico: Hearings Before a Subcommittee of the Committee on Foreign Relations, United States Senate*. 62nd Cong., 2nd sess. (Washington, 1913), 169; Felix Sommerfeld who should have known gave the figure as being between \$600,000 and \$700,000, *Ibid.*, 437. Two stories, emanating from officials of the Huerta government in 1913, cite Llorente's expenditure as being \$283,943 and another account states that \$150,000 was spent. See *El Paso Morning Times*, June 3, and July 21, 1913.
48. See the Sommerfeld file. Military Intelligence Division (hereafter cited as MID), National Archives, Record Group 165, Records of the War Department General and Special Staffs, MID, 9140-1754; Sommerfeld's testimony in *Revolutions in Mexico*, pp. 387-447. Also see Michael C. Meyer, "Villa, Sommerfeld, Columbus y los alemanes." *Historia Mexicana* 28 (April-June 1979), pp. 546-566.
49. I.J. Bush, *Gringo Doctor* (Caldwell, Idaho, 1939), pp. 183-186, 226; William H. Beezley, *Insurgent Governor: Abraham Gonzalez and the Mexican Revolution in Chihuahua* (Lincoln, 1973), pp. 33-69.
50. L.E. Ross reports, March 1 and 9, 1912, BI, roll 2.
51. Lancaster reports, March 1 and 9, 1912, roll 2 and March 4, 5, 6, 8, 1912, roll 1; Ross report, March 19, 1912, roll 1; Thompson to Finch, March 3, 1912, roll 1; Thompson, April 19, 1912, BI roll 1; C.D. Hebert to Finch, April 29, 1912, roll 1; Hebert reports, May 5, 8, 14, 15, 1912, roll 2 all in BI; For example, see the Thiel Agency's reports, entitled "Revolutionary Information," March 4, 5, 6, 8, 16, 22, 23, 24, 26, 27, 28, 29, April 2, 4, 8, 10, 22, and 28, BI, roll 1. For the Thiel Agency's reports to the Mexico Northwestern, see "Revolutionary Information," October 22, 1912, John H. McNeely Collection, Box 13, Packet "Misc. 1912-1914," Records of the Mexico Northwestern Railway, Archives, University of Texas at El Paso. For the Thiel Agency's reports to the Mexican government, see Isidro Fabela et al., (eds.) *Documentos historicos de la Revolucion Mexicana*, 27 vols. (Mexico 1964-1973) (hereafter cited as DHRM) VII, pp. 371-375, 391-394, 416-418.
52. Lancaster to Finch, "Personal and Confidential," March 23, 1912, BI, roll 1.
53. Sanche de Gramont, *The Secret War: The Story of International Espionage Since World War II* (New York, 1962), pp. 149-150.
54. Thompson report, June 21, 1912, BI, roll 1; E.M. Blanford report, April 7, 1913, roll 3, both in BI; Manuel Cuesta to Secretario de Relaciones Exteriores, March 9, 1912, DHRM, VII, 183; Enrique de la Sierra to same, February 24, 1913, *Ibid.*, XIV, pp. 78-79.
55. Lancaster reports, March 13, 18, 22, 1912; Ross report, April 24, 1912; Hawkins reports, April 17, 18, 24, 1912; Thiel Agency report, March 27, 1912; and Thompson report, April 19, 1912, all in BI roll 1.
56. Ross reports, March 19, 20, 23, April 5, 23, 1912, roll 1; Hebert report, May 8, 1912, roll 2, all in BI.
57. M.L. Gresh report, October 22, 1912, roll 2; J.W. Vann report, October 28, 1912, roll 3; C.E. Breniman reports, October 25 and 30, November 3, 4, 24, 1912, roll 3, all in BI. Ross's reports to Llorente, dated October 18 and 19, November 1912, are in the Enrique C. Llorente Papers, Manuscripts Division, New York Public Library.
58. Inspector of Consulates to Secretario de Relaciones Exteriores, May 14, 1913, DHRM, XIV, pp. 229-230; See also Abraham Molina to Jose Maria Maytorena, April 22, 1913, *Ibid.*, XIV, 190; Jose Maria Maytorena to Abraham Molina, May 8, 1913, *Ibid.*, XIV, 221.

- ⁵⁹ U.S. v. Victor L. Ochoa, District Court, El Paso, FRC-FW, No. 893 and Almada, *La rebellion de Tomochi*, pp. 127-128, 133. The best summary of his revolutionary career is found in the *El Paso Times*, September 20, 1921.
- ⁶⁰ R.L. Barnes reports, June 21-25, 1912, BI, roll 2.
- ⁶¹ Zork Hardware Company Records, Archives, University of Texas at El Paso. In 1912, the firm's name was Krakauer, Zork and Moye's Sucs., Inc. The Company was one of the largest hardware dealers in the Southwest, with assets exceeding \$1,100,000. Although the 1912 account books do not indicate to whom the sales of arms and ammunitions were made, they clearly show that a sizable percentage of the firm's sales for the year were munitions.
- ⁶² *Revolution in Mexico*, 124.
- ⁶³ U.S. v. Robert Krakauer, Castulo Herra, Pascual Arellano, Adolph Krakauer, Victor L. Ochoa, S. Dominguez, G. Gutierrez, Francisco Navarro, Julius Krakauer, District Court, El Paso, FRC-FW, no. 1626. See also U.S. v. Sabino Guaderrama, Avelino Guaderrama, Longino Gonzalez, Isabel Larrazola, District Court, El Paso, FRC-FW, no. 1629.
- ⁶⁴ U.S. v. Shelton-Payne Arms Co., Douglas Hardware Co., W. H. Shelton, John Henry Payne, W.F. Fisher, District Court, Phoenix, FRC-LN, no. c-676; U.S. v. L.D. McCartney, Shelton-Payne Arms Co., W.H. Shelton, John Henry Payne, J.N. Gonzalez, District Court, Phoenix, FRC-LN, no. C-677; U.S. v. Krakauer, Zork & Moye, Julius Krakauer, L.D. McCartney, District Court, Phoenix, FRC-LN, no. C-679.
- ⁶⁵ See cases in footnote 28.
- ⁶⁶ U.S. v. Arnulfo-Chavez, U.S. Commissioner, El Paso, no. 1081, District Court, El Paso, no. 1590, both in FRC-FW. The Guaderrama clan in El Paso exemplified this type of entrepreneur. For information concerning their activity during this period see, U.S. v. Sabino Guaderrama, Isabel Rangel, Jose Cerros, U.S. Commissioner, El Paso, no. 1135; U.S. v. Castulo Herrera, Sabino Guaderrama, Avelino Guaderrama, U.S. Commissioner, El Paso, no. 1070; U.S. v. Sabino Guaderrama, Avelino Guaderrama, Longino Gonzalez, Isabel Larrazola, District Court, El Paso, no. 1629, all in FRC-FW. The Guaderrama were still going strong in 1915, being involved, among other things, in the Huerta conspiracy. See U.S. v. Sabino Guaderrama, U.S. Commissioner, El Paso, no. 1376, and U.S. v. Victoriano Huerta et al., District Court, San Antonio, no. 2185, both in FRC-FW.
- ⁶⁷ See, for instance, the following cases in U.S. District Court, El Paso, FRC-FW: U.S. v. James McKay, no. 1555; U.S. v. John Thomas, no. 1552; U.S. v. Peter S. Aikin, no. 1553, U.S. v. Francisco M.F. Najera, no. 1560; U.S. v. Allen L. Rogers, no. 1551; U.S. v. Alfredo Guerro, no. 1554; U.S. v. Francisca Molina, no. 1575; U.S. v. Petra Ochoa, no. 1593; U.S. v. Josefina Santa Cruz, no. 1602; U.S. v. Maria Solis, no. 1603.
- ⁶⁸ U.S. v. Fred Freepartner, W.E. Mason, Joe de Lauter, Lou Mullady, Enrique Esparza, Agustin Gallo, U.S. Commissioner, El Paso, nos. 1066 and 1067, District Court, El Paso, no. 1598, both in FRC-FW.
- ⁶⁹ U.S. v. John Dickson, U.S. Commissioner, El Paso, no. 1097, District Court, El Paso, no. 1598, both in FRC-FW.
- ⁷⁰ Testimony of Felix Sommerfeld, *Revolution in Mexico*, pp 427-431; El Paso *Herald*, August 22-23, 1912; El Paso *Morning Times*, July 2, 25, 1912.
- ⁷¹ Ross reports, May 18-22, 1912; Thompson reports, May 21-23, October 3, 18, 21, 1921; Hebert report, May 22, 1912; Harris reports, May 25, 28, 29, June 6, 7, 10, 14, October 13, 18, 1912, all in BI, roll 2; Harris reports, October 27 and 30, November 3, 4, 6, 1912; Gresh report, October 31, 1912; Breniman report, November 13, 1912; Blanford report, November 14, 1912; Harris to A. Bruce Bielaski, November 20, 1912, all in BI, roll 3; U.S. v. Ignacio Salvador Rojas Vertiz, Frank Borbon, T.C. Cabney, Pascual Orozco, Jr., Gonzalo C. Enrile, U.S. Commissioner, El Paso, FRC-FW, no. 1089 and District Court, El Paso, FRC-FW, nos. 1628, 1633.
- ⁷² U.S. v. Ignacio Lopez, Salvador Rojas Vertiz, Frank Borbon, T.C. Cabney, Pascual Orozco, Jr., Gonzalo Enrile, District Court, El Paso, FRC-FW, no. 1628.
- ⁷³ Thompson report, June 7, 1912; Barnes report, June 8, 1912; Ross reports, June 8 and 10, 1912, all in BI, roll 2; U.S. v. Castulo Herrera, Ignacio Gutierrez, Eduardo Ochoa, Jesus de la Torre, Ignacio Nunez, U.S. Commissioner, District of New Mexico, Federal Records Center, Denver (hereafter cited as FRC-D), No. 1161, District Court, Santa Fe, FRC-D, no. 85; U.S. v. Ignacio Nunez and Jesus de la Torre, U.S. Commissioner, District of New Mexico, FRC-D, nos. 1024 and 1604, District Court, Santa Fe, FRC-D, no.

1654; U.S. v. Ignacio Gutierrez, U.S. Commissioner, District of New Mexico, FRC-D, no. 1251.

74. U.S. v. Lazaro Alanis (Jose) Ines Salazar, Roque Gomez, Concepcion Tovar, Marcial Andujos, U.S. Commissioner, District of New Mexico, FRC-D, nos. 1158 and 1268, U.S. Commissioner, El Paso, FRC-FW, nos. 1158 and 1167, District Court, Santa Fe, FRC-D, no. 84; Thompson reports, August 12 and 14, 1912, BI, roll 2; Ross report, August 14, 1912, BI, roll 2; Barnes report, August 16, 1912, BI roll 2, El Paso *Morning Times*, August 13, 1912.
75. Testimony of Manuel L. Lujan, *Revolutions in Mexico*, pp 296-297; Dispatches from the U.S. Military Attaché, Capt. W.A. Burnside, July 24, 1912, MID 5761-532 and July 24, 1912, MID 5384-16.
76. Francisco I. Madero to Enrique Llorente, May 30, 1912, *DHRM*, VII, 422.
77. Charpentier's testimony in *Revolutions in Mexico*, pp. 447-451, 505-528; McDonald's testimony, *Ibid.*, pp. 680-683; Mahoney's testimony, *Ibid.*, pp. 683-686.
78. Charpentier, Mahoney, and McDonald were tried and acquitted in 1912. See U.S. v. E.L. Charpentier, D.J. Mahoney, Robert McDonald, A Monahan (sic-J.H. Noonan), District Court, El Paso, FRC-FW, no. 1607; Llorente's case was continued until April 14, 1916, when it was dismissed. See U.S. v. Enrique C. Llorente, R.H.G. McDonald, D.J. Mahoney, J.H. Noonan, E.L. Charpentier, District Court, El Paso, FRC-FW, no. 1650. As an example to the permutations that occurred among border characters, in 1914 Victor L. Ochoa was enlisting men for the Carrancistas, and one of those he enlisted was R.H.G. McDonald. See U.S. v. Victor L. Ochoa, Fred Mendenhall, R.H.G. McDonald, Agustin Pantoja, Ramon Gutierrez, District Court, El Paso, FRC-FW, no. 1810; U.S. v. E.L. Holmdahl, Victor L. Ochoa, Tandy Sanford, Fred Mendenhall, U.S. Commissioner, El Paso, FRC-FW, no. 1363; U.S. v. Victor L. Ochoa, Tandy Sanford, John Sanford, Fred Mendenhall, Rafael Diaz, R.H.G. McDonald, Jose Orozco, Francisco Rojas, Vicente Carreon, U.S. Commissioner, El Paso, FRC-FW, no. 1359.
79. Ernest Knable, Assistant Attorney General to Secretary of State, May 15, 1912, National Archives, Record group 60, Department of Justice (hereafter cited as DJ), file no. 90755-1557; Also see Wickersham to Charles Boynton, May 16, 1912, DJ, 90755-1562 and May 20, 1912, DJ 90755-1565; Charles Boytin to Wickersham, May 17, 1912, DJ, 90755-1564 and June 8, 1912, DJ, 90755-1590; Not until it was obvious that Orozco had lost did the U.S. government begin putting pressure on Llorente. See Huntington Wilson to Wickersham, June 24, 1912, Records of the Department of State Relating to the Internal Affairs of Mexico, 1910-1929, National Archives Microfilm Publications, Microcopy no. 274, file no. 812.00/4246; Wickersham to Boynton, June 27, 1912, DJ, 90755-1605 and J.A. Fowler to Secretary of State, June 28, 1912, DJ, 90755-1605; Thompson reports, November 6, 7, and 30, 1912, BI, roll 3.
80. U.S. v. Luis Diaz de Leon, U.S. Commissioner, El Paso, no. 1036 and District Court, El Paso, no. 1563; U.S. v. Canuto Leyva, District Court, El Paso, no. 1617; U.S. v. Rutilio Rodriguez, District Court, El Paso, no. 1618; U.S. v. Victor Ochoa, District Court, El Paso, no. 1625; U.S. v. Jesus Quintana et al., U.S. Commissioner, El Paso, no. 1037; U.S. v. J. Saldivar, District Court, El Paso, no. 1569, all in FRC-FW.
81. El Paso *Morning Times*, June 24, 1912.
82. Ross reports, July 6 and September 8, 11, 1912, roll 3; Harris reports, July 29, August 2, 7, October 31, 1912, roll 3; R.L. Barnes report, September 28, 1912, roll 2, all in BI.
83. Walter Mills, *The Road to War*, Boston, 1935, p. 147.
84. Captain Franz Rintelen von Kleist, *The Dark Invader: Wartime Reminiscences of a German Intelligence Officer*, New York, 1933, pp. 57-60. This book should be treated with great circumspection as it contains much swashbuckling daring-do as believable information.
85. Reinhard R. Doerries, *Imperial Challenge, Ambassador Count Bernstorff and German-American Relations, 1908-1917*, Chapel Hill, 1989, p. XV.
86. Copyrighted by Eric Rafalko. Used with his permission.
87. Colonel Allison Ind, *A Short History of Espionage*, New York, David McKay Company, Inc. 1963, p. 155.
88. The article is from an interview with Robert L. Bannerman, who served in the Office of Security, Department of State from 1936 to 1947, becoming director in the latter year.
89. Heinrich von Eckhardt.
90. Joan M. Jensen, *Military Surveillance of Civilians in American*, Morristown, New Jersey, General Learning Press, 1975, p. 5.

91. Joan M. Jensen, *The Price of Vigilance*, Chicago, Ill, Rand McNally, 1968, p. 12.
92. Jensen, *Military Surveillance*, *op cit.*, pp. 4-5.
93. 41st Cong., Sess. III, Ch. 14.
94. Max Lowenthal, *The Federal Bureau of Investigation*, New York, Harcourt Brace Jovanovich, 1950, pp. 10-13.
95. 28 U.S.C. 533 (3).
96. Jensen, *The Price of Vigilance* 15; Homer Cummings and Carl McFarland, *Federal Justice*, New York, McMillian Co., 1937, pp. 415-416.
97. Cummings and McFarland, *op. cit.*, p. 416.
98. 33 U.S. Statute at Large 1214.
99. 39 U.S. Statute at Large 889.
100. Cir. Ltr, Bruce Bielaski to all Special Agents and Local Officers, Bureau of Investigation, 22 Mar 1917.
101. French Strother, *Fighting Germany's Spies*, New York, 1918. P. 394.
102. History of MID. P. 1042.
103. Letter from McAdoo to Gregory, 2 June 1917.
104. Letter from McAdoo to President Wilson, 2 June 1917.
105. Letter from Gregory to President Wilson, 14 Jun 1917.
106. Joan M. Jensen, *The Price of Vigilance*, *op. cit.* Pp. 118-119.
107. FBI Intelligence Division, *An Analysis of FBI Domestic Security Intelligence Investigations: Authority, Official Attitudes and Activities in Historical Perspective*, 10/28/75.
108. Memorandum of F.X. O'Donnell, 10/24/38.
109. Jensen, *op. cit.*, pp. 102-103.
110. Act of June 15, 1917, Title I, Section 3.
111. The Supreme Court upheld such convictions in *Schenck v. U.S.*, U.S. 47 (1919) and *Abrams v. U.S.*, 250 U.S. 616 (1919).
112. Zechariah Chafee, *Free Speech in the United States*, Cambridge, Harvard University Press, 1941, p. 69.
113. Homer Cummings and Carl McFarland, *Federal Justice*, *op. cit.*, p. 247.
114. Copyrighted by Charles H. Harris III and Louis R. Sadler. Used with the permission of the authors.
115. See, for example, Allen Dulles, *The Craft of Intelligence*, Harper & Row Publishers, N.Y., 1965, pp38-39.
116. Michael C. Meyer, "The Mexican-German Conspiracy of 1915," *The Americas*, July 1966, pp-76-89; James A. Sandos, "German Involvement in Northern Mexico, 1915-1916: A New Look at the Columbus Raid," *The Hispanic American Historical Review*, February 1970, pp 70-88; and Barbara Tuchman, *The Zimmerman Telegram*, The Viking Press Inc., N.Y., 1958, passim.
117. The only printed source which treats the Jahnke conspiracy in detail is Henry Landau, *The Enemy Within: The Inside Story of German Sabotage in America*, G.P. Putnam's Sons, N.Y., 1937, which can still be read with profit although it contains errors and is undocumented. Surprisingly, this study has generally been neglected by historians of American intelligence.
118. "Interrogation of Lothar Witzke," San Antonio, Texas, 16-18 September 1919, Volume II, Exhibit 24, and "Affidavit of Alfred Edward Woodley Mason," Cairo, Egypt, 15 February 1929, Volume II, Exhibit 625, Mixed Claims Commission (MCC), United States and Germany, Federal Records Center, East Point, Ga.
119. Landau, *op cit*, pp 77-84 and 114.
120. "Affidavit of Admiral Sir W. Reginald Hall," former chief of British Naval Intelligence, 28 December 1926, with annexed copies of 327 German cablegrams intercepted by the British government during World War I, Volume VII, Exhibit 320, MCC, United States and Germany, Federal Records Center, East Point, Ga.
121. Major R.L. Barnes to Colonel Garrison, 9 April 1919, National Archives, Record Group 165, Records of the War Department General and Special Staffs, Military Intelligence Division (MID), 51-45.
122. Testimony of Altendorf in "U.S. War Department Record of the Court Martial of Lothar Witzke," Volume VIII, Exhibit 321, MCC, United States and Germany, Federal Records Center, East Point, Ga.

123. William Gleaves to Captain R. Davila, 1 August 1915, Venustiano Carranza Archives, Centro de Estudios de Historia de Mexico, Departamento Cultural de Condomex, S.A., Mexico City, Mex.; and "Affidavit of Alfred Edward Woodley Mason," *op cit.* Also, see Gleaves file, MID, 10541-546.
124. Testimony of Altendorf and Gleaves, "U.S. War Department Record of the Court Martial of Lothar Witzke," *op cit.*
125. Testimony of Butcher, *Ibid.*
126. "Affidavit of Alfred Edward Woodley Mason," *op cit.*; Testimony of Gleaves, "U.S. War Department Record of the Court Martial of Lothar Witzke," *op cit.*; and Guy L. Fake Affidavit, 18 August 1924, Volume II, Exhibit 10, MCC, United States and Germany, Federal Records Center, East Point, Ga.
127. Testimony of Gleaves, Altendorf, Nuenhoffer and Major R.M. Campbell, "U.S. War Department Record of the Court Martial of Lothar Witzke." *op cit.*
128. Testimony of Altendorf and Major R.M. Campbell, "U.S. Department of Record of the Court Martial of Lothar Witzke," *op cit.*; and Van Deman to intelligence officer, Western Department, 17 January 1918, MID, 10541-268.
129. Testimony of Altendorf, "US War Department Record of the Court Martial of Lothar Witzke," *op cit.*; and Altendorf Report, undated, in MID, 10541-268.
130. See Chapman's cipher telegram to Butcher, 26 January 1918, in National Archives, Record Group 84, Records of the Foreign Service Posts of the Department of State, Nogales, Sonora, Mex., Consulate Files, 1918, File Number 820.
131. Special Border Report, 4 February 1918, Nogales, Ariz., MID, 10541-268.
132. *Ibid.*
133. Percy Altendorf, "My Trip to Mexico," and Butcher Report, undated, both in MID, 10541-268. See also the file on Calles, MID, 8536-297.
134. Butcher Report, *op cit.*
135. *Ibid.*; and Testimony of Charles Beatty, "U.S. War Department Record of the Court Martial of Lothar Witzke," *op cit.*
136. Testimony of Butcher, "U.S. War Department Record of the Court Martial of Lothar Witzke," *op cit.*; and Butcher Report, *op cit.* and Special Border Report, Nogales, Ariz., 2 February 1918, both in MID 10541-268.
137. Testimony of Butcher, "U.S. War Department Record of the Court Martial of Lothar Witzke," *op cit.*
138. The best account of the decrypting of the telegram is the testimony of Manly, "U.S. War Department Record of the Court Martial of Lothar Witzke." *op cit.* See also Herbert O. Yardley, *The American Black Chamber*, Bobbs-Merrill Co. Inc., Indianapolis, Ind., 1931, pp 90-114; David Kahn, *The Codebreakers: The Story of Secret Writing*, The Macmillan Co, N.Y., 1967, pp 253-54; Yardley memorandum attached to telegram from R.L. Barnes to Milstaff, 7 August 1918, MID, 10541-268; and Major General Ralph H. Van Deman, *Memoirs*, Unpublished Manuscript, Library, US Army Intelligence Center and School, Fort. Huachuca, Ariz., pp 62-63.
139. Exhibit 13, "U.S. War Department Record of the Court Martial of Lothar Witzke," *op cit.*
140. John M. Maguire to Lieutenant Van Dusen, 11 June 1918, in MID, 10541-268.
141. Testimony of Witzke, "U.S. War Department Record of the Court Martial of Lothar Witzke," *op cit.*
142. Court-Martial Verdict, "U.S. War Department Record of the Court Martial of Lothar Witzke," *op cit.*
143. For example, see Special Border Report, Nogales, Ariz., 7 February 1918, in MID 8536-293.
144. Campbell to Van Deman, 18 March 1918, MID 10541-367.
145. Campbell to chief, Military Intelligence Branch, 4 September 1918, MID, 10541-367.
146. See Consul Chapman to Consul Lawton, 26 March and 18 April 1918, Consul Lawton to Consul McPherson, 20 April 1918, Consul Chapman to Captain Joel Lipscomb, 29 April 1918, and Consul Simpich to Consul Lawton, 3 May 1918, all found in File Number 820, 1918, Nogales Consulate File; Captain G.L. Jones to R.L. Barnes, 14 May 1918, MID 8536-314; and Captain H.S. Dickey to chief, MID, 28 August 1918, MID 51-45.

- ^{147.} The correspondence can be found in Department of State File Number 150. 636/31, National Archives; Nogales Consulate File 820, 1918; and Colonel Marlborough Churchill to A. Caminetti, 14 August 1918, MID, 51-45.
- ^{148.} A detailed statement of this controversy can be found in Joan M. Jensen, *The Price of Vigilance*, Rand McNally & Co., Chicago, Ill., 1968, pp 118-29; and William R. Corson, *The Armies of Ignorance: The Rise of the American Intelligence Empire*, Dial Press/James Wade Books, N.Y., 1977, pp 52-63.
- ^{149.} Acting judge advocate general to the adjutant general, 17 January 1921, Volume II, Exhibit 157, MCC, United States and Germany, Federal Records Center, East Point, Ga.; and Gregory to Wilson, 25 November 1918, MID, 10541-268. See also Edmund M. Morgan, "Court-Martial Jurisdiction Over Non-Military Persons Under the Articles of War," *Minnesota Law Review*, January 1920, pp76-116. Morgan, however, has one serious error in the article—that Witzke died in prison (p 80). For Wilson's commutation of Witzke's sentence, see enclosure in the "U.S. War Department Record of the Court-Martial of Lothar Witzke," *op cit*.
- ^{150.} Captain Frank P. Stretton to director of Military Intelligence, 2 October 1919, Major R.B. Woodruff to same, 26 January 1920 and MID Memorandum, 25 May 1921, all in MID, 10541-268; and interrogation of Witzke, 16-18 September 1919, Volume II, Exhibit 24, MCC, United States and Germany, Federal Records Center, E. Pt., Ga.
- ^{151.} German Embassy Memorandum to the Department of State, September 1923, in MID, 10541-268; *The Washington Post*, 21 November 1923; Landau, *op cit.*, pp 183-85. Also see Admiral Sir Reginald Hall and Amos J. Peaslee, *Three Wars With Germany*, G.P. Putnam's Sons, N.Y., 1944, p 110; and Report Number 590, 11 October 1935, MID, 10541-268.
- ^{152.} Colonel Edward Davis to director of Military Intelligence, 18 June and 30 July 1920; Davis to military attaché, Mexico City, Mex., 13 August 1920, all in MID, 10541-367; and Ladislav Farago, *The Game of the Foxes: The Untold Story of German Espionage in the United States and Great Britain During World War II*, David McKay Co. Inc., N.Y. 1971, pp 654-58 and 622. Surprisingly Farago does not mention Jahnke's espionage career during World War I.
- ^{153.} Alvaro Obregón, *Ocho mil kilómetros en campaña*. Third Edition, Fondo de Cultura Económica, Mexico City, Mex., 1960, pp 199 and 207; and Major R.L. Barnes to director of Military Intelligence, 6 November 1918, MID, 9685-129.
- ^{154.} Gleaves file, MID, 10541-546; and Guy L Fake Affidavit, *op cit*.
- ^{155.} See the voluminous Altendorf file, MID, 51-45. The last entry, referring to his activities in Havana is Lieutenant Colonel V.W. Cooper to Major J.C. Schwenck, 5 November 1928.
- ^{156.} Act of October 16, 1918.
- ^{157.} Confidential Memorandum to all Special Agents and Employees, 8/12/19.
- ^{158.} Coben, *A Mitchell Palmer*, New York, Columbia University Press, 1963, pp. 130, 207.
- ^{159.} Coben, *op. cit.*, pp. 210, 215-216; see also *Preston's Aliens and Dissenters*, chs, 7-8; Chafee, *Free Speech in the United States*, ch 5.; Robert K. Murray, *Red Scare: A Study in National Hysteria*, Minneapolis, University of Minnesota Press, 1955.
- ^{160.} Preston, *op. cit.*, p. 221.
- ^{161.} Confidential Memorandum, 8/12/19.
- ^{162.} Memorandum from Burke to Caminetti, 11/19/19, cited in Preston, *Aliens and Dissenters*, pp. 216-217.
- ^{163.} Memorandum from Hoover to Caminetti, 12/17/19, cited in Coben, *A. Mitchell Palmer*, p. 223.
- ^{164.} Memorandum from Hoover to Caminetti, 1/22/20, cited in Preston, *op. cit.*, p. 219.
- ^{165.} Memorandum from Hoover to Caminetti, 3/16/20, cited in Preston, p. 219.
- ^{166.} Memorandum from Hoover to Caminetti, 2/2/20; 4/6/20, cited in Preston, p. 224.
- ^{167.} Preston, *op. cit.*, p. 222.
- ^{168.} Memorandum from Hoover to Caminetti, 3/16/20, cited in Preston, p. 223.
- ^{169.} Preston, *op. cit.*, pp. 223-224; see Louis F. Post, *The Deportations Delirium of Nineteen-Twenty*, Chicago, Kerr, 1923.

CI Between The War End Notes

1. Japanese.
2. Memorandum from Chief, MI4 to G-2 Exec., 28 July 1923.
3. Federal troops were dispatched to West Virginia during both 1920 and 1921, for the purpose of preserving order in coal mining districts. See: S. Doc., 263, 67th Cong., 2d sess., "Federal Aid in Domestic Disturbances 1903-1922," 18 September 1922.
4. Lecture delivered by Director of Military Intelligence at Conference of Department and Division Commanders," 12 January 1920, quoted in MID 10560-367-4.
5. Letter, Acting Director, MID to Department of Justice, 11 August 1920.
6. "Political Spy System in U.S.," *New York Call*, 16 August 1920.
7. See MID 10560-272, 30 June 1921.
8. See MID 10560-60, 28 January 1920, and Memorandum 1st. Lt. G.L. Harding for Gen. Churchill, 13 March 1920.
9. Memorandum from Chief, MI4 for Gen. Churchill, 23 March 1920.
10. See Files 62-375-13X, 15 and 22, dated respectively 4, 18, and 20 January 1921. Records of the FBI. Department of Justice.
11. File 62-375-15, 18 January 1921. Records of the FBI.
12. Letter, TAG to Third Corps Area, 9 June 1922, AG 322.999 (3-26-21).
13. See "Emergency Plan White, War Department Basic 1940." File 382 Reg. No. 53. DRB, TAG.
14. Letter, TAG to Corps Area Commanders, 6 December 1922, AG 322.999 (3-26-21).
15. MID 271-A-9-117, 16 October 1922.
16. *Ibid.*
17. MID 271-A-9-58, 16 January 1923; MID 271-A-69, 30 June 1923.
18. Memorandum, Assistant Chief of Staff G-2 for TAG, 30 January 1923. Lt. Long eventually received an official reprimand for his part in this affair.
19. Memorandum, Assistant Chief of Staff G-2 for TAG, 19 February 1923.
20. Letter, CG Ninth Corps Area to CO's all Posts, Camps and Stations, 20 December 1922.
21. MID 2710A-9-209, incl. 4, 12 March 1923.
22. Letter from Assistant Chief of Staff G-2 Hawaiian Department to Assistant Chief of Staff G-2, War Department General Staff, 16 February 1924.
23. Letter G-2 Executive to Assistant Chief of Staff G-2 Hawaiian Department, 6 March 1924.
24. MID 10560-731, 8 September 1924.
25. Memorandum, Acting Assistant Chief of Staff G-2 for Chief of Staff, 8 March 1924.
26. Col. Reeves had succeeded Col. (later Brig. Gen.) W.K. Naylor as Assistant Chief of Staff G-2, effective 1 July 1924. He continued to serve in that capacity until 1 May 1927, when he was relieved by Brig. Gen. (later Maj. Gen.) Stanley Ford.
27. Memorandum, Acting Assistant Chief of Staff G-2 for Chief of Staff, 2 April 1925.
28. MID 248-20-372, 383, and 392.
29. Gen. Smith served as Assistant Chief of Staff G-2 at the War Department General Staff from 3 January 1931 to 25 May 1933. His successor was Brig. Gen. (later Maj. Gen.) Harry S. Knight, who served from 22 December 1934 to 25 November 1935.
30. Memorandum, Assistant Chief of Staff G-2 for Chief of Staff, 19 February 1931.

31. Memorandum, Assistant Chief of Staff for Chief of Staff, 9 June 1932.
32. See Benjamin Gitlow, *The Whole of Their Lives*, New York, 1948, pp. 226-30; *Congressional Record*, 31 August 1949, pp. 12529-32. The latter document contains conclusive statements on this subject made to Howard Rushmore of the New York *Journal-American* by bonus marcher John T. Pace, self-admitted Communist leader of the BEF.
33. Superintendent of the Metropolitan Police Department, D.C. during the initial bonus march was Brig. Gen. Pelham D. Glassford, USA-Ret, USMA Class of 1904.
34. Letter, Special Agent M.H. Purvus, Chicago, Illinois, to Director, Division of Investigation, 28 May 1932.
35. It should be recalled that this first BEF march on Washington was actually the forerunner of several other marches of the same general nature. While some of the later marches did turn out to be of major concern to the MID officials, the BEF affair was by far the largest and the only one requiring the use of Federal troops for eviction purposes.
36. Letter, CG First Corps Area to TAG, 6 January 1938; Memorandum, Assistant Chief of Staff G-2 for Chief of Staff, 5 April 1938.
37. Letter, G-2 Exec to Assistant Chief of Staff G-2 Ninth Corps Area, 21 August 1934.
38. Memorandum, Ch Opns Br to G-2 Exec, June 1936.
39. Letter TAG to CG Panama Canal Department, 12 March 1934.
40. OCS Memorandum dated 2 August 1935. Maj. Taylor had been in charge of the original counterintelligence group formed in MID during World War I to investigate War Department civilian employees. Following his demobilization, he had served in the New York City Police Department and retired as a police captain.
41. Memorandum, Assistant Chief of Staff G-2 for Chief of Staff, 8 June 1938. Responsibility for espionage planning was transferred from the Counterintelligence Branch to the Intelligence Branch in May 1941.
42. These censorship instructions were derived mainly from an AEF booklet that had been published in 1918. See *History of Military Censorship*, CSGID 314.7, 30 October 1942.
43. Letter, Brig. Gen. John T. Bissell, USA-Ret, to OCMH, 16 July 1954.
44. Memorandum, Assistant Chief of Staff G-2 for Chief of Staff, 1 December 1939.
45. MID 383.4, CFCP, 6 October 1940.
46. Memorandum, Assistant Chief of Staff G-2 for Chief of Staff, 28 August 1941. Twelve copies of this plan were also sent to the Director of Naval Intelligence for distribution to the 12 Naval Districts organized within the continental limits of the United States.
47. Letter J. E. Hoover to John J. McCloy, 16 November 1940; Ralph Budd to SW, 12 September 1940.
48. White House Memorandum to Cabinet members, 17 March 1941.
49. Following the outbreak of war in Europe, President Roosevelt first proclaimed a national emergency with certain specified limits, on 8 September 1939, and then, on 27 May 1941, declared that the Nation was confronted with an "unlimited national emergency." See *Federal Register*, IV, (July-Sept 1939), p. 3851 and VI (May 1941), p. 2617.
50. Alpheus Thomas Mason, *Harlan Fiske Stone: Pillar of the Law*, New York, Viking, 1956, pp. 149-151.
51. Memorandum from Attorney General Stone to J. Edgar Hoover, 5/13/24, cited in Mason, *op. cit.*, p. 151.
52. Mason, *op. cit.*, pp. 150-152; Donald Johnson, *The Challenge to American Freedoms: World War I and the Rise of the American Civil Liberties Union*, University of Kentucky Press, 1963, p. 174.
53. Mason, *op. cit.*, p. 113. See charges of Illegal Practices of the Justice Department, Hearings before the Senate Committee on the Judiciary, 66th Cong. 3rd Sess, (1921).
54. Johnson, *The Challenge to American Freedoms*, pp. 174-175.
55. *Baldwin v. Franks*, 120 U.S. 678.
56. Memorandum from Earl J. Davis to the Attorney General, 6/10/24, cited in Preston, *op. cit.*, pp. 241-242.

57. Memorandum from Roger Baldwin, 8/7/24, cited in Preston, *op. cit.*, p. 243.
58. Memorandum from Hoover to the Attorney General, 12/13/24.
59. Memorandum from Hoover to Ridgeley, 5/14/25.
60. Memorandum from Colonel Reeves, Office of the Chief of Staff, to Hoover, 9/29/25.
61. Memorandum from Hoover to Colonel Reeves, 10/7/25.
62. U.S. Senate Committee on Education and Labor, Industrial Espionage, 75th Cong, 2d Sess. (1937), cited in Jerold Auerbach, *Labor and Liberty: The LaFollette Committee and the New Deal*, Indianapolis, Bobbs-Merrill, 1966, p. 98.
63. Jensen, *Military Surveillance*, pp. 23-24.
64. Memorandum of telephone call between J. Edgar Hoover and Congressman Fish, January 19, 1931.
65. Memorandum from Hoover to the Attorney General, 1/2/32.
66. Memorandum from Hoover to Field Offices, 9/5/36.
67. Memorandum from E.A. Tamm to Hoover, 8/28/36.
68. Hoover memorandum, 8/24/36.
69. Memorandum from Hoover to Tamm, 9/10/36.
70. Letter from Cummings to the President, 10/20/38.
71. 28 U.S.C. 533(3).
72. Hoover memorandum, enclosed with letter from Cummings to the President, 10/20/38.
73. Hoover memorandum, enclosed with letter from Cummings to the President, 10/20/38.
74. Hoover memorandum, enclosed with letter from Cummings to the President, 10/20/38.
75. Confidential memorandum, by J. Edgar Hoover, 11/7/38.
76. Hoover memorandum, enclosed with letter from Cummings to the President, 10/20/38.
77. Letter from Cummings to the President, 10/20/38.
78. On 2/7/39, the Assistant to the Attorney General wrote letters to the Secret Service, the Bureau of Internal revenue, the Narcotics Bureau, the Customs Service, the Coast Guard, and the Postal Inspection service stating that the FBI and military intelligence had “undertaken activities to investigate matters relating to espionage and subversive activities.” (Letter from J. B. Keenan, Assistant to the Attorney General, to F. J. Wilson, Chief, Secret Service, 2/7/39.) a letter from attorney General Murphy to the Secretary of the Treasury shortly thereafter also referred to “subversive activities.” (Letter from Attorney General Murphy to the Secretary of the Treasury, 2/16/39.) However, a similar letter two days later referred only to matters “involving espionage, counterespionage, and sabotage,” without mentioning “subversive activities.” (Letter from Attorney General Murphy to the Secretary of the Treasury, 2/18/39.) Attorney General Murphy had abandoned this reference, although there is no record of any reasons for doing so.
79. Memorandum from J. Edgar Hoover to Attorney General Murphy, 3/16/39.
80. Memorandum from Hoover to Murphy, 3/16/39.
81. Memorandum from J. Edgar Hoover to Alexander Holtzoff, Special Assistant to the Attorney General, 1/18/39.
82. Memorandum from Hoover to Murphy, 3/16/39.
83. Memorandum from Hoover to the Acting Assistant to the Attorney General, 5/5/39.
84. Letter of J. B. Keenan, Assistant to the Attorney General, 2/7/39. (Compare the similar letter from Attorney General Murphy, omitting the term “subversive activities,” at p. 401, note 93.)
85. Memorandum from Hoover to the Attorney General, 3/16/39.
86. Memorandum from E. A. Tamm to Hoover, 5/31/39.
87. Letter from Murphy to the President, 6/17/39.
88. Confidential Memorandum of the President, 6/26/39. President Roosevelt also dictated a separate additional memorandum for Secretary Hull which read, in part,

“This does not mean that the intelligence work of the State Department should cease in any way. It should be carried on as heretofore but the directors of the three agencies should be constantly kept in touch by the State Department with the work it is doing.” (Memorandum from the President to the Secretary of State, 6/26/39.)

89. Hoover memorandum, enclosed with letter from Cummings to the President, 10/20/38.
90. Memorandum from Hoover to the Attorney General, 9/6/39.
91. Letter from Murphy to the President, 9/6/39.
92. E. A. Tamm, Memoranda for the File, 9/6/39, 11:34 a.m., 12:47 p.m., 2:30 p.m., 6:20 p.m. This memorandum indicates Tamm was told that the President’s statement would declare that the FBI was authorized to investigate “subversive activities.” There is no explanation for the disparity between this message and the President’s actual statement.
93. Statement of the President, 9/6/39.
94. New York Times, 9/7/39, p. 8, col. 1.
95. New York Times, 10/1/39, p. 38, col. 3.
96. Proclamation, 9/8/39, 54 Stat. 2643.
97. Executive Order No. 8247, 9/8/39, cited in letter from Attorney General Murphy to the President, 9/12/39, Roosevelt Library, Official File 14-b, Box 14.
98. 1939 Public Papers of Franklin D. Roosevelt, pp. 495-496.
99. Confidential memorandum from President Roosevelt to Attorney General Jackson, 5/21/40. In May 1941 the Secretary of War and the Secretary of the Navy urged “a broadening of the investigative responsibility of the Federal Bureau of Investigation in the fields of subversive control of labor.” (Memorandum from the Secretary of War and the Secretary of the Navy to the President, 5/29/41.) The President replied that he was sending their letter to the Attorney General with my General approval. (Memorandum from President Roosevelt to the Secretaries of War and Navy, 6/4/41.) Attorney General Biddle’s response cited investigations under the recently enacted Smith Act. (Memorandum from Attorney General Biddle to the President, 6/23/41.)
100. Attorney General’s Order No. 3732, 9/25/42.
101. Statement of the President on “Police Cooperation,” 1/8/43. A note in the President’s handwriting added that the FBI was to receive information “relating to espionage and related matters.”
102. Memorandum from Attorney General Biddle to Assistant Attorney General Hugh Cox and FBI Director Hoover, 7/16/43.
103. The enclosure is not provided as it did not add anything of CI significance.
104. Memorandum from Hoover to Field Offices, 9/2/39.
105. Memorandum from Clyde Tolson to Hoover, 10/30/39.
106. Memorandum for E. A. Tamm, 11/9/39.
107. Memorandum from Hoover to Field Offices, 12/6/39.
108. Memorandum for E. A. Tamm, 12/2/39.
109. Memorandum from Hoover to Field Offices, 6/15/40.
110. Memorandum for the Director, 8/19/40.
111. Memorandum from Hoover to M. F. McGuire, the Assistant to the Attorney General, 8/21/40.
112. *Proceedings of the Federal-State Conference on Law Enforcement Problems of National Defense*, 8/5-6/40.
113. Letter from Attorney General Cummings to the President (and enclosure), 1/30/37. (FDR Library.)
114. Letter from Attorney general Cummings to the President (and enclosure), 8/13/37. (FDR Library.)
115. Report of New York City Field Office, 10/22/41, summarized in Justice Department memorandum from s. Brodie to Assistant Attorney General Quinn, 10/10/47.
116. Report of Chicago Field Office, 12/29/44, summarized in Justice Department memorandum from S. Brodie to Assistant Attorney General Quinn, 10/9/47.
117. Justice Department memorandum re Christian Front, 10/28/41.

- ¹¹⁸. Report of New York City Field Office, 9/7/45, summarized in Justice Department memorandum from s. Brodie to Assistant Attorney general Quinn, 10/9/47.
- ¹¹⁹. Report of Washington, D.C. Field Office, 3/11/41.
- ¹²⁰. Report of Oklahoma City Field Office, 9/19/41.
- ¹²¹. Report of Los Angeles field Office, 7/27/42; report of Norfolk, Virginia Field Office, 4/18/42.
- ¹²². Report of Louisville, Kentucky Field Office, 2/13/43.
- ¹²³. Report of Savannah, Georgia Field Office, 9/9/43.
- ¹²⁴. Report of Oklahoma City Field Office, 10/29/43.
- ¹²⁵. Report of Chicago Field Office, 11/24/43.
- ¹²⁶. Report of Detroit Field Office, 1/15/44.
- ¹²⁷. Report of Detroit Field Office, 1/15/44.
- ¹²⁸. Whithead, *The FBI Story*, p. 329.