U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

November 9, 2001

MICHAEL SOL ESQ
101 EAST BROADWAY #300
MISSOULA, MT 59802

Subject: LOWENTHAL, MAX

FOIPA No. 0944891- 001 /190-

Dear Requester:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Section 552		Section 552a
☒(b)(1)	☐(b)(7)(A)	☐(d)(5)
☒(b)(2)	☐(b)(7)(B)	☐(j)(2)
☒(b)(3) Rule 6 (e) F.R.C.P.	☒(b)(7)(C)	☐(k)(1)
	☒(b)(7)(D)	☐(k)(2)
	☒(b)(7)(E)	☐(k)(3)
	☐(b)(7)(F)	☐(k)(4)
☐(b)(4)	☐(b)(8)	☐(k)(5)
☐(b)(5)	☐(b)(9)	☐(k)(6)
☒(b)(6)		☐(k)(7)

2815 preprocessed pages are enclosed. To expedite requests, preprocessed packages are released the same way they were originally processed. Documents or information originating with other Government agencies were not referred to those agencies as part of this release.

☒ You have the right to appeal any denials. Appeals should be directed in writing to the Co-Director, Office of Information and Privacy, U.S. Department of Justice, Flag Building, Suite 570, Washington, D.C. 20530-0001 within sixty days from receipt of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request that it may be easily identified.

FEDERAL BUREAU OF INVESTIGATION

FREEDOM OF INFORMATION/PRIVACY ACTS SECTION

COVER SHEET

SUBJECT: Max Lowenthal

Part 1 of 7

CT [redacted]

b7C

July 3, 1931.

Mr. Max Lowenthal,
New Milford, Connecticut.

102798

Dear Mr. Lowenthal:

2-21247

The records of the Bureau of Investigation indicate that Manuals of Rules and Regulations Nos. 71, 72 and 73 and Manual of Instructions No. 427, issued by the Bureau, were furnished to you on August 6, 1929 for the use of the National Commission on Law Observance and Enforcement.

I will appreciate it if these Manuals can be returned in order that the records of the Bureau may be correct accordingly.

Sincerely yours,

Director.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/25/92 BY 8123 [redacted]

RECORDED & INDEXED

b7C

7 [redacted]

BUREAU FILES DIVISION
MAILED
JUL 3 1931

62-25733-1
BUREAU OF INVESTIGATION
JUL 10 1931 A.M.
DEPARTMENT OF JUSTICE
FILE

CT: [redacted]
~~62-25733-2~~ 670 August 10, 1931.

102796

Mr. Max Lowenthal,
New Milford, Connecticut.

Dear Mr. Lowenthal:

On July 9, 1931, I addressed a communication to you with respect to Bureau of Investigation Manuals of Rules and Regulations, #71, #72 and #73 and Manual of Instructions #427, which were furnished to you on August 6, 1929, for the use of the National Commission on Law Observance and Enforcement.

Will you kindly advise me whether these Manuals are in your possession. If so, it will be appreciated if they can be returned in order that the Bureau's records may be amended accordingly.

Sincerely yours,

Director.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/25/92 BY 812 [redacted]

62

670

62-25733-2

AUG 12

DEPARTMENT OF JUSTICE

FILE

BUREAU FILES DIVISION
MAILED
AUG 10 1931
P. M.
DEPT. OF JUSTICE

PROPERTY C

Name Mr. Lowenthal

Title

DATE ISSUED	ARTICLE	DATE RETURNED	NAME OF PERSON RECEIVING
8-6-29	Manuals of Rules and Reg. #71,#72,#73.		
" " "	Manual of Instructions #427		
			102797

File

[redacted]

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NOT RECORDED

ALL INFORMATION CONTAINED
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DATE 3/28/92 BY 8123 [redacted] b7C

U. S. GOVERNMENT PRINTING OFFICE 1936 140453

62-25733

New Milford, Conn.

AUG 28 1931

August 17, 1931

62-25733-3

J.Edgar Hoover, Esq.,
Department of Justice,
Washington, D.C.

AUG 19 1931 AM

Dear Mr. Hoover:

Answer to your inquiries with respect to Rules and Manual has been delayed by reason of frequent absences and my desire to find the pamphlets to which you refer. I have looked through my shelves here without success, and shall do the same at my apartment in New York when I return there. I do not remember receiving any papers to which you refer since I left Washington in June of 1930, and wonder whether they were sent to me here; if they were sent to the Commission in Washington, I assume they were retained there, and if sent here, I may have automatically forwarded them. However, I cannot say that any of these things was done, as I have no present recollection ; and if I do not find the papers in New York, I shall rummage about here again.

Very truly yours,

Max Lowenthal

62-25733

MAX LOWENTHAL
Second Hill
NEW MILFORD, CONN.

NEW MILFORD, CONN. AUG 16 1931

UNITED STATES POSTAGE 2 CENTS

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DATE 3/2/92 BY [redacted] b7C

J.Edgar Hoover, Esq.,
Bureau of Investigation,
Department of Justice,
Washington, D.C.

4-750 (Rev. 12-14-88)

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

186 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552		Section 552a
☐ (b)(1)	☐ (b)(7)(A)	☐ (d)(5)
☐ (b)(2)	☐ (b)(7)(B)	☐ (j)(2)
☐ (b)(3)	☑ (b)(7)(C)	☐ (k)(1)
_____	☑ (b)(7)(D)	☐ (k)(2)
_____	☐ (b)(7)(E)	☐ (k)(3)
_____	☐ (b)(7)(F)	☐ (k)(4)
☐ (b)(4)	☐ (b)(8)	☐ (k)(5)
☐ (b)(5)	☐ (b)(9)	☐ (k)(6)
☐ (b)(6)		☐ (k)(7)

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

_____ Page(s) withheld for the following reason(s): _____

☐ For your information: _____

☑ The following number is to be used for reference regarding these pages:

62-25733-4

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X DELETED PAGE(S) X
X NO DUPLICATION FEE X
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FBI/DOJ

"...While the work of the General Intelligence Division was at first confined solely to the investigation of the ultraradical movement, it has now expanded to cover more general intelligence work, including not only ultraradical activities but also to the study of matters of an international nature, as well as economic and industrial disturbances incident thereto." (Pages 172 ff).

(4) Card indexes of radicals, etc.

Just as the F.B.I. is now engaged in making up lists and indices of persons subject to present and future investigation to "identify individuals or groups who might be a source of grave danger to the security of this country, their backgrounds and activities", arranging its extensive indexes both alphabetically and geographically, so in the period 1919 to 1924 the F.B.I. gave a good deal of time to making up indexes and collections of material for somewhat similar use. The following is from the Attorney General's Annual Report for 1920:

"In order that the information which was obtained upon the ultraradical movements might be easily accessible for use by the persons charged with a supervision of these investigations and prosecutions, there has been established as a part of this division a card-index system, numbering over 200,000 cards, giving detailed data not only upon individual agitators connected with the ultraradical movement, but also upon organizations, associations, societies, publications, and special conditions existing in certain localities. This card index makes it possible to determine and ascertain within a few moments the numerous ramifi-

cations of individuals connected with the ultraradical movement and their activities in the United States, thus facilitating the investigation considerably.

....

"The work of the General Intelligence Division necessitates a large amount of research and the study of the various ultraradical movements theoretically and historically, as the Department is called upon from time to time to supply information on theoretical and historical points as well as evidence in individual cases. The nucleus for an excellent working library has been procured and at the present time consists of works in practically all of the European and several Asiatic languages, many of which have been translated in the office.

"Biographies are prepared of all authors, publishers, editors, etc., showing any connection with an ultraradical body or movement. Stenographic reports of speeches made by individuals prominent in the various movements are properly filed and together with articles in any one of the newspapers or publications referred to above are digested or briefed and made available for immediate reference. *** The publication section receives regularly a score of daily newspapers and various periodicals, current magazines, nationalistic, racial, etc., from which is culled information of importance." (Pages 172-173).

The Attorney General's Report for 1921 shows how the collection of these indexes and gathering of material about individuals' backgrounds had greatly increased.

"The General Intelligence Division of the Bureau of Investigation has been engaged in the collection, examination, and assimilation of all information received from the field force or from other sources. A particular study has been made of the various problems involving the theory and history of the various movements or groups engaged in activities within the United States which may possibly involve a violation of the federal laws. These activities include those of propaganda agents of foreign groups as well as individuals and of ultraradical and related groups. In conjunction with the General Intelligence Division there are maintained index cards numbering approximately 450,000 covering both activities and subjects and, in addition, there have been collected many exhibits, photographs, and descriptions of persons engaged in activities against the government of the United States or in violation of the federal statutes. It is hoped that this will be a valuable nucleus which will later be included in the Central Bureau of Identification in Washington. During the fiscal year last ended, approximately 1,500 photos were added to the identification section. The constitutions, programs, and platforms of practically all of the extreme ultraradical groups are comprehended in the collection of pamphlets and books in the General Intelligence Division Library." (Page 129)

(5) Aliens as Propaganda.

The F.B.I. has been giving considerable of its attention to aliens in the current drive. There is an historic parallel for such activities

in the 1919-1924 period. The following is quoted from the Attorney General's Annual Report for 1920:

"The results of the investigation made by this Department into the ultraradical movement during the course of the last year has clearly indicated that fully 90 percent of the Communist and Anarchist agitation is traceable to aliens. This agitation has not been confined to so-called 'economic ills' but has also been directed toward racial prejudice, one of the favorite fields being among the Negroes.... (Pages 172-179)

Just as the General Intelligence Division is now concerned with foreign propaganda so it was concerned with investigating this area of activity in the period following the World War. The following is from the Attorney General's Annual Report for 1921:

"During the past fiscal year the activities of foreign propaganda in the United States has been particularly noticeable and careful attention has been given to this pernicious form of work within our country. It is impossible to accurately estimate the vast amount of money spent in the United States by foreign agents engaged in exploiting the American people and in creating interest in a support for movements and schemes entirely foreign to the interests of the American people." (Pages 129-130.)

In this connection, there is an illustration of the F.B.I.'s copying of the procedures and techniques of the 1919-1924 period. Mr. Hoover, testifying before the House Appropriations subcommittee in January 1940, told of the "Translation Section" he had organized "to keep in touch with any

subversive foreign-language communications, documents or papers obtained by us in the course of our investigations". (Hearings on Department of Justice Appropriation bill for 1941, page 153.) He had organized a Translation Section for similar purposes in the period of the Palmer-Burns raids.

(6) Investigation of organizations and persons, not by reason of any violation of law on their part, but because of the economic or political views motivating their activities.

Many of the current investigations relate to non-criminal matters altogether. The same was true in the earlier period illustrated by the following quotation from the Attorney General's Annual Report for 1920:

> "Incident to the work of the General Intelligence Division during the last year, a careful study of the activities and tactics of the Industrial Workers of the World has been undertaken. The publications of this organization have been carefully scrutinized. At the present time there is no Federal criminal law under which members of this organization can be proceeded against, and under the rulings of the Department of Labor alien members of this organization can not be deported merely for membership therein." (Pages 17--179)

Similarly in the Attorney General's Annual Report for 1921 the following passage illustrates the interest of the F.B.I. in non-criminal matters:

> "The activities of the federal government are by law limited, in so far as action against ultraradicals is concerned to aliens. The federal statutes unfortunately are not sufficiently broad enough to permit prosecution of American

citizens engaged in activity tending for the overthrow of the government of the United States by force and violence." (Pages 129-130)

However, in the report for the year 1924 the following ~~pugg~~ passage appears:

"Investigations conducted by this Bureau are confined exclusively to possible violations of the Federal statutes and such administrative matters as clearly are incidental to the administration of the Department of Justice." (Page)

Mr. Hoover who had been in charge of the "General Intelligence Division" from 1919 onwards, was made acting director of the F.B.I. on June 15, 1924. He was of course in charge of the F.B.I. when the Attorney General's Report for the year ending June 30, 1924 was written - since such reports are written in the latter half of the calendar year. However, the important change in the Department with respect to the class of activities in which the F.B.I. inquired was due to the appointment of Harlan F. Stone as Attorney General.

The fact that during the current period the F.B.I. is studying actions which are not violations of the law was in effect admitted by Attorney General Murphy in an interview in Washington on November 2, 1939. The New York Times reported:

"There are many cases of subversive activities which do not seem to be violations of the law, he said, but those persons are being watched carefully."
(New York Times November 3, 1939).

(7) **Raids.**

The raids conducted by the F.B.I. in recent weeks do not, of course, hold a candle to the raids conducted in the earlier period but in one respect the two are much the same - both involved gross improprieties as well as unlawful actions by F.B.I. agents. What may develop in this country if the activities of the F.B.I. in this area continue is illustrated by the following quotation from the Annual Report of the Attorney General for 1920:

> "On January 2, 1920, the leaders of the Communist movements in the United States were taken into custody simultaneously in 33 towns and approximately 2,000 arrests were made. *** Coincident with the activity of the federal government, many of the States

commenced prosecutions not only against alien members of the communist organizations, but also against American citizens who belonged to these organizations. The Department of Justice has assisted in such prosecutions, wherever the same has been ~~based upon evidence obtained~~ possible and the convictions obtained in several of the states have been based upon evidence obtained by the Department of Justice.**** (Pages 172-179)

IX. <u>The difficulty should be solved before there is an accumulation of improprieties, illegalities and discredit.</u>

In the period of the Palmer raids and the William J. Burns direction of the F.B.I., impropriety followed impropriety, illegality was added to illegality, criticism of the Bureau mounted higher and higher before Attorney General Stone, on taking office, put an end to an intolerable state of affairs. The experience of those years makes clear the necessity for avoiding a repetition. Even if there had been no impropriety or illegality, or justified public criticisms since the F.B.I. undertook the investigation of so-called subversive activities and activities "detrimental to the internal security", it would be desirable to bring to an end this branch of the F.B.I.'s present work. But as earlier indicated, there have already been a number of known examples of improprieties and illegalities and there has already been a constantly increasing body of criticism of the F.B.I. Remedial action should no longer be delayed.

HN: ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9-26-85 BY [redacted]

March 26, 1940

#2411,183

COMMENTS UPON MISCELLANEOUS CRITICISMS ENTITLED "THE INVESTIGATIVE WORK OF THE FEDERAL BUREAU OF INVESTIGATION WITH REFERENCE TO ACTIVITIES BASED UPON ECONOMIC OR POLITICAL VIEWS OR OPINIONS".

It is intended that the following comments will cover each and every char allegation, insinuation, innuendo, expressed or implied, in the brief or collectio of material entitled as above. In view of the rambling, disjointed character of t material in question, it will be necessary to deal with these criticisms with the same lack of logical arrangement as appears in the original brief.

On page 1 the statement is made

> "Beginning early in September, 1939, the Federal Bureau of Investigation issued public statements to the press and others indicating that the Bureau was undertaking to conduct investigations with reference to subversive activities, activities possibly detrimental to the internal security of the United States, and sabotage."

In order that the source and the reason for the issuance of this statement may be recalled, more particularly the fact that it was based upon a formal statement issued by the President of the United States, the communication addressed to all law enforcement officials on September 6, 1939 is here recorded:

"TO ALL LAW ENFORCEMENT OFFICIALS:

For your information, the following formal statement was today issued by the President of the United States:

'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.

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Hendon
Mr. McIntyre
Mr. Nichols
Mr. Pennington
Mr. Rosen
Mr. Quinn Tamm
Mrs. Files
Files
Room
Body
Body

62-25733-4

'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 laws.'

I am bringing this statement to your attention in order that if you have not already been advised of the President's desires in the handling of cases of the type above enumerated, you may be informed concerning the Federal Government's program. I am confident that you will cooperate in this matter by immediately notifying the nearest representative of the Federal Bureau of Investigation of any information received relating to cases in the above classifications."

It is assumed that compliance with Presidential instructions is not to be considered an improper action.

The following is quoted:

"Even before this time, as shown by the Annual Report of the Bureau for the year ending June 30, 1939, it had started 'extensive investigations * * * into various alleged subversive influences as a result of testimony transmitted to the Department (of Justice) by the Dies Committee'."

Any and all requests of the Dies Committee, transmitted to the Department of Justice and, in turn, transmitted by Departmental officials to the FBI, with instructions that investigative activity be conducted, of course met with proper and full compliance. Such instructions, however, involved allegations or charges reflecting actual or potential violations of existing Federal statutes. It should be definitely understood at this time, and it will probably be necessary to again state and reiterate, that in investigative activity of this kind the FBI only

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Egan
Mr. Harbo
Mr. Nichols

proceeds upon specific individual Departmental instructions. It cannot and does not function investigatively upon its own initiative in this type of work or in any type of activity involving any possibility of doubt as to the propriety of procedure or the applicability of existing Federal statutes to the allegations or charges received.

The following is quoted:

> "Indeed there is evidence that more than a year before September, 1939 * * * 'agents of the Federal Bureau of Investigation have been receiving intensive secret training in the technique of uncovering espionage, sabotage and subversive activities'."

The statement, in so far as it refers to intensive secret training, is false. The FBI gives regularly to all of its employees instruction reflecting any new improved modes or methods of investigative technique that may have been evolved, and particularly do its retraining courses apply to investigative technique made necessary by any changes or variations in the types of cases received for investigation. During the period referred to there was a definitely rising tide of complaints and charges reflecting possible "espionage, sabotage and subversive activities". Espionage and sabotage are crimes specifically punishable under existing Federal statutes (Espionage - Sections 31 through 36, Title 50, United States Code; Sabotage - Section 82, Title 18, United States Code, Section 502, Title 18, United States Code, Section 381, Title 18, United States Code, and Section 96, Title 18, United States Code). There are other statutes applicable in time of war. Those mentioned are applicable at all times.

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Lad
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Hendon
Mr. McGuire
Mr. Nichols
Mr. Pennington
Mr. Rosen
Mr. Quinn Tamm
Pers. Files
Adm. Files
Tour Room
Mr. Tracy
Miss Gandy

With regard to "subversive activities", inasmuch as the animus of the "charges" appears to be centered thereon, it may be mentioned that under this heading is covered investigative activity directed at violations of existing Federal statutes, such as violations of existing passport laws and regulations. This, in passing, it may be noted resulted in convictions of such individuals as Earl Browder and his associates. These are known in the FBI and continually referred to as "subversive activities". Under this heading are also comprised violations of the Neutrality Act. There were during the period in question a considerable number of allegations of violations of this type. Some convictions were secured. Further with regard to the Pecksniffian horror expressed by critics of "subversive activity", these activities are clearly reflected in such violations of law as those committed by the individuals indicted and awaiting trial in what are known as "The Christian Front" cases. Specific, definite plans and conspiracies involving the overthrow of the government, or of existing phases of governmental procedures, or attacks upon government buildings or property, or attacks upon individuals pursuant to plans for violently overthrowing the government, are looked upon and referred to in the FBI as "subversive activities". "Subversive activities", so far as the FBI is concerned, are also comprised in violations of an act requiring propaganda agents, as well as certain other types, of foreign agents, to register with the Secretary of State. For the sake of clarity, alleged violations of this act have covered members not only of the Communist Party, but also of the Nazi Bund.

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It should be reiterated and definitely understood that the activities of the FBI along these "subversive activities" lines have been pursued upon the specific, individual authorizations of Departmental officials, to whom these charges have been referred and to whom individual investigative reports have been transmitted, and who have authorized prosecution in these cases warranting such action by appropriate Departmental officials in all parts of the country.

Reverting again to "intensive secret training" and again denying that any training of this kind was either intensive or secret, it can be stated that during the period to which reference has been made training has been afforded Special Agents of the FBI reflecting the receipt of these types of allegations, the statutes providing penalties therefor, and the policies to be pursued and investigative technique adopted in the handling of these cases investigatively, so far as they might in any manner involve instructions considered necessary to impart.

The following is quoted:

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Gavin
Mr. Harbo
Mr. Lester
Mr. Nease
Mr. McIntire
Mr. Nichols
Mr. Pennington
Mr. Rosen
Mr. Quinn Tamm
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Mr. Tracy
Miss Gandy

"Statements by Mr. Hoover in the latter part of 1939 and early in 1940 * * * are to the effect that the Bureau has now 'initiated special investigations of persons reported upon as being active in any subversive activity or in movements detrimental to the internal security' and is also investigating 'sabotage'."

It is believed that there may be applied to this allegation or charge, ~~if it is~~ an allegation or charge, the comment expressed in the previous paragraph. ~~There were~~ Special investigations of persons reported upon as being active in ~~Subversive~~ functioning and in movements detrimental to the internal security. ~~There were~~ also investigations of sabotage. Such investigations were conducted

on Departmental authorization into charges and allegations involving specific Federal statutes. Information upon which these investigations were based was received not only from citizens throughout the country, but from the State, War and Navy Departments.

The following is quoted from the brief:

"In September, 1939, the F.B.I. set up what it calls its 'General Intelligence Division'."

This action was taken in conformity with the proclamation of the President, as set out in the foregoing.

The following is quoted:

"Discussing the work of this division * * * Mr. Hoover mentioned the following subjects of investigation by the F.B.I.: espionage, violations of the neutrality regulations, 'sabotage', 'subversive activities', and activities 'detrimental to the internal security'."

"Subversive activities" and "activities detrimental to the internal security" have been referred to in the foregoing. They did involve investigations covering certain activities of the Communist Party and the Nazi Bund and they involved these organizations only as certain reported activities might involve the violations of existing Federal statutes. They were undertaken only upon specific Departmental authority and reports were transmitted to the proper Departmental officials.

The statement made on page 2 of the brief of charges and allegations to the effect that

"only the first two, espionage and violations of neutrality regulations, are covered specifically by criminal provisions of federal statutes"

is untrue. The statement that

"'sabotage' can be construed to cover a much larger area than such crimes"

Mr. Tolson
Mr. Ha
Mr. E. A. Tamm
Mr. Cl
Mr. Ladd
Mr. Co
Mr. Egan
Mr. Gi
Mr. Harbo
Mr. Lester
Mr. Hendon
Mr. McI
Mr. Nichols
Mr. Pennington
Mr. Rosen
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is possibly true, but the FBI has construed sabotage, and will continue to construe it, as applicable only to the crimes specifically referred to in the existing statutes.

The statement made on page 2 to the effect that

> "in any event, wilful destruction of war material and manufacture of defective war material constitute a crime only in time of war"

is speciously fallacious, although technically correct. There is a war-time statute covering sabotage. There is also a statute which might be termed a peace-time statute, or a continuing statute, and it is this latter statute under which the FBI has operated. The tricky, unfair attempt to muddy the waters in the foregoing is obvious. It happens to be a violation of a Federal statute to destroy or damage material under construction for the Army and Navy in peace time, as well as in war time. The statute is probably not available to the amateur legalistic critic.

The statement made on page 2 to the effect that

> "The criminal statutes do not use the words employed by the F.B.I. in describing the other two categories of its 'emergency' investigative work, subversive activities and activities detrimental to the internal security"

is true. Criminal statutes also do not employ other words or the characterizations of other activities which are legal, proper, and of value to the government.

On Page 2 appears a quotation from "The Department of Justice" (by Albert Langeluttig, 1927) to the following effect:

> "The Bureau of Investigation grew out of an annual appropriation for the inspection of judicial officers. The general detection of crime is a relatively recent addition to the duties of the department."

Mr. Tolson
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Miss Gandy

Since 1908, the year in which the FBI was formed, its activities have dealt primarily with the detection of crime in connection with violations of existing Federal statutes.

Page 2a states that

> "For many years the Bureau was concerned solely with the detection and prosecution of crimes against the United States * * * . When the United States entered the World War and thereafter for some years the Bureau also conducted investigations against radicals and concerned itself with strikes."

The beginning of page 3 appears to have no clear relationship to the material on 2a. However, it does refer to a statement made by Attorney General Stone to the effect that

> "a secret police system may become a menace to free government and free institutions * * * it is important that its activities be strictly limited to the performance of those functions for which it was created and that its agents themselves be not above the law or beyond its reach."

This has been the policy followed by the present Director of the FBI since his designation as Director. It may be of interest to note that he was so designated and appointed by the then Attorney General Harlan F. Stone, whose opinion as above quoted. He obviously possessed the confidence of Justice Stone at that time. So far as he is able to judge by constantly reiterated expressions of friendship and esteem, he has possessed it since that time until the present day. The fact that he was appointed Director of the FBI for the purpose of carrying out the views and policies of Justice Stone reflects the opinion of that official that those views and policies could safely be entrusted to his judgment and ability.

Mr. Tolson
Mr. Nat
Mr. E. A. Tamm
Mr. Cle
Mr. Ladd
Mr. Carl
Mr. Egan
Mr. Gis
Mr. Harbo
Mr. Lev
Mr. Hendon
Mr. McI
Mr. Nichols
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The foggy, quasi-thinking of certain critics may be seen in the comment at the bottom of page 3 of the brief of charges to the effect that

> "The present director of the F.B.I. submitted a memorandum in 1924 to Assistant Attorney General Donovan which recognized the impropriety of any inquiry by the F.B.I. into the activities of communists and radicals."

This is undoubtedly true. It might be pointed out, however, that the present Director of the FBI, did not then or later indicate, nor does he now hold, that the activities of communists and radicals should not be a matter of investigative inquiry when their activities conflict with existing Federal statutes.

Page 4 of the charges states

> "The normal work of the Bureau with respect to detention and prosecution of crimes against the United States was for many years comparatively small in volume * * *. Beginning with 1932 and more markedly in the subsequent years the number of Federal crimes has been greatly increased."

Page 5 further states, along the same lines,

> "The Seventy-Third Congress * * * added more to the provisions of the Federal criminal code than all previous Congresses."

The foregoing is true. The Congress of the United States has seen fit to legislatively place a considerably increased measure of responsibility in the hands of the FBI. It may be assumed that this reflected the confidence of the members of Congress in the FBI to so function. The statistics reflecting the attainments of the FBI since that time might indicate, even to the critics of the FBI, that this confidence has not been altogether misplaced. The statistics with regard to kidnaping and bank robbery are of particular interest to those who may be judicially inclined to judge efficiency by actual results attained.

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On page 6, under the heading "The nature of the new investigative work of the F.B.I. into activities which are subversive or possibly detrimental to the internal security", it is stated that

> "The Federal statutes do not specify as federal crimes activities which are 'subversive' or 'possibly detrimental to the internal security'."

Previous reference has been made to the work of the FBI along these lines. The mere fact that the wording of certain Federal statutes does not include the word "subversive" does not, it is submitted, reflect that certain actions referred to as "subversive" may not be violations of existing Federal statutes. They have been in many instances and as such have received the investigative attention of the FBI. No person has been investigated by the representatives of the FBI, during the period of the incumbency of the present Director, for political opinions or for any activity other than that involving a possible violation of existing statutes.

Page 7 of the brief of charges commences a rather clumsy effort to attribut to the Director of the FBI views as to subversive activities, based upon quotations from a speech made by him in which he attacked those who have made a mockery of law enforcement by their efforts to break down its legitimate functioning. The particular speech from which the quotation is made referred to the "legal shyster" whose activities have been the subject of reprobation and condemnation not only by the Director of the FBI, but by leading members of the American Bar Association and the highest legal authorities and representatives in the country.

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The statement made on page 8 to the effect that

"In short what some persons interested in penology regard as constructive and patriotic service is in the opinion of Mr. Hoover 'subversive'."

is absurd to the extent that further reference along this line would appear unnecessar No investigative activity of the FBI has been conducted into the activities of penologists or criminologists, or any type of individual functioning, mistakenly or otherwise, along these lines.

Page 8a quotes an article appearing in the Journal of Criminal Law and Criminology, expressing views as to the treatment of criminals differing from the views of the present Director of the FBI. The latter has no apology to make for his views along these lines, which have been publicly expressed so often that it would appear unnecessary to repeat them here. He has been and still is opposed to the perversion of the parole system by uninformed individuals masquerading as criminologists or penologists, or whatever appellation they desire to apply to themselves. It is extremely difficult to see, however, how all the material on pages 8a, 8b, and 8c can in any way involve charges of irregularity or impropriety against the present Director of the FBI or the functioning of that Bureau. The anonymous critic has simply gone out of his way to attack any and all views held b the Director of the FBI. The absurdity of this attack may be inferred by a statement referring to the Director of the FBI to the effect that

"so far as we know he has never worked in the penal branch of criminology".

In other words, in order to know criminals one must see them in prison where, as every practical law enforcement officer knows, those criminals who possess a vest

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of intelligence are on their best behavior. The parole controversy as a whole, however, would seem to have nothing to do with any charges that could be even evolved by the most maliciously inclined individuals against the functioning of the FBI. It would be possible to show more in detail the untenability of the position of those who criticize the Director of the FBI because of his views and opinions upon the parole problem. There does not appear to be any necessity for it at this time and place.

The ridiculous nature of the entire brief, however, may be more particularly gleaned from the wording commencing on page 10, in which the discussion of the parole problem abruptly ceases and references are then made to the National Labor Relations Act, the Public Utility Holding Company bill of 1935, the opinions of the New York Stock Exchange officials, presumably about that period, President Theodore Roosevelt's desire to amend certain sections of the Interstate Commerce Act, et cetera. There are further references to strikes on the same page which are not particularly clear. Presumably the clue to these cryptic utterances appears on page 11 in the following statement:

> "Further, opinions as to what is detrimental to internal security or even subversive (activities) change from day to day and year to year."

It is judged, therefore, that the clear-minded critic who prepared the ramblings in question is either endeavoring to indicate that the present Director of the FBI deems all of the foregoing "subversive activities", or "detrimental to internal security" or that he simply is evolving the not very novel thought that different individuals possess different opinions concerning different problems. It would be insulting the intelligence of any individuals who might read this to enter either a denial or amplification of previous statements made along these lines.

On page 11: it is stated that

"Similarly, persons opposing the views of the President or the Administration * * * might be charged with being engaged in activity detrimental to the internal security",

and inquiry is made

"Which of the two sides on this point would be the subject of proper investigation by the F.B.I.?"

These statements are equally foggy. Again it is to be assumed possibly that the point, if there be a point, in this rambling diatribe, is that the Director of the FBI can at will decide that any and every action, expressed or otherwise, could be made by him the subject of investigative activity as subversive. No comment is deemed necessary.

Page 12 contains the statement

"Mr. Hoover finds a subversive quality in at least some alien theories and isms. For example, * * * ."

and then follow certain quotations from speeches made by the present Director of the FBI. The following are taken as illustrative of the group:

"There should be an insurmountable barrier against certain alien ideas, alien forms of thought, alien forms of government. We have received at the hands of those who have gone before us the principles of liberty, the doctrines that created America and made it great. If we remember these and, primarily, if we exemplify these principles and rules in our daily lives, we need not fear the subversive and destructive effect of forces which today, either subtly or obviously, menace democratic principles and democratic forms of government." * * *

"Both communism and fascism are the antitheses of American belief in liberty and democracy. The attacks of the American Legion and other patriotic organizations upon these twin horrid, spectral growths of an alien soil and an alien spirit are no less heroic and important than the deeds of 1917-1918. There can be no room in this country for these destructive, anarchic, or despotic cults." * * *

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"Instigators of subversive activities against our form of government recruit their army of revolt from the ranks of youth. No boy or girl will be a recruit to subversive activities against our traditions if he or she has been correctly reared and taught by responsible parents."

With regard to the foregoing and similar statements made by the Director of the FBI on numerous occasions, he desires to emphatically assert that these reflect his views. He desires further to state that he believes that these reflect the views of every other American citizen worthy of the name. He believes that he shares these views with all believers in democratic forms of government. It may be inferred from the quoted references that the writer of the diatribe in question believes that the present Director of the FBI is unfit to hold that position because of these views. The opinion of the Director of the FBI is that any person not holding these views would be unfit to hold a position as the head of any law enforcement organization. If it is intended to infer that a person possessing a normal feeling of detestation against activities of the kind specified would attempt to make those feelings govern his actions, rather than the specific laws and statutes covering offenses, all that can be said is that this is untrue and that the functioning of the FBI has been governed entirely by rules and regulations providing that all of its activities must be confined to violations of Federal statutes.

The following is further quoted, from page 12c:

"Some of the very techniques employed by the F.B.I., such as early morning arrests, when people are supposed to be most easily frightened, are foreign techniques. The Gestapo in Germany has developed the method of early morning arrests to its most efficient point."

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The writer of the foregoing is probably about as well versed in his knowledge of Gestapo methods as he is in the techniques employed by the FBI. It is assumed that the foregoing reference to "early morning arrests" is made in connection with the taking into custody of individuals in Detroit and Milwaukee, charged with unlawfully recruiting individuals for service in the Spanish war. The arrests in this case were made at 6 a.m. These arrests were not made at that time for the reason that those arrested might be more easily frightened at that time. As a matter of fact, the type of individuals arrested in this case could obviously not have been frightened by any arrests at that time. The arrests were made then for the reason that it was at that hour, and only at that hour, that any assurance could be had that all of the defendants could be arrested simultaneously. The desirability of making simultaneous arrests in cases involving a number of defendants would appear even obvious to critics of "early morning arrests".

Page 12c also refers to

"secretly investigating persons opposed to the ideas of those in power".

The arrests in this case were made in conformity with law in every respect. The investigations were initiated upon the instructions of two Attorneys General. The investigations were conducted with the full knowledge of Departmental officials and Federal prosecutive authorities in the field. The evidence was presented to a Federal Grand Jury by the United States Attorney having jurisdiction. The Federal Grand Jury returned indictments. Warrants were issued by the court.

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They were placed in the hands of Special Agents of the FBI, who have the power of arrest. The defendants were taken into custody in accordance therewith. It is difficult to think of anything less secret or less pertaining to a "governmental spy system" than the procedure mentioned in the foregoing.

The brief then rather discursively and vaguely goes on to point out that

> "When a police agency undertakes to investigate activities which are subversive or detrimental to internal security it deals with something far different from crime."

The FBI has dealt with these problems only in so far as they have affected existing statutes and the problems confronting the FBI along these or similar lines deal with existing Federal statutes.

The writer of the brief states

> "We are here in the realm of emotion, intensified by ignorance, prejudice, fear and suffering."

Nothing could be further from the truth, so far as the FBI is concerned. It has functioned professionally without prejudice or emotion. Along these lines it might be stated that the Director of the FBI has for a considerable period criticized and spoken vigorously against any practice or policy which would permit the inception or continuance on any scale of emotional methods, or vigilante activities, in dealing with conditions that might be termed emergency conditions. As a definite indication thereof, the following is quoted from an address of the Director of the FBI before the International Association of Chiefs of Police at San Francisco, California, on October 10, 1939:

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"In the wave of patriotism that is rising in the country there lies the danger of over-zealous groups of individuals engaging in acts which are distinctly un-American in method, no matter how patriotic in aim. We need no vigilantes in this situation. The vigilante method is distinctly contrary to American ideals of justice. The Federal Bureau of Investigation has been called upon to investigate all matters relating to espionage, sabotage, and violations of the Neutrality Regulations. In turn the Federal Bureau of Investigation has requested cooperation of all law enforcement officers in the United States.

"This combined attack by Federal and State forces should be sufficient so far as investigation and prosecution are concerned. Beyond the efforts of these law enforcement agencies there is a need, of course, for the individual cooperation of all sincere and earnest Americans. This cooperation should be limited, however, to passing on to the proper officials all questionable facts or rumors which may come one's way. An alert public is the best defense against traitorous or inimical conduct. Let us be realistic and practical, ever alert to the dangers which we know lurk in practically every community in the land, but always calm in our judgment between the real and unreal."

It would be impossible for any of the activities of the FBI to be carried on upon an emotional basis, inasmuch as it is functioning, as has been previously said, entirely under Departmental instructions. Its investigative activities are reflected in written reports. These written reports are placed in the hands of appropriate Departmental and prosecutive officials, and there could not possibly be any irresponsible or emotional functioning that would not be fully known to all of the regularly designated officials and agencies of the government. The entire argument at this point in the brief is based upon some vague, ignorant theory that the FBI, or the head of the FBI, can act independently of Departmental officials, rules and policies, or independently of governmental legally designated prosecutive officials in the field, or independently of the courts. To believe that this is in any manner true is to be so ignorant of existing procedure as to render the possibility of enlightenment extremely doubtful.

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The following is quoted from page 13:

"In the earlier years of the last decade, when the Federal Bureau of Investigation was giving its time to the investigation of such matters, it investigated persons because they were radical, it investigated strikes and it investigated the organization of labor. When the American Civil Liberties Union in May, 1924, issued its attack on the F.B.I.'s policy of conducting such work, reference was made specifically to the attention given by the F.B.I. to the steel and coal strikes in 1919, to the switchmen's strike of 1920, the coal strike of 1922 and the railroad shopmen's strike of 1922."

During the period to which reference is made the present Director of the FBI did not hold his present position. He was not at that time in any manner responsible for the work of the FBI. If the activities referred to and quoted in the foregoing were incorrect, improper or unlawful, this situation existed with the knowledge of the officials of the Department of Justice having appropriate jurisdiction, because these activities were specifically ordered and definitely supervised by them. It is not believed that these assertions are in any manner germane to any current point of discussion. The present Director of the FBI will accept responsibility for any and all actions on his part while he has been the directive head of the FBI. He will not, and it is unfair to expect him to, assume any measure of responsibility for the actions, good or bad, lawful or unlawful, proper or improper, of those who preceded him as the directing heads of the FBI. It might be pointed out, however, and it does bear directly upon existing conditions, that the FBI must perforce function investigatively along the lines set forth by the Departmental officials and in accordance with policies specifically enunciated by them.

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The following quotation from page 14 may throw light upon these conditions:

"On this point a passage in the Annual Report of the Attorney General for 1923 is of interest. The report says: 'Whenever there have been national strikes affecting key industries, the bureau has been called upon to keep Government officials fully informed of the progress of the same and of such acts of violence as are committed during the strikes. In the railroad strike of 1922 the activities of over 2,000 individuals were investigated, resulting in the arrest of more than 1,200 who were charged with violation of the Federal (Judge Wilkerson) injunction. Upon these investigations a large number of successful prosecutions were instituted.'"

It will be noted from the foregoing that the material quoted by the author or authors of the brief of criticism states "the bureau has been called upon to keep Government officials fully informed". The very language of this Annual Report of the Attorney General clearly indicates that the bureau functioned at that time upon instructions issued to it. It is still so governed.

There follow on pages 14 and 15 of the brief references to the alleged functioning of the Department of Justice, and of the Federal Bureau of Investigation of the Department of Justice, in the steel strike of 1919 and the coal strike of the same year. The complete absence of responsibility of the present Director of the FBI for any activities of that kind, good or bad, has been previously set forth and need not be here repeated.

Page 16 refers to testimony of former Director William J. Burns of the FBI before a Subcommittee of the House Appropriations Committee in 1924. The fact that he is stated in the brief to have been Director of the FBI at that time would seem to fully absolve the present Director of the FBI from any possible responsibility for his testimony or for any functioning of the FBI based upon his testimony.

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On page 17 appears the following:

"In doing work of this sort the F.B.I. will inevitably take sides on issues involving economics, politics and civil liberties."

The FBI, since the present Director has controlled it, has taken no sides on any issue involving economics, politics or civil liberties.

A statement is made on the same page:

"The immediate superior of the F.B.I. agents is Mr. J. Edgar Hoover, Director of the Bureau. If his views govern the agents in determining which side their investigations will serve and which side those investigations will attack, it is possible that the side which will be disadvantaged will be the liberal or radical side, rather than the conservative or reactionary side."

This is untrue. Even if the Director of the FBI did possess definite views along these lines, it would be impossible for him to govern the investigative activity to such an extent as would render it possible to present one side of a case only or partial evidence of any kind. It should be recalled that reports rendered by the FBI Agents are not secret. They must go to Departmental authorities. They must go to United States Attorneys and their assistants. Any statement that the Director of the FBI could dictate the nature of these reports is absurd and is based upon a complete ignorance of the system governing the work of the Special Agents of the FBI.

In order to presumably confirm the statement previously made, the author or authors of the brief of criticism refer to testimony given by the Director of the FBI before the Subcommittee of the House Appropriations Committee on January 8, 1940, in which objection was made to the filling of clerical positions in the Identification Division of the FBI from lists certified by the Civil

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Service Commission. The Director of the FBI is quoted as listing various objectionable types theretofore certified by the Civil Service Commission, including "persons who had criminal records", a man suffering from "dementia praecox", a man who had a "93 per cent physical disability and had lost his right arm", "others possessing unbalanced mentalities", et cetera, and "a member of the Communist party". The Director of the FBI has no apology to make for this testimony. The work of the FBI is such that no recognized member of the Communist Party could function properly therein. This is not a matter of the holding of political opinions contrary to the views of the Director of the FBI or of others. The loyalty of members of the Communist Party to an organization opposed to the functioning of governmental institutions along lines recognized and known to the majority of us to be efficient and in accordance with democratic principles is so well known as to appear not to require specific comment. Whether it be well known or otherwise, the Director of the FBI has fought, and will continue to fight with all the power at his command, any system or practice or organization which may desire to place avowed members of the Communist Party in the ranks of the personnel of the FBI. It is his opinion that in so believing, and in so acting, he is serving his organization, the FBI, and the country, according to ideals of Americanism which he has been taught and which he unreservedly believes.

The writer or writers, on page 18, then proceed to refer to the Director of the FBI as

"one of the chief subordinates in charge of the investigative work and other activities against radicals in the period from 1919 onwards".

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He was one of the chief subordinates of the FBI in 1919. His responsibil increased after 1919. He was appointed Director of the FBI by Attorney General Sto in 1924. He was not responsible at any time prior thereto for any policies formula and pursued by the FBI. He was not responsible not only because these policies, go or bad, were formulated by appropriate Departmental officials, including the Attorn General, but also because of the fact that he was not Director of the FBI and could not and did not control its functioning, even under Departmental instructions. It is not deemed desirable to reiterate too many times the fact that the FBI can function in matters of this type only under instructions and in accordance with instructions. To this may be added the fact that none but the Director of the FBI can be or should be held responsible for the work of that organization—and during the period to which reference is made the present Director was not the directing head of the FBI.

The following is quoted from page 18:

> "The least that can be said is that the present director of the F.B.I. is sincerely tenacious of the views he held and acted upon two decades ago."

The view of the present Director of the FBI may or may not have changed. The FBI, during the incumbency of the present Director, has followed consistently and unchangeably a policy of functioning only in connection with violations of existing Federal statutes, or along administrative lines (such as conducting investigations into the qualifications of Departmental applicants) as specifically authorized and directed by Departmental officials. Furthermore, regardless of the views of the present Director of the FBI, and whether or not they have changed, it can be positively asserted that since he has been Director of the FBI no action has been taken by him that has been in any manner contrary to the expressed, recorded views and instructions of the governing officials of the Department of Justice or contrary to existing rules and statutes.

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Page 18 further states

"As to his actions in that period, public records provide considerable evidence."

The brief then goes on to refer to the fact that, as stated,

"* * * when in 1919 and 1920 the F.B.I. was engaged in its activities against liberal and labor groups, activities since described by a committee of distinguished lawyers as unlawful, the present director of the F.B.I. bore the title of Special Assistant to the Attorney General and was the person in charge at the Washington Office of the Department of Justice to receive reports from F.B.I. agents on their activities against radicals."

The present Director of the FBI did bear that title for a period. He did receive reports from FBI Agents relative to their activities in connection with individuals reported upon and referred to as radicals. This functioning on his part was in accordance with specific instructions received from the Attorney General at that time, was in accordance with direct instructions received and constant supervisory action on the part of the Assistant Attorney General, Mr. Frank Garvan, and was under the jurisdiction and supervision of the head of the Criminal Division of the Department of Justice. At that time the present director of the FBI was a subordinate official carrying out instructions and following policies specifically outlined by his superiors, and reporting in full and in detail to his superiors. There follow references to criticisms of the activities of the Special Agents of the FBI during that period by a committee of lawyers on behalf of the National Popular Government League, and also by United States District Judge Anderson at Boston.

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On page 20, 21 and 22 there follow detailed references to the so-called raids at that time, and the writer refers to the alleged responsibility therefor of the present Director of the FBI. It is not the desire of the present Director of the FBI to evade any measure of responsibility for anything done by him during any period of his life. It is necessary, however, to again point out that his functioning during that period was under specific instructions, that it must have been under specific instructions, that he could not have acted on his own responsibility and did not act on his own responsibility. Moreover, it is desired to point out that any testimony, either at that time or subsequently, to the effect that he was, directly or indirectly, in charge of the functioning in the field of the Special Agents of the FBI, is incorrect and untrue. They were under the jurisdiction and direction of the then Director of the FBI and functioned under his instructions. The unfairness and inaccuracy of attributing any and all irregularities on the part of field Agents (if such occurred) at that time, to the present Director of the FBI will, it is believed, be obvious to any person claiming any vestige of fairness or judicial balance.

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On page 22 the statement is made

"In 1939 he again organized in the F.B.I. a 'General Intelligence Division' which deals with the investigation of activities deemed by the F.B.I. 'subversive' or 'detrimental to the internal security'."

The General Intelligence Division of the FBI, to which reference has been made, deals with those activities specifically set forth in the proclamation of the President quoted in full in this memorandum, issued in September of 1939. It does

not go in any manner beyond this proclamation. It confines itself exclusively to investigative activities referred to specifically in this proclamation.

Further, in order that there may be no misunderstanding, it might be well at this time to refer to another recent activity of the FBI along these same lines, one which deals specifically with matters "detrimental to the internal security". This is the plant protection work of the FBI. This work has continued for a period of approximately six months. It definitely relates to activities concerning "internal security". Its development was along the following lines: As the situation in Europe became increasingly acute, the War and Navy Departments undertook to establish a unit of the industrial mobilization plan designed to insure the armed forces of the United States a constant and dependable supply of materials needed by those Departments to carry on their official activity. A joint board of the War and Navy Departments designated a group of factories which were considered of paramount importance as sources of supplies to the Army and Navy. Thereafter, the War and Navy Departments requested the Director of the FBI to initiate a program of plant surveys. These surveys were designed to cover the physical and protective properties of the designated plants, in order to insure that the plants might not be definitely vulnerable to the operations of espionage and sabotage agents of foreign governments. These surveys by FBI Agents, which are continuing, are restricted, of course, to those industrial units designated by the War and Navy Departments. The surveys cover only protective measures within the plants and do not cover in any manner, form or degree employer-employee relationships. This work was, of course, initiated and is being continued by the authority and under

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the direction of the Attorney General. As a matter of fact, the first public statement concerning the performance of this work by the FBI was issued by the Attorney General.

It should be pointed out that these plant protection activities deal specifically with possible violations of existing Federal sabotage statutes. These statutes penalize the destruction of material in process of manufacture for the Army or Navy. The plant protection work of the FBI is designed first to prevent violations of these statutes, by the establishment of better physical protective measures in the individual plants in question and, second, by said improvement of methods, to render the detection of saboteurs more certain and their prosecution more effective.

Presumably the authority of the FBI to perform this work is not questioned. Not only is the Presidential Order, but by the approval of Congress of specific appropriations permitting the use of 150 Special Agents on these types of investigative activity, has authority been granted. Congress, the Bureau of the Budget, Congressional Committees, the appropriate Departmental officials, have all been fully and completely informed of the plans and of the actual work of the FBI and the manner in which the FBI is handling and will handle these problems.

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The last paragraph on page 22 is as follows:

"In articles written in 1937 for the Nation by Kenneth G. Crawford, now president of the National Newspaper Guild, statements are made to the effect that the present director of the F.B.I. took an important part in the work of that Bureau in the Sacco-Vanzetti case, and in the proceeding to indict and try Senator Wheeler, in which the latter was acquitted."

So far as the Sacco-Vanzetti case is concerned, the files of the FBI indubitably reflect that the general activities of the FBI in this case took place prior to 1924, when the present Director assumed his present post. Those activities were of a comparatively general nature and consisted of the making of investigative inquiries relative to the functioning of anarchistic individuals and organizations. It might be here noted that both Sacco and Vanzetti were anarchists. So far as the work of the FBI in this case, whether important or otherwise, prior to 1924 is concerned, it is necessary to again repeat that the present Director of the FBI could not assume any responsibility for such work. Prior to the execution of Sacco and Vanzetti a concentrated drive was made by those interested in the defense of these two persons, for the purpose of securing access to the files of the FBI and of the Department of Justice bearing upon Sacco and Vanzetti. A review of these files was made at that time and it was found that nothing whatsoever was contained therein which directly or indirectly bore in any manner or degree upon the guilt or innocence of either Sacco or Vanzetti. This statement was issued. Pressure for alleged material of mysterious, transcendent importance continued. The then Attorney General, i.e., Attorney General Sargent, directed that a further review of the files of the FBI be specifically made for the purpose of eliciting any information therein bearing upon the guilt or innocence of the accused—Sacco and Vanzetti. A review of the files of the FBI was made by a Departmental official of the Criminal Division at Washington. He reported to the Attorney General that there was nothing in the files of the FBI or of the Department, itself, in any

manner bearing upon the guilt or innocence of these two convicted persons. A similar review was made of the files of the FBI at Boston, Massachusetts covering the district in which these two persons were convicted, by the office of the United States Attorney there. The United States Attorney, Mr. Tarr, reported that there was nothing in the files of the Boston Office of the FBI in any way bearing upon the guilt or innocence of the accused. A similar review of the files of the FBI pertaining to this case was made by the United States Attorney at New York, and a similar report was made to the Department. In addition thereto, the files of the FBI at Washington were sent to Boston at that time and these files were reviewed by a representative of the United States Attorney's office there, who made a report similar to those outlined in the foregoing. In fact, under the direction of the Attorney General, every possible step was taken to see that no charge could possibly be properly made that either the FBI or any unit of the Department of Justice might be concealing information of benefit to these accused persons. The FBI did not assist in any manner or degree in the trials of these two men. It did not cooperate with the prosecuting authorities in the preparation of this case or the trial of this case. It did nothing whatsoever of either benefit or detriment to either the prosecution or defense in this case.

With regard to the previously quoted sentence from the last paragraph on page 22, to the further effect that the

> "Director of the F.B.I. took an important part in the work of that Bureau in the * * * proceeding to indict and try Senator Wheeler, in which the latter was acquitted",

the proceedings referred to were initiated before the present Director assumed his

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present position, were initiated without his knowledge, and were continued completely and entirely without his knowledge as to any and every development in this case. Special Agents of the FBI were taken and placed under the direction and control, for the entire period of this assignment, of Departmental officials. The present Director of the FBI, upon his assumption of that post, was not informed of the location of the Agents, or of the work being done by them. He was not consulted. He was not advised. He knew nothing of the case and not a vestige of responsibility for its initiation or conduct at any time devolved upon him. It is believed that this episode can be most clearly described, with regard to the lack of knowledge of the Director of the FBI, by quoting here a memorandum dated April 6, 1926, addressed to Colonel Donovan, who was at that time Assistant to the Attorney General, setting forth the facts relative to this matter:

"April 6, 1926

MEMORANDUM FOR COLONEL DONOVAN

Attention of Mr. R.P.Stewart

I am attaching hereto foryour information a copy of a memorandum prepared for me by [redacted] of this Bureau, together with the statements of Inspector [redacted] and Accountant [redacted], which were furnished the Bureau by Special Assistant to the Attorney General Stewart. [redacted] memorandum is self-explanatory.

I am also attaching hereto for your information as requested by Mr. Stewart the names of the Special Agents and employees of the Bureau who performed work in connection with the so-called Senator Wheeler case, together with an itemized statement of the expenditures by month and the number of days devoted to the work by each employee. b6

I cannot assure you that these figures are entirely complete for the reason that you will recall that the Bureau of Investigation had no supervision over the Accountants and Agents working on the so-called Wheeler case. When I assumed the duties of Director of the Bureau of Investigation I found that the Accountants and Agents

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upon the case had been practically detached from the Bureau approximately a year previously and had been assigned to Special Assistant to the Attorney General Pratt. I, in fact, did not know even where the Accountants or Special Agents were and it was only after several months that I was able to have orders issued which would at least enable me to know where these men were in the event I desired to communicate with them concerning regular Bureau matters. I did not even then assume direction of their investigative work nor see any of their reports nor know what they were doing.

"In talking with Special Assistant to the Attorney General Stewart a few days ago, he pointed out that the so-called Senator Wheeler case was but one of four or five cases upon which the Agents had worked in connection with this entire matter. However, as this Bureau had no supervision of the same, I have no way of differentiating between these various cases in so far as expenses are concerned, and the attached figures are the only figures I have been able to get and, as I have stated, I cannot vouch entirely for their completeness because of the reasons set forth above.

Very truly yours,

(s) JOHN EDGAR HOOVER
Director."

It will be noted that the statement appears in the above to the effect that the Bureau of Investigation had no supervision over the Accountants and Agents working on this case; that they had been practically detached from the Bureau approximately a year previously, and had been assigned to Special Assistant to the Attorney General Pratt. Further, that the present Director of the FBI did not even know where they were and could not, upon assumption of the directorship, communi with them concerning regular Bureau matters. The Director of the FBI had no directior or control or knowledge of this case or of any of the contingent cases which arose at that time and which were handled in the same manner.

On page 23 Ray Tucker is referred to as having published an article in Collier's Magazine in August of 1933, in which he said that the present Director of

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the FBI had "always been obsessed with a complex against liberals and advanced thinkers". The source of this statement, and the statement itself, do not appear to require any serious attention. The views and opinions of the present Director of the FBI have never at any time affected the performance of his work as Director of the FBI. This work has been directed solely to the enforcement of Federal laws coming under the jurisdiction of the FBI. It might be stated in passing, however, that he has no "complex against liberals and advanced thinkers", and that this statement is false and slanderous.

A statement appears on page 23 to the effect that

> "Statements made by the present director of the F.B.I., action taken by the F.B.I. in the earlier years of the last decade and other evidence is available to indicate that on the basis of impressions, beliefs or conclusions of the F.B.I. as to the activities of suspected individuals, the Bureau may be in a position on its own initiative, and not as a result of a court decision, to injure such individuals."

It has been previously stated that neither the FBI, nor any of its Special Agents, nor the Director of the FBI, is in a position at any time to act on his own initiative in any manner in matters of this kind.

On page 24 the statement is made that

> "The F.B.I. can take steps likely to lead to the discharge of employees of plants manufacturing materials under contract for supply to the Army or Navy."

The statement further refers to testimony by the present Director of the FBI before a Subcommittee of the House Appropriations Committee. It sets forth that a number of the plants are taking their employees fingerprints and sending them

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to the FBI for check; that "presumably the F.B.I. reports back to the plants." Reference is made to the number of plants involved and the possibility of an increase in the number of said plants.

It should be here explained that fingerprint records from plants of this type are received by transmission from regularly constituted law enforcement agenci The FBI does not receive these records direct from the plants in question. It should be further specifically noted that these fingerprint records are searched only through the criminal files of the Bureau and criminal identification data are only furnished to the law enforcement agencies transmitting such prints to the FBI. Furthermore, the data in question only cover actual police records of arrests and convictions. The general files of the FBI are not searched. As a matter of fact they could not be searched. Actual arrests, actual convictions, are the only data furnished police departments making these inquiries. The FBI cannot question whether law enforcement agencies are transmitting prints for undesirable purposes. The FBI must function automatically, in accordance with existing statutes, and furn the criminal identification data in its Identification Division files to any and every law enforcement organization or law enforcement officer requesting these data. It does not deal with any other types of organizations. It does not furnish genera information. Every law enforcement organization is entitled to be informed whether the FBI has in its identification files fingerprint records showing previous crimin records. For the foregoing reasons, no discharge of employees of plants manufactur materials under contract for supply to the Army and Navy could occur unless the law

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enforcement organizations sending in fingerprint records to the Bureau were in a position to advise these plants of criminal records possessed by individual employees. Obviously, political views or opinions possessed by any individuals would not play any part in this exchange of criminal identification data between the FBI and police organizations.

Page 25 continues along this same line and states

> "As a result of the F.B.I.'s activity in this field, it is in a position to bring the most powerful influence to bear on employers to discharge employees; such discharges would be based on an impression entertained or conclusion arrived at by the Director of the Bureau, or even possibly by one of his subordinates * * *".

This is absolutely untrue. There could be no employee possibly discharged by reason of "an impression entertained or conclusion arrived at". Only data showing actual criminal records could play any part in this procedure and then only if these data were furnished by the FBI to a police department at the latter's request.

On page 25 also is a statement to the following effect:

> "* * it is a matter of public knowledge that the present hysteria has resulted in the dropping from the payrolls of various Detroit automobile factories of persons who are not citizens. These factories are engaged in manufacturing materials for the War or Navy Departments."

On page 26 appears the statement that "The United States Government demands that no alien be employed on war orders."

This statement, if true, would be a matter entirely beyond the responsibility of the FBI. An existing statute provides that "no aliens employed by a contractor for furnishing or constructing aircraft or aircraft parts or aeronautical accessories for the United States shall be permitted to have access to the plans

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specifications, or the work under construction, or to participate in the contract trials, without the written consent beforehand of the Secretary of the Department concerned (Title 10, Section 310-J, United States Code Annotated)".

This is a matter of law. This is not an expression of the personal views and opinions of the Director of the FBI. Furthermore, it may be emphatically stated that no direction or advice has been given by any representative of the FBI with regard to the employment or non-employment of any personnel by any plant or factory within the purview of the FBI's plant protection work. Specific instructions have been issued and reiterated to the effect that no action of a representative of the FBI is to, directly or indirectly, bear upon any phase of employer-employee relationships.

On page 26 appears a reference to testimony before the Subcommittee of the Committee on Appropriations for the House of Representatives considering the Department of Justice appropriation bill for 1941, to the effect that certain newspaper articles contained charges by the Director of the FBI with respect to the alleged police records of members of the Miami, Florida Police Department. The information in question was furnished by the FBI to the Police Department at Miami Beach. The fact that the police officers who were the subject of inquiry had police records was known to the Police Department. The publication of the previous records of these officers of the Miami Beach Police Department was a definit public service to the citizens of that locality. It should be definitely understood that the work performed by the FBI on this case was in connection with specific violations of Federal statutes.

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Page 27 reverts to "the early 1920's". It mentions a weekly bulletin covering general intelligence matters distributed to various officials by the FBI at that time. It has been previously pointed out that it is not only unfair, but a perversion of real intelligence, to attribute to the present Director of the FBI any responsibility for any practices, either good or bad, in vogue in 1920 when he was a subordinate official of the FBI, accepting instructions and endeavoring to carry out said instructions to the best of his ability. No bulletin or information of this kind or type has been distributed since the present Director of the FBI has assumed that post.

Page 28 refers to

> "indices of individuals, groups, and organizations engaged in these subversive activities, in espionage activities, or any activities that are possibly detrimental to the internal security of the United States."

There is also quoted on page 28 a statement by the Director of the FBI before the Subcommittee of the Committee on Appropriations for the House of Representatives to the effect that

> "We have * * * a general index, arranged alphabetically and geographically, available at the Bureau, so that in the event of any greater emergency coming to our country we will be able to locate immediately these various persons who may need to be the subject of further investigation by the Federal authorities."

Page 29 indicates some doubt in the mind of the writer of this criticism as to whether this material would be available in time of war or a grave emergency. In these hearings it was specifically intended that the idea would be conveyed that

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material of this kind would be useful in time of actual war. The words "grave emergency" were used euphemistically, as is the custom. With regard to these indexes it may be definitely stated that the regular files of the FBI are, of course, indexed. It would otherwise be impossible to maintain any reference to current cases. There is, however, no index which could in any manner be considered a "black list" of any individual or individuals or organizations, nor is there the slightest segregation of material bearing upon the delinquencies of any specifically designated individuals or set of individuals. There is maintained in connection with the work of the Bureau a highly restricted index containing the names of persons whose acts and statements have been revealed by reports as being of such a character as to render their movements of vital interest to the country in the event of a national emergency. By "national emergency" is meant war. These names include espionage suspects, suspected saboteurs, and members of the Communist Party and the Bund. This index contains the names of not more than 2500 individuals. This index file does not include the name of any person merely because of his expressed sympathies or his political creed. It does not contain the name of any person merely because that person advocates a change in the existing form of government in the United States by democratic or legal methods. The index does not contain the name of any labor leader, labor organizer, or member of a labor organization, as such.

Page 29 then reverts to testimony given by Attorney General Palmer at a hearing of the Subcommittee of the House Appropriations Committee in 1920, in which he referred to the Communistic movement in Europe and other related matters. Again it is pointed out that the absurdity of attributing to the present Director of the

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FBI responsibility for any statements, accurate or otherwise, made at that time by a former Attorney General, is to say the least obvious. As a subordinate of the FBI, the present Director of that Bureau was not consulted by the Attorney General at that time as to his testimony before that Subcommittee.

Page 30 refers to "unlawful raids conducted by the F.B.I. for several years beginning in 1919-1920". Previous reference has been made thereto. It is believed unnecessary to repeat any statements here reflecting that the present Director of the FBI could not, by the wildest stretch of the imagination, be charged with responsibili for these raids, arrests, or any matters arising therefrom.

Page 30 further refers to

> "Detention of persons suspected of subversive activities or of activities detrimental to internal security",

and goes on to refer further to the "Palmer raids" and to further condemnation of these raids.

On page 31 the query is found

> "Is it possible that the same sort of incident may follow the same sort of investigative activity by the F.B.I.? No one can say for certain, but that there is a possibility of similar incidents now cannot be questioned."

The critics here seem to be entering the realm of pure speculation. It would seem just to charge the Director of the FBI with any acts performed by him that might be considered improper. It is believed, however, that it is sheer absurdity to charge him with actions that at some future time might be committed.

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The following statement appears on the same page:

"Certainly the F.B.I. has the necessary cells for the purpose."

This is a sample of the slanderous innuendoes that compose the greater part of this brief. The fact that the FBI has in various field offices certain detention rooms is taken as reflecting clearly that the FBI will use these detention rooms for unlawful purposes. The FBI will not use these detention rooms for unlawful purposes. It has not done so during the period of the incumbency of the present Director.

With regard to these so-called "cells" or detention rooms, it should be noted that they were installed with the approval of various former Attorneys General, who have inspected these detention quarters and have approved expenditures for their installation and equipment. There has been nothing secret about their installation and maintenance. The necessity for them first arose in the days when numerous kidnaping cases were pending simultaneously and dangerous fugitives were taken into custody at frequent intervals. Whenever an arrested person is kept overnight or over a week-end, the written consent of said arrested person must first be received before he can be temporarily detained in these quarters pending his arraignment before the United States Commissioner or other court official. This procedure has also received Departmental approval. Every possible convenience is furnished, including physical examinations by reputable local physicians. Ample light, air and space are afforded. A matron is in constant attendance upon female detainees. Persons temporarily detained are permitted to see their attorneys, relatives and friends, and there is nothing unlawful in any phase of the operation of these detention quarters, neither is there anything secret about them.

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Page 31 refers to the fact that

"The F.B.I. recently made some arrests in Detroit and Milwaukee of individuals charged with violation of Federal statutes. The arrests were made early in the morning and there were other melodramatic aspects of the affair including a chaining of arrested persons together, photographs then being taken of the group by reporters and thereafter published in the newspapers."

These Detroit and Milwaukee arrests have been referred to in detail previously in this statement. The motives attributed to the representatives of the FBI are grossly, slanderously untrue. With regard to the "chaining of arrested persons together, photographs then being taken of the group", the truth is (and statements to this effect have appeared in the press) that this chaining action was taken after these prisoners had left the custody of the Special Agents of the FBI and were, as a matter of fact, in the custody of the United States Marshal. This allegation typifies the malice of all the innuendoes, allegations and alleged criticisms in the brief under consideration. The facts in this case were easily ascertainable.

On page 32 the grasshopper procedure is further manifested by a reversion t

"the 1920's, when William J. Burns was Director of the Bureau and Mr. Hoover, its present Director was one of his principal subordinates engaged in investigating radicals. At that time * * * the Bureau was engaged in the creation of 'red scares' on appropriate occasions."

This is followed by quotations from the testimony of Attorney General Palme before the Subcommittee of the House Appropriations Committee in 1920, in which he was apparently explaining the development of a deficiency incurred by the investigation of individuals possessing anarchistic tendencies in the United States. It is not felt that any part of this testimony on the part of former Attorney General

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Palmer or former Director Burns can properly be attributed to the present Director of the FBI. If each and every subordinate employee of an organization can be vested at any future time with full responsibility for any action taken or decision reached on the part of the directing officials of the organization in question, it would be necessary to abandon all laws or rules involving logical, rational, or decent thinking.

On page 34 appears the statement

> "Though the F.B.I. was investigating espionage cases long before the beginning of the European War in September, 1939, and claims to have large numbers of such cases for investigation, the trials and convictions in espionage cases and in other 'general intelligence' cases have not yet been brought to the point where any large or dramatic showing has been made."

It has not been the intention of the Director of the FBI to make any dramatic showing. This type of work calls for hard, intensive investigative work over an extended period. Every care should be taken so that cases will not be presented in court until the fullest possible proof has been obtained. Every care must be taken to see that those persons are brought into court who are mainly responsible for this type of activity. It is not desirable to create public interest by the arrest of large numbers of individuals who might be minor participants in work of this kind.

Page 34 refers to the fact that

> "the F.B.I. has applied to Congress for a supplemental appropriation for the current fiscal year and for a greatly enlarged a propriation for next year."

All appropriations requested by the FBI have been in all instances approved by the President, the Budget Bureau, both House of Congress and the Attorney General, who have direct, first-hand knowledge of the facts.

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On page 35 appears the following:

> "* * * in the post-armistice period (1919), the Department of Justice sought legislation to suppress sedition in times of peace * * *. Now the F.B.I. is said to be seeking legislation to prevent aliens from taking part in radio programs."

There then follows a quotation from what purports to be the radio column of one Leonard Cairton, in the New York Post of February 23, 1930, in which he refers to reports alleged to have come through from Washington to the effect that the Federal Communications Commission and the FBI had been conferring on the radio activities of alien propagandists in the United States, and had discussed the possibility of launching legislation which would prevent aliens from taking part in the production of radio programs.

The foregoing is false in its entirety. There is not a scintilla of truth in it. Nothing of this kind or type was ever discussed. It is completely and entirely untrue.

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On Page 35a, under the heading

"Using F.B.I. agents to combat privately activities deemed subversive or disturbing internal security, but not constituting any violation of law",

appears a reference to a statement said to have been made at an American Youth Congress to the effect that some person at Worcester, Massachusetts had represented himself as an undercover informant of the FBI and had urged a Y.W.C.A. official there not to permit it to affiliate itself with the American Youth Congress, stating at the same time that he was serving as an "F.B.I. informer" within the

local council of the American Youth Congress. The statement is further made on page 35b that

> "The Y.W.C.A. called the local office of the F.B.I. in Boston and was informed by the agent in charge there that the person who had issued the warning was an F.B.I. informer and was working in that capacity within the local council of the American Youth Congress."

This is also completely and slanderously untrue. The FBI has not placed or established an informant in any unit of the American Youth Congress and has never attempted to do so. It is believed that this refers to a situation in Worcester, Massachusetts, in which a statement appeared in the Worcester Telegram alleging that a Mrs. Shattuck confirmed the fact that a person dealing with her was a "recognized FBI informer". The individual referred to, and who had been theretofore unknown to the FBI, had as a matter of fact called at the Boston Office of the FBI for the purpose of voluntarily furnishing to said office certain information. The information was received in the same manner as all offices of the FBI receive information from any source. The man in question was not an informant, was not on the payrolls of the FBI, received no compensation of any kind, was not authorized to act as an informant, had never at any time, nor has he at present, any connection whatsoever with the FBI.

On page 36 appears the statement that

> "The F.B.I. has, for use during the current fiscal year, a 'confidential fund' of $120,000 appropriated by Congress; a similar amount is in the pending appropriation bill for the next fiscal year."

A reference then is made to the statement of one Ray Tucker in an article in Collier's in 1933, relative to

> "a 'blue slip' expense account which not even official Treasury watchdogs may question",

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and the statement is further made

> "Thus the F.B.I. has a substantial amount of money which can be used to pay informers; and it can also be used in a manner and for purposes and dealings of which the accounting officers of the Government cannot learn and which no one else in the Government may know."

The facts are that for several years the annual appropriation acts providing funds for the FBI have contained a provision as follows:

"* * * including not to exceed $20,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended; * * *."

The above provision, which appears in the appropriation acts of the FBI, is similar to provisions appearing in appropriation acts for many of the other government investigative agencies.

Amounts from this fund are used in payment for confidential information leading to the apprehension of fugitives from justice who are being sought by the FBI, for confidential information which may be furnished to representatives of the FBI concerning criminal cases under investigation, and for unforeseen emergencies of a confidential character, in instances wherein it is inadvisable in the public interest to disclose the identity of the person to whom the money is paid.

Payments from this fund have been made in the past to confidential informant responsible for original information in the case of the apprehension of John Dillinger the case of John Paul Chase, and in the cases of other notorious gangsters. Payment was made to a confidential informant for information resulting in the apprehension

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of Alvin Karpis, kidnaper and bank robber, now incarcerated at Alcatraz. Other payments therefrom have been made for similar purposes and for similar purposes only. It will probably be recognized by all fair-minded persons that a necessity does exist for some arrangement in connection with the work of all law enforcement organizations whereby the identities of persons who furnish information to investigators in an entirely confidential manner will not be disclosed upon public vouchers or in any other way. To disclose these names would in many cases result in danger or actual loss of life to persons furnishing information. In the majority of instances, these informants must be positively assured that under no circumstances will their identities be known and they would, of course, decline to sign any type of voucher.

For the fiscal years 1935, 1936, 1937, 1938 and 1939, $20,000 was appropriated yearly. Of these amounts appropriated, the following expenditures were made:

1935	$11,000
1936	7,000
1937	5,000
1938	10,000
1939	none

In addition to the $20,000 appropriated for the fiscal year 1940, included in the supplemental appropriation, 1940, approved by the President, was a provision for the use of the sum of $100,000 to meet unforeseen emergencies of a confidential character. This $100,000 was appropriated for use in connection with investigations involving espionage, sabotage, subversive matters, violations of neutrality laws, and similar investigations. Of the $120,000 appropriated for the fiscal year 1940, to date only $2,000 has been expended. These funds will continue to be expended only when necessary for legitimate law enforcement investigative purposes.

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On page 36 appears a further statement to the effect that

"Apparently the F.B.I. deemed it part of its duties to attend and make a report on the meeting of the American Youth Congress held in Washington early in February of this year."

There follows a reference to an article in the New York Times relative thereto. With regard to these statements, all that can be said is that they are unqualifiedly and completely false. No representative of the FBI attended and made a report of the meeting of the American Youth Congress held in Washington early in February of this year or at any other time.

On pages 36 and 37 appears the statement that

"* * * last September the Director of the F.B.I. publicly approved, in a release * * * to the press * * * a suggestion made to him that the local authorities throughout the United States, in granting permits for public meetings, should notify the F.B.I. of such meetings before they start."

The facts with reference to the foregoing are these. A release issued by the office of the Attorney General under date of September 25, 1939 quoted certain suggestions submitted by Mayor H. H. Burton of Cleveland, Ohio, to the United States Conference of Mayors. In these suggestions of Mayor Burton was one to the effect that when permits are granted for meetings or assemblies, notice should be sent to the nearest FBI Office before the meeting starts. This was a suggestion of Mayor Burton of Cleveland, Ohio to the Conference of Mayors. It was not a suggestion on the part of the Director of the FBI and, again, whether the suggestion be good or bad, the illogicality and unfairness of attributing it to the Director of the FBI would appear to be obvious.

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On page 37 appears the following:

"* * * an editorial in the Nation for January 4, 1922, states that an army captain was officially vindicated, after nine months, of a false charge of murder based upon efforts by the Department of Justice growing out of its investigation of this army officer for radical affiliations. The Nation states that affidavits show that some army officers were approached by agents of the Department 'in a deliberate effort to blacken' the name of the officer in question."

With regard to the foregoing, the references are such that it is impossible to determine just what case, if any, is reflected by this statement. In other words, it cannot be identified with the information at hand. It is not deemed advisable to seek further information in the files of the Nation for January, 1922. The fact that this incident, if such an incident occurred, or anything similar thereto, happened in 1922, and the fact that if it did happen the present Director of the FBI would not have had any connection therewith or responsibility therefor, would seem to preclude the desirability of further consideration being given to this vaguely venomous assertion.

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There then follows on page 37 a further reference to the Sacco-Vanzetti case, specifically referring to the affidavits of two former Agents of the Department of Justice relative to alleged cooperation between the Boston Agents of the Department of Justice and the District Attorney. Further references follow relative to the same case, statements being made to the effect that

"* * * the names of Sacco and Vanzetti were on the files of the Department of Justice as 'radicals to be watched'; the Department was eager for their deportation * * * ."

An attack is made upon the representatives of the Commonwealth of Massachusetts, a reference is made to alleged secrets in the files of the FBI, and comment of this type continues for several pages. The Sacco-Vanzetti case has already been referred to in connection with a previous reference to this case by the writer or writers of the brief of criticism. It would only seem necessary to repeat here that the FBI did nothing whatsoever of either benefit or detriment to either the prosecution or defense in the Sacco-Vanzetti case.

The criticism then swings forward to somewhere near the present era. A reference is made to an address of the Director of the FBI to the International Association of Chiefs of Police in Atlantic City in July, 1935, in which he is quoted as saying

> "It has been possible to build up the Federal Bureau of Investigation from a purely investigative agency to a militant one."

In connection with the foregoing may it be suggested that the work of building up the Identification Division of the FBI, the work of the Technical Laboratory of the FBI, the work of the National Police Academy of the FBI, are typical examples of legitimate, useful, cooperative, collaborative methods of building up the FBI, which have received the approbation of law enforcement officers, legislators and civic-minded citizens in all parts of the country.

There follows on page 40 a heading entitled

> "This type of activity by a Government agency tends to produce other improprieties and violations of law by the agency itself and by Government officials with which it has close relations."

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Reference then is made to the fact that agents receiving complaints about "alleged subversiveness" are moving in a "highly emotional atmosphere", and that the result is "basically an attack on the opinions held by human beings." Back we go then in the brief of criticism to the "Palmer raids", and there is then brought into the picture condemnation of the so-called raids by certain attorneys at that time. Previous references have been made to the so-called "red raids". It has been definite indicated that these raids were not made upon the responsibility of the present Director of the FBI; that any connection he might have had therewith was as a subordinate Departmental official, carrying out instructions received by him. It would seem useless to further belabor this already bedraggled point of seeming controversy.

On page 43 appears a statement to the effect that

> "The atmosphere in which the agents of the F.B.I. have been moving in recent months has already led them into serious improprieties and indeed violations of the law."

This refers, as is indicated on the same and following pages to the arrests on the morning of February 6, 1940, in Detroit, of certain persons charged with recruiting soldiers for service in the Spanish civil war, in violation of an existing statute. These arrests have been discussed in considerable detail in the press and elsewhere. It is necessary, however, in view of the charges again appearing, to refer to them briefly here. The investigative activity in this case was ordered by two Attorneys General. Instructions were issued by the Attorney General for the presentation of the evidence to a Grand Jury. The case was presented to the Grand Jury by the United States Attorney having jurisdiction. The Grand Jury returned indictments. All of these actions were taken upon the responsibility of persons

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other than the Director of the FBI. The absurdity of attributing responsibility therefor to the Director of the FBI is nauseatingly apparent.

The further statement is made that

> "The details of the arrests were in themselves unusual. Three days before, a secret indictment had been issued by a Federal Grand Jury."

Any person having any knowledge of the facts would know that secret indictments are not matters within the purview of the FBI.

It is pointed out that the raids were made at 5 a.m. and the persons arrested thought that burglars were entering their homes; that the Agents broke down doors and ransacked the rooms. The arrests were made at 5 a.m. because that was the only hour at which there could be any certainty that all of those who had been indicted and for whom legal warrants of arrest had been issued would be at home. A number of these individuals were known to have used aliases and to have moved often. It was highly desirable to take them into custody simultaneously so that some of them might not evade arrest.

The statement that they were unaware of the identity of the arresting officials is either maliciously or ignorantly false. The capiases were shown to each and every person arrested. They either read them or the capiases were read to them. There was no confusion. A door was forced in only one case, after waiting reasonable period, the individual in question having refused to open the door. There was no violation of any of the rights, civil or otherwise, of the defendants in this case.

With regard to the "ransacking" of the rooms, the premises were searched. This is a procedure authorized by existing law in connection with the arrests of any

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individuals. It is not unlawful.

Further statements are made to the effect that

"The treatment of the arrested persons was extremely severe."

This is not in any manner correct. They were treated courteously, kindly. They were fed in accordance with their desires. They received medical examinations. There was not a scintilla of duress or pressure exerted upon them.

The statement is made that they were

"held incommunicado until 3 P.M. of the same day of the arrest".

They were not held incommunicado. They were permitted to communicate with their attorneys. This latter procedure, it should be noted, was under the jurisdiction of the United States Attorney--not of the FBI.

The statement is made that

"The men were handcuffed and chained together."

They were handcuffed upon arrest. This is the established police practice. They were not chained together by any representative of the FBI. Pictures appearing in the press showing them chained together were pictures taken after they had left the custody of the FBI, after arraignment. Public statements made by the United States Attorney and United States Marshal reflect this to be true.

Further reference is made to the short period allowed them to consult their attorneys. Again it may be stated that this was a matter within the jurisdiction of the United States Attorney.

The statement is made then that

"The only woman arrested is being held in solitary confinement in a Detroit jail".

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Any individual possessing any knowledge of the facts, or any desire to know the facts, would be aware that the FBI has nothing whatsoever to do with the holding of prisoners in Federal or other prisons. The rationality of the criticism may be judged by these statements.

The statement is then made that

"Almost all the information upon which the FBI bases its charges was known to the Department of Justice a year ago."

This may or may not have been true. The amateur critics might possibly have ascertained that the FBI does not and cannot initiate investigations of this kind. They must be ordered by Departmental officials.

The statement is then made that

"In conjunction with similar attacks upon civil liberties throughout the country, they represent part of a widespread offensive against the civil liberties of all Americans."

Neither civil nor any other kind of liberties were jeopardized, threatened, or in any manner menaced by the representatives of the FBI in this case, nor are any civil liberties jeopardized by the representatives of the FBI in any cases.

Again the critics swing to the "post-war Palmer raids", and it is believed that we need not accompany them at this time back to that period.

However, at the bottom of page 44, a statement is made that Attorney General Jackson ordered the indictments in this case dismissed. This is correct. In spite of the fact that an attempt is made to make this order of dismissal a reflection upon the FBI, the facts are that the FBI had no more to do with the policy involving the initiation of the investigation than it had with the dismissal of the indictments.

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On page 45, in the midst of this, there appears a statement to the effect that

> "At about the same time as the arrests in Detroit, F.B.I. agents in New York seized papers of a private organization without any warrant, endeavored to railroad members of the organization before a grand jury on a 'forthwith' subpena which was improper, to say the least, and in effect sought to drop a woman employee of the organization into a private examination by the agents themselves."

These statements are completely and entirely untrue. There is not a single basis for any allegation of this kind.

Page 46 contains a statement to the effect that

> "Once such an agency is embarked on the business of investigating radical movements, radical activities and persons because of the organizations to which they belong or the views they hold, no one, no matter how high in affairs, is free from possible illegal attempts by its agents."

The FBI has not, during the incumbency of its present Director, investigated radical movements or radical activities, as such, and no person has been investigated because of the organizations to which he or she might belong.

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A reference is then made to 1920 again and a statement appears to the effect that

> "an agent of the F.B.I. sought to rifle the offices of the elder Senator LaFollette."

There follows a report of testimony by Gaston B. Means before the Senate investigating committee of 1924. It is necessary to again refer to the illogicality of attributing to the present Director of the FBI responsibility for any such actions at that time. He had nothing to do with such actions, if they occurred. He knew nothing of them if they occurred. With regard to the testimony of the late Mr. Means,

it might or might not be of interest to note that it was through the efforts of the FBI, at a period when the present Director was fully responsible for its actions, as directing head thereof, that Means was convicted and sent to a Federal prison.

Page 47 refers to a statement of one Ray Tucker in an article in Collier's for August 19, 1933, to the effect that

> "Ex-President Hoover was shadowed for a long period in the early 20's when William J. Burns was head of the bureau and J. Edgar Hoover was his assistant."

No instructions were ever issued by the present Director of the FBI to shadow Ex-President Hoover at any time, nor was he at any time aware that any such action was taken, if it was taken.

A reference is then made to the fact that the files of the FBI have contained reports on such prominent Americans as Justice Harlan Fiske Stone, and others. No investigation at any time has ever been ordered by the present Director of the FBI of any of the gentlemen whose names appear in this brief of criticism. This cannot be too positively asserted.

On page 48 there appears a reference to the activities of the FBI in connection with the obtaining of an injunction from Federal Judge Wilkerson in the shipmen's strike. This activity occurred prior to the time the present Director of the FBI possessed any responsibility therefor. This has been said before. It is here repeated whether the action of the FBI at that time was good or bad is not the point at issue

On page 48 there appears the following heading:

> "The F.B.I. is conducting this 'general intelligence' investigative work on a very large scale."

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The FBI is conducting its general intelligence work in accordance with specific instructions of the President of the United States. The scale thereof is known to the President, the Attorney General, the Bureau of the Budget, both houses of Congress, as presented to the appropriation committees thereof, and to other interested officials and citizens. Appropriations were afforded the FBI for these specific purposes. There is nothing secret about either "the scale" or the nature of the work performed. A definite number of agents, i.e., 150, have been provided for in the estimates. The work that has been done and the work that is to be done have been explained in detail.

The brief of criticism goes on to say that

> "Early in September the Department of Justice in effect invited civilians throughout the country to keep their eyes open and report any alleged dangers in this field to the F.B.I."

It further quotes Former Assistant Attorney General John Lord O'Brien as stating

> "In these present troubled days, it would be a great mistake for public officials to encourage private citizens to go searching for spies. It is a dangerous thing to inflame indiscriminately the emotions of the masses of our people."

The Director of the FBI unqualifiedly endorses the statements made by Mr. O'Brien. As a matter of fact, in public speeches in various parts of the country he has warned against vigilante methods. There have already been quoted the remarks of the Director of the FBI on this score before the Convention of the International Association of Chiefs of Police in San Francisco, California, on October 10, 1939. To supplement these, the following is quoted from an address

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by the Director of the FBI before the Annual New York Herald-Tribune Forum, in New York City, on October 24, 1939:

"Every sincere and earnest American should consider himself an integral part of law and order in this war against the enemies of democracy. This cooperation should be limited, however, to passing on to the proper officials all questionable facts or rumors which may come one's way. But our efforts must not develop into a witch hunt. Bands of vigilantes, no matter in what manner they act, or what high ideals they may proclaim, are un-American, unpatriotic, and subversive of the very things the Nation now has the most need of preserving. To successfully cope with the spy demands intelligence, good judgment and above all, justice and calmness in meeting every situation."

Similar statements have been made on a number of occasions. The position of the Director of the FBI would appear to be definitely established along these lines.

The statement is then made that

> "A short time after the Department of Justice, in September, 1939, issued to the general public the invitation above mentioned, it endeavored to retrace its steps."

This is untrue. There has been no retracing of steps or change of policy.

It is then said

> "But the result of the first request, and of a request of the Federal Bureau of Investigation itself, was a flood of reports to the F.B.I. by private citizens, charging illegalities and subversive activities by other citizens."

With regard to the flood of requests, it need only be said that any and all reports of this kind have received proper, selective treatment. No investigation has been

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initiated or conducted unless there appeared ample grounds to warrant the belief that a violation of an existing Federal statute was possible. These investigations have been conducted in such a manner that they have not injured, harmed or embarrassed a single individual. In fact, no complaints along these lines have been received. The function of the public is to report any and all matters appearing to them to warrant investigative attention. The function of the FBI is to investigate such matters as appear to warrant investigative attention. The FBI, of course, is in a position to judge better than uniformed individuals as to what constitutes appropriate conditions for investigative activity. There has been nothing illegal, nothing improper, nothing irregular, nothing that in any way jeopardizes the civil rights of any individual, in the functioning of the FBI along these lines. The increased work which has come to the FBI as a consequence of the Presidential proclamation has been handled as expeditiously as possible and with no annoyance to any law abiding citizen.

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The statement is made on page 49 that

"In dealing with these cases, the F.B.I. is taking an attitude quite different from that which was taken by the Department of Justice in the midst of the spy hunt during the World War."

It is then stated that in the course of an address in February of 1919, Mr. John Lord O'Brian

"cited the figures given to him by one Federal law officer of the Middle West, that of the 3,000 complaints received in his territory from local councils of defense, less than 100 were worthy of serious attention."

The FBI at the present time is investigating only those cases which appear to it to be worthy of serious attention. There would appear to be no difference of opinion along these lines.

The same comment is true with regard to a quotation set out in the brief of criticism from a book entitled "Federal Justice", by Attorney General Cummings and Mr. McFarland. The FBI functions selectively in the investigation of reports received by it. As a matter of fact, it would be impossible to investigate each and every complaint received. It is not necessary, however, and the work is being handled expeditiously and, it is believed, effectively.

The brief of criticism quotes from testimony by the Director of the FBI before the House Appropriations Committee in November of 1939, in which he refers to the number of complaints received and stated that only a comparatively small percentage of these had no "substance". By no "substance" it was intended to convey the idea that few of these complaints could, on their face, be disposed of without consideration. The consideration applied to many of them, however, by trained officials both in the field and at the seat of government is such as to render to this work the selective judgment necessary.

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The brief, on page 51, quotes

"A more desirable attitude with respect to such matters is discussed in the volume by Messrs. Cummings and McFarland"

and sets out a statement from said book as follows:

"The Department of Justice recognized the possibilities of abuse. 'It should not be permitted to become the medium whereby efforts are made to suppress honest, legitimate criticism of the administration or discussion of Government policies; nor should it be permitted to become a medium for personal feuds or persecution' * * * ."

The Director of the FBI heartily approves and commends this statement, and the work of the FBI has been so conducted as to fully meet the requirements set forth in the foregoing.

Page 52 refers to

"A series of 'slacker' raids throughout the country"

and condemns these raids. These so-called "slacker raids" could not have occurred subsequent to the date of the Armistice, November 11, 1918. They did occur in that year. The present Director of the FBI entered the Bureau of Investigation in a subordinate capacity in 1917. The utter absurdity of applying any measure of responsibility to him for the "slacker raids" of 1918 would be, it is believed, manifest to any sane individual.

On pages 52 and 53 references are made to "the size and scope of the card indexes". A statement is made to the effect that these are "likely to be increased by the enlargement of the field subject to the FBI's fingerprinting." Reference has already been made to the Bureau's indexes. It would appear unnecessary to repeat these references here.

Page 53 then goes on to quote the Director of the FBI as stating to the House Appropriations Committee that he favored the fingerprinting of all applicants for relief by the localities providing such relief, and quotes him as saying

> "Many police take the fingerprints of persons who apply for relief in their respective communities. This is a practice which we have strongly advocated."

The brief of criticism then goes on to refer to the fingerprinting of applicants for work under the WPA and quotes testimony by the Director of the FBI before the House Appropriations Subcommittee relative thereto. The Director of the FBI has always advocated the widest possible extension of the fingerprinting

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process. He believes that fingerprinting constitutes an infallible, unchangeable, imperishable mode of identification which meets all modern requirements. He does not believe that the fingerprinting process should be used for any improper purpose. He does not believe that it should be used for the purpose of "black lists". He is of the opinion that it should not be employed in any manner in labor disputes. He is firmly convinced that any prejudice that exists against fingerprints as a mode of definite identity is fallacious and unreasonable. He sees no reason why this mode of definite identification should not be applied in all cases where definite identification is necessary.

It would appear obvious that quotations from the testimony of the Director of the FBI have only been recorded where the views of the Director of the FBI would appear to fit in to pre-conceived prejudices. The following is quoted from testimony of the Director of the FBI before the Subcommittee of the House Appropriations Committee, on January 5, 1940:

"Mr. Caldwell - Would you recommend, or do you think it desirable, that all applicants for relief be fingerprinted prior to the granting of that benefit?

"Mr. Hoover - I would have to qualify that statement, Congressman. I would say 'yes'. Certainly there is no stigma attached to fingerprinting. The only danger in a mandatory requirement such as you mention would be in the exercise of judgment and discretion in granting the relief, if the registration shows that the applicant had a police record. The mere fact that a man has a police record in itself should not preclude the granting of relief."

It might be mentioned that where fingerprinting of transients has occurred, for instance in Richmond, Virginia, many of those fingerprinted were found to have long criminal records and some of them were fugitives from justice.

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This may or may not be of interest to the writer or writers of the brief of criticism.

With regard to the fingerprinting of NPA applicants, the following is submitted:

On January 26, 1939 the Works Projects Administration, New York City, commenced a project of fingerprinting persons who were working in Works Projects Administration positions, when such positions would bring them in contact with school children or into the dwellings of persons located in New York City. The principal purpose of this fingerprinting project was to reduce the huge number of sex crimes occurring in New York City. It was thought that possibly individuals on the Works Projects Administration rolls might be responsible for such crimes, especially with regard to school children. Since the project was started over 26,000 fingerprint cards have been received in the Identification Division of the Federal Bureau of Investigation. Approximately 2,200 of these fingerprint cards have been identified with previous criminal records. In 8.23% of all the individuals fingerprinted, a previous criminal record has been found. During the course of this fingerprinting project seven fugitives from justice have been located.

It is believed that this procedure is amply justified by the figures cited.

Page 53 further refers to the fact that the work of the FBI at this time far exceeds its activity in the post-war years. The inference is, presumably, that the work being more, the opportunity for improper functioning is greater. This is

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entirely correct. The only thing that can be said is that the FBI functions at the present time as efficiently as possible and that every effort is being made to see that its increased work and increased size will more greatly benefit the country at large.

On page 54 appears the heading

"Any unsound or dangerous police activity such as investigating activities which are 'subversive' or 'detrimental to the internal security', is especially dangerous when conducted by the F.B.I."

It is further stated that

"The F.B.I. is maintaining very close relationships with the Army and Navy."

The same comment must be made here as was made in connection with the former assertion as to the growth of the FBI. It is admitted that a large organization is potentially an instrument for more harm than a small organization. It is also, incidentally, a greater instrument for good than is a smaller organization.

Pages 55 and 56 point out that, as indicated in the above, the FBI is maintaining very close relationships with the Army and Navy. This is correct. This relationship is not only necessary and desirable in connection with work involving espionage and sabotage, so far as these activities affect munition plants and plants engaged in work for the Army and Navy, but this close relationship is made even more necessary by the Presidential proclamation to which reference has already been made. There has been, as is pointed out in the brief of criticism, the closest possible coordination between the Intelligence Services of the Army and Navy and the FBI. It is also pointed out that the members of the Intelligence Division of these Departments have been receiving training at the hands of the FBI. This is correct. Certain

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selected representatives of the Army and Navy have attended training schools of the FBI.

The statement is then made, on page 56,

> "The result is that the point of view of the F.B.I. with respect to matters which are basically of economic and political import is bound to penetrate into important Army and Navy circles which in turn have a great influence over these major departments."

With regard to the foregoing, there are no "points of view of the FBI" relative to economic and political matters which in any way affect the functioning of the FBI in matters coming under its jurisdiction. The inference appears to be that the Army and Navy will be spoiled by contact with the FBI. It is difficult to reply seriously to an innuendo or assertion of this kind. It is hoped and believed that the contact of the FBI with the Army and Navy will redound to the benefit of both organizations. Officials of the Army and Navy have expressed commendation in no uncertain terms of the benefits derived by those organizations from FBI contacts.

Page 56 then states

> "The F.B.I. has many close relationships and contacts with employers and business concerns."

and

> "Plants manufacturing material under contracts for the War and Navy Departments."

It then proceeds further to quote the Director of the FBI relative to conferences between the heads of organizations of the type referred to above and representatives of the FBI. These assertions are correct. The contacts are close, as close as necessary for the proper official functioning of the FBI in matters involving possible violations of Federal statutes. The plant protection functions

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of the Federal Bureau of Investigation have been previously described.

A statement is then made in the brief of criticism to the effect that

> "When an agency of the Government is engaged in making investigations that affect employees of plants and may affect their efforts to better their condition and to organize into a labor union or to join existing unions and that Government agency is at the same time working in close cooperation with the employers of those men, the possibility of results dangerous to the country becomes clear.

The inference is that the representatives of the FBI will adversely affect the interests of members of labor unions in these plants. This, of course, is a grossly slanderous falsehood, as it relates to the connections of the FBI with any plants of this or any other kind. It has been asserted before and is definitely here again set forth that the relations of the representatives of the FBI with the representatives of these plants in no manner and in no degree affect or have any relation to employer-employee relationships.

On page 57, under the heading

"Contact with banks, business houses, individuals, et cetera", is set forth a statement that the Director of the FBI wrote to many persons and organizations, including "banks, business houses, railroads, and individuals", requesting their cooperation in the general intelligence work of the FBI. The FBI works in the closest possible cooperation with banks, business houses, railroad and any and all types of citizens in any part of the country in the work performed by it. The inference, of course, that this cooperation will result in improper activities on the part of the FBI, or aid it in such activities, is a slanderous falsehood.

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On page 54 appears a heading to the fellow. effect:

"In the enforcement of various federal criminal statutes such as that relating to interstate thefts of automobiles and other property, bank robberies, et cetera, the F.B.I. has maintained close relations with business associations, such as automobile associations, jewelry associations, banking associations, et cetera."

This is true to the extent that such relations are both necessary and desirable in the investigation of violations of Federal statutes entrusted to the investigative jurisdiction of the FBI by Congress.

On the same page reference is made to an article by William Seagle in Harper's Magazine for November, 1934, entitled "The American National Police", in which a statement appears that

> "a number of the statutes creating federal crimes of this nature have resulted from the activities chiefly of business associations".

Whatever caused Congress to enact statutes placing said crimes within the jurisdiction of the FBI is not the business or concern of the FBI. This would appear to criticize more or less slanderously the members of Congress. The FBI will enforce as efficiently as possible any and every statute entrusted to it by Congress for enforcement.

The statement then appears that

> "an example of the degree of closeness of the F.B.I.'s work with business groups and of the fact that such work is carried on in all parts of the United States is furnished by the activities of the F.B.I. in the detection and prevention of bank robberies."

There are then quoted certain figures appearing in testimony of the Director of the FBI before the House Appropriations Committee on January 5, 1940, to the

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effect that the FBI has "today * * * jurisdiction over 19,240 banks". The brief of criticism should have further stated that the FBI was afforded authority by Congress in May of 1934 to investigate bank robberies. The crime of bank robbery was prevalent at that time in practically every state in the Union. Organized bands of professional bank robbers proceeded from state to state and robbed banks in a manner which indicated a very definite degree of defiance of constituted authority. Since the FBI was given authority to investigate bank robberies, there has been a reduction in this type of crime of approximately 75%. According to figures published by the surety companies, there has been a reduction in bank robbery insurance rates approximating 30% and, I am glad to say, it has been indicated by officials of these companies that this reduction has been made largely as a result of the work performed by representatives of the FBI. It will thus be seen that the work of the FBI's representatives in this field is not only beneficial from a protective standpoint, but likewise has brought definite advantages from a monetary point of view.

Page 59 contains a heading reading

"Relations of the F.B.I. with local law enforcement agencies",

and refers to the same article by Seagle in Harper's Magazine, in 1934, which stated that "there were then 175,000 state, municipal and county police officers". It goes on to say that

"Anyone who has good access to those police forces is in a position to exercise considerable influence on the American community as a whole. Such access is available to and used by the F.B.I."

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This is true. The closest possible cooperation exists between the FBI and the police officials of the country. The files of the FBI are replete with letters of commendation from law enforcement officers everywhere, and with resolutions of confidence, esteem and approval passed by every type of police organization, nationa state and local. The following are examples:

Resolution adopted by International Association of Chiefs of Police, in Convention at San Francisco, California, in October, 1939:

A RESOLUTION

"WHEREAS, There exists in the United States thousands of police officers a law enforcement agencies, each limited in its geographical jurisdiction, thus indicating a need for a national clearing house in all types of police work; and

"WHEREAS, The Federal Bureau of Investigation of the United States Depart of Justice, under the able, fearless, and efficient leadership of its Director, Honorable John Edgar Hoover, serves the law enforcement officials, and thus, through them, the citizens of the nation as a clearing house, in fingerprint identification work; in records and statistics on the extent, trend and fluctuation of crime and criminals; in scientific and technical crime detection matters through its crime laboratory, and in all phases of police training work; and

"WHEREAS, The special agents of the Federal Bureau of Investigation, operating under the direction of Mr. Hoover, come into daily contact with hundreds of law enforcement officers throughout the land, thus serving as an active and friendly cooperating and coordinating source in law enforcement work; and

"WHEREAS, the President of the United States has designated the Federal Bureau of Investigation as a national clearing house for information and action in matters concerning espionage, sabotage, and other related matters bearing on the internal protection of our nation;

"THEREFORE, BE IT RESOLVED: That we, the members of the International Association of Chiefs of Police, express with sincerity and affection to Director John Edgar Hoover and the Federal Bureau of Investigation, our sincere appreciation for the splendid cooperation received and the excellent services rendered in fingerprint identification work; in crime records and statistics matters; in scientific and technical crime detection methods; in police training activities, and in investigations of mutual interest and obligation; and

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"BE IT FURTHER RESOLVED: That we, the members of the International Association of Chiefs of Police, hereby endorse, approve and express our heartfelt thanks for the broad, friendly interest of Director Hoover, which has contributed largely to the raising of the standards of police work to the status of a profession in the United States; and

"BE IT FURTHER RESOLVED: That we, the members of the International Association of Chiefs of Police, pledge our continued, friendly and enthusiastic cooperation with Director Hoover and the Federal Bureau of Investigation in keeping with the proclamation of the President of the United States, in aiding in the defense of our country, its principles and institutions, against the attack of enemies, both foreign and domestic, whether they be criminals in our midst or spies and saboteurs, lurking within our borders, and loyally we shall follow the advice of our President in working for the benefit and the welfare of our country under the leadership of Director John Edgar Hoover; and

"BE IT FURTHER RESOLVED: That as a pledge of our united allegiance and loyalty to our nation, copies of this resolution be forwarded to the President of the United States, the Attorney General of the United States, Director John Edgar Hoover, the members of the Congress of the United States, and to representatives of the press."

* * * * * * * *

Resolution adopted by the Michigan Association of Chiefs of Police, March 12, 1940, East Lansing, Michigan

RESOLUTION ENDORSING THE FEDERAL BUREAU OF INVESTIGATION

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"WHEREAS, the police departments of Michigan have always received the utmost cooperation from the Federal Bureau of Investigation, and

"WHEREAS, it has come to the attention of the police chiefs of Michigan that an unwarranted attempt is being made to curtail the activities of the Federal Bureau of Investigation, through criticism aimed at its Director,

"THEREFORE, BE IT RESOLVED, that the Michigan Association of Chiefs of Police, through its executive Committee, in meeting at East Lansing on March 12, 1940, hereby endorse the splendid work of the Federal Bureau of Investigation under the able direction of Mr. J. Edgar Hoover, and protest any movement seeking to discredit this organization or curtail its activities."

On page 59 there appears a further heading to the following effect:

"The local police forces are dependent on the F.B.I. for many services now being rendered by it and with respect to which it is rendering a virtual monopoly service."

This is illustrated by mentioning the Identification or Fingerprint Division of the FBI. This statement is correct. The FBI is extremely proud of the services it is rendering to law enforcement organizations and officials of the country through its Identification Division, Technical Laboratory, the National Police Academy, and other similar service agencies, including its monthly bulletin to local police, which is also mentioned in the brief of criticism.

On page 60 the Director of the FBI is quoted as informing the House Appropriations Subcommittee that information furnished by the FBI "will be of inestimable value to law enforcement officers of small towns, who otherwise would not have this information available." This is correct. The brief also refers to the work of the FBI in its uniform crime reporting project. This work has progressed splendidly and has been of country-wide importance in providing a basis of factual information concerning the rise and fall, and variation, of types of crimes, including extremely useful information of all kinds pertaining thereto.

On page 61 appears to be the innuendo basis of the foregoing, a statement being made to the effect that

"through such training schools local police forces may be subject to unsound influences. The example deals with the subject of police raids."

It is further stated that the subject of raids is one of the important subjects included in the courses and curricula of the National Police Academy conducted by the FBI.

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It is true that instruction in the proper method of conducting police raids is a part of the curricula of the National Police Academy. This instruction is for the purpose of setting forth certain rules and methods and policies to be followed in conducting police raids, which will render the conduct of these raids less dangerous to the police officers engaged therein. The subject of police raids in the National Police Academy is confined solely to that type of raid in which armed resistance is encountered from desperate, heavily armed criminals. The instruction deals practically entirely with safety precautions. It is designed to minimize to the greatest possible extent the widespread fatalities that occur not only yearly, but every month in the year, amongst the police forces of the country. In this instruction there is continually stressed the principle that all raids are to be carried out with the strictest conformity to local and state laws; that nothing illegal in any degree is to be permitted.

Further courses in the National Police Academy point out the moral undesirability and scientific futility of third degree methods, duress and unethical tactics.

The writer or writers of the brief of criticism of course follow this by a reference to the

"recent Detroit, Milwaukee and New York raids"

(there were no New York raids in connection with the arrests of the so-called Detroit Spanish Loyalists), and it is stated that the actions of the Special Agents engaged

upon this case doubtless typified the usual methods of operation in the FBI, as well as the courses taught at the National Police Academy. This statement is correct. There was nothing done in connection with the Detroit or Milwaukee arrests which was in any way illegal, irregular, improper or unlawful. They were conducted properly, scientifically, and with every possible regard for the civil rights of the persons taken into custody. The statement that irregularities occurred, which has been repeated, is false.

The statement is then made, on page 61, that:

> "Not only does the F.B.I. have potential influence over the police departments throughout the country, in affecting them with the viewpoint that governs its investigations * * *, but the F.B.I. has acted to make its potential influence effective. * * * In September, 1939 it called in for special training the graduates of past years of the National Police Academy.

Each year graduates of the National Police Academy return to Washington at their own expense and there are afforded instruction in subjects of police training selected by themselves. In other words, they indicate the type of instruction they desire and it is afforded them. In September, 1939 training was afforded a group of National Police Academy graduates, who had expressed a desire to be informed as to certain types of violations of the espionage and sabotage statutes. There was, of course, nothing irregular or unlawful in any manner attendant upon this training. It was straight instructional functioning. It dealt with practical police problems. There was nothing to which any unbiased, unprejudiced, intelligent person could object.

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The animus of this criticism is then made even more obvious by a statement to the effect that

> "When the graduates had assembled Mr. Hoover addressed them, saying that 'forces alien to American peace and democracy are seeking to burrow deep into our social order' and that 'these exponents of foreign isms have no moral right to bite the hand that feeds them'."

With regard to the latter, the Director of the FBI would desire to emphasi these statements and to set forth his continuing belief in their vital truth.

On page 62 appears a heading to the following effect:

> "As a result of the very great extension, in recent years, of the Federal criminal code, over many crimes theretofore in the exclusive jurisdiction of the states, the F.B.I. is in a position to reach down into virtually every community in the country and to affect the investigation and prosecution of crimes, even local crimes, thereafter by local authorities."

The critics then refer to the same Seagle article in Harper's Magazine already mentioned, dealing with

> "the new criminal jurisdiction added by statute and thus conferred on the F.B.I., as 'the unprecedented concentration of federal power'."

With regard to the foregoing, the criticism, if criticism there be, should be directed against Congress. Members of Congress, as the lawful representatives of the people of the United States, have seen fit to pass certain statutes and place th investigative jurisdiction for the enforcement of said statutes under the control of the FBI. The FBI has endeavored to enforce these statutes as efficiently as possibl It is believed that the record of the FBI in the enforcement of these statutes speaks for itself.

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It is a fact, as indicated in the first paragraph on page 63 of the brief of criticism, that local law enforcement authorities have at times proceeded to effect successful local prosecution based upon evidence previously secured by the representatives of the FBI. The evidence previously secured has always dealt with violations of Federal crimes. The actions of the local authorities in acting upon any evidence bearing upon local violations would appear not to be subject to criticism but to reflect a praiseworthy effort to fulfill local law enforcement obligations.

Page 63 then deals with

"The tremendous extension in the actual jurisdiction of the F.B.I."

as indicated by its budget figures. It is a fact that the additional Federal statutes passed by Congress, the responsibility for the enforcement of which has been placed under the jurisdiction of the FBI, have resulted necessarily in increased appropriations. These increased appropriations have been concurred in by the Budget Bureau, both houses of Congress, the Attorney General, and the President. There would appear nothing that any representative of the FBI could do or say that might convince malevolently inclined critics of the lack of responsibility of the FBI for these conditions.

On page 63a it is stated that

"The F.B.I.'s tendency toward unlawful methods in enforcing the criminal law makes all the more dangerous its participation as a detective agency in matters of economic and political opinion."

There has been no tendency of the FBI toward unlawful matters in enforcing the criminal law. Any such assertion is untrue. It should be noted that the functions of the FBI cannot be secret. Particularly in recent years, when there has been

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country-wide publicity centered upon the activities of the FBI, the slightest tendency toward irregularity of procedure would have become immediately known in any part of the country. Such statements are maliciously false.

The quintessence of absurdity then follows in a reference to

"a book by Melvin Purvis entitled 'American Agent', published in 1936 and 1938"

in which certain episodes are referred to as indicating unlawful policies existing in the FBI. The Director of the FBI is obviously not responsible for any statements made by Mr. Purvis in his book. Had any action by Mr. Purvis, while he was under the jurisdiction of the FBI, been known to have violated the FBI rules and regulations, as specifically reflected in its manuals, drastic disciplinary action would have been applied. Purvis, while he was a Special Agent of the FBI, was governed by the rules and regulations set forth in FBI manuals, as are all other employees.

Absurdity is heaped upon absurdity, however, when the statement follows that

"Possible additional evidence is to be found in a book entitled 'Special Agent - An FBI Mystery' by James Remington McCarthy".

Then follows what purports to be advertising matter and quotations from a book of pure (or otherwise) fiction on the part of this author. It is stated that

"The hero of the book is an agent of the F.B.I. (identified as such)," et cetera.

There are then quoted several pages of drivel, showing an "FBI agent" and an "FBI director" engaged in the usual entertainment afforded by detective stories to those who have a liking for this type of alleged literature. It would be nauseatingly banal to dignify this junk by comment.

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On page 63e appears the heading

"The close relation between the F.B.I. and the Army may increase any F.B.I. tendencies adverse to democracy."

The wording that follows would appear to indicate that the Army will demoralize the FBI. Previously, it will be recalled, the statements have reflected that the FBI demoralizes the Army and Navy. It may be assumed that logic and consistency are not to be in any manner considered and the critical critics probably would say that the Army, the Navy and the FBI demoralize one another mutually.

There then appear quotations purporting to show something discussed in the "Army Training Manual, No. 2000-25", concerned with putting down civil rebellion, and a definition of democracy which presumably slanders the Army in the same manner as an attempt has been made in the entire brief of criticism to slander the FBI. The FBI will endeavor not to be demoralized by the armed forces of the country. It has worked in close cooperation with the Army and Navy. It will continue to work in close cooperation with them for the benefit of the country at large.

On page 64 appears the heading

"It is unfair to the F.B.I. to burden it with this class of investigations. The burdens of its other work are so heavy that the F.B.I. should not be required to deal with this type of case."

The solicitous consideration exhibited in the foregoing for the FBI is, of course, highly appreciated. However, the FBI has been able to meet the obligations imposed upon it by Congress in all phases of its work. The FBI will continue meet these obligations.

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possesses any rationality or requires any argumentation. In other words, the allegedly "new" work which the FBI is performing has been covered by specific funds allotted by the President and by Congress for this purpose, and additional personnel have been allotted for the same purpose. There is, therefore, no additional burden.

With regard to statements on pages 65 and 66 to the effect that certain

> "crimes are more dangerous to the community than movements and activities motivated by the economic and political views of the persons engaged therein",

it is again necessary to state that the FBI does not make investigations into "economic and political views."

A reference is made to the fact that the FBI is reported as not entirely up to date on certain classes of its cases. This is true. This condition is improving, however, and there would appear to be no reason why the solicitous critics should concern themselves with the problems of the FBI. The FBI has solved its problems in the past. It will solve them in the future.

Several pages are then devoted to indicating that

> "Even four years ago the Bureau was so overloaded with work that it became necessary to relieve the Bureau of some of the functions it had previously been performing".

This refers to the work of "examining judicial officers", which was transferred at that time to the administrative branch of the Department of Justice. This particular work was an extremely minor phase of the Bureau's activities. It consisted of accounting and auditing work in its entirety.

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On page 67a the following heading is set out:

> "There is serious danger that the usual work of the F.B.I. with respect to actual crimes, may suffer discredit by reason of its being burdened with the 'general intelligence' cases here discussed".

The brief then harks back once more to the 1919-1924 period, in which it is stated the Bureau was subject to "vigorous criticism and discredit". Once more reference is made to the views and opinions of former Attorney General Stone. These are quoted in the volume published by Attorney General Cummings and Mr. McFarland and are as follows:

> "Upon his appointment in 1924, Attorney General Stone immediately directed his attention to needed readjustment of the Bureau of Investigation. By the simple expedient of confining investigations exclusively to violations of statutes and by a reorganization of the personnel through elimination of the unfit and their replacement with agents of legal education or knowledge of accounting, reenforced by a system of rigid inspection and intensive special training, he laid the foundations for a new and efficient service."

Let it here be reiterated that Attorney General Stone appointed the present Director of the FBI to carry out his ideals. Let it also be pointed out that the FBI has and does confine its investigations to violations of existing Federal statutes and that by a system of rigid inspection and intensive, special training, a modern, scientific law enforcement organization has been created and maintained.

On page 68 appears the heading

> "Similarity between F.B.I. activities in recent months and its activities during the period of the Palmer and Burns raids and investigations."

All this has been iterated and reiterated. There would appear to be nothing to say that has not been said.

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The statement is made that

> * * * some of the current activities of the F.B.I. are reminiscent of its activities in the period 1919 to 1924",

"reminiscent", presumably, to the writer or writers of the brief of criticism. Once again, the brief harks back to 1919 and refers to the General Intelligence Division at that time. It is stated that

> "The director of that division from 1919 onward was Mr. J. Edgar Hoover. He is Director of the Bureau at the present time."

The present Director of the FBI was a subordinate employee in 1919. The responsibili for policies then was not his. Since he has been Director of the FBI, this responsibility is vested in him and has been borne to the best of his ability. The work of the FBI speaks for itself.

The comments on page 69 are an attempt to draw a comparison between the work of the FBI in 1919 along "ultraradical" lines, and the work of the FBI today. Further reply to these viciously unfounded accusations would appear to be useless and unnecessary. Reference in the brief of criticism is made at length to the functioning of the "General Intelligence Division" in 1919.

On page 70 the statement is made that

> "Just as the F.B.I. is now engaged in making up lists and indices of persons subject to present and future investigation * * * so in the period 1919 to 1924 the F.B.I. gave a good deal of time to making up indexes and collections of material for somewhat similar use."

It further quotes the Annual Report of the Attorney General for 1920 to show the scope of the work in 1919.

Mr. Tolson
Mr. Nathan
Mr. E. A.
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Nease
Mr. McIntire
Mr. Nichols
Mr. Pennington
Mr. Rosen
Mr. Quinn Tamm
Pers. Files
Adm. Files
Tour Room
Mr. Tracy
Miss Gandy

With regard to the indexes now maintained by the FBI, the nature, character and scope thereof have been set forth in detail. It would be needless repetition to repeat the full and complete explanation here..

Page 71 in its entirety quotes report of the Attorney General for 1920 along these lines.

Page 72 quotes the report of the Attorney General for 1921 along the same lines. The present Director of the FBI did not assume his duties as such until 1924.

On pages 72 and 73 an attempt is made to elaborate on a statement to the effect that

> "The FBI has been giving considerable of its attention to aliens in the current drive."

There is no "current drive". There is no attention whatsoever being paid to aliens as such. Both aliens and citizens come within the sphere of the FBI's functioning only if they violate or are reported as violating any existing Federal statute. Any charge that any drive or any special attention is being given to aliens is maliciously untrue.

Page 73 refers again to activities of the FBI during the year 1920.

On page 74 appears a heading

> "Investigation of organizations and persons, not by reason of any violation of law on their part, but because of the economic or political views motivating their activities."

A statement is then made to the effect that

> "Many of the current investigations relate to non-criminal matters altogether."

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
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Mr. Lester
Mr. Hendon
Mr. McIntire
Mr. Nichols
Mr. Pennington
Mr. Rosen
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Adm. Files
Tour Room
Mr. Tracy
Miss Gandy

The simple, complete, concise and accurate answer, and the only answer that can be made to the above, is that it is completely and entirely untrue. The attention of the FBI is not devoted to non-criminal matters. It is devoted strictly to criminal matters or such matters as are deemed necessary to require investigative attention by the Attorney General or his representatives. Investigations are made, of course, concerning applicants for Departmental positions, upon the instructions of the Attorney General, and of the same type of applicants for other departments, upon the request of other departments and approval by the Attorney General. This is illustrative of the non-criminal work done by the FBI. No investigations are made of any kind or type, as charged in the foregoing, into the activities of persons because of "the economic or political views motivating their activities".

Page 75a states that

"The raids conducted by the FBI in recent weeks do not, of course, hold a candle to the raids conducted in the earlier period, but in one respect the two are much the same - both involved gross improprieties as well as unlawful actions by FBI agents."

It has been repetitiously stated, and once again it may be stated, that in no raid conducted by the FBI "in recent weeks" or prior thereto during the incumbency of the present Director, has there been anything irregular, illegal, improper, or subject in any manner to valid criticism.

The last paragraph of the brief of criticism, on page 76, states

"The difficulty should be solved before there is an accumulation of improprieties, illegalities and discredit."

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
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Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Hendon
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Mr. Pennington
Mr. Rosen
Mr. Quinn Tamm
Pers. Files
Adm. Files
Tour Room
Mr. Tracy
Miss Gandy

FRM [redacted] b7c

March 5, 1940

102791 824483

MEMORANDUM FOR THE DIRECTOR

RE: MAX LOWENTHAL.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9-16-85 BY [redacted]

Max Lowenthal is associated with Senator Burton K. Wheeler [redacted] of Montana and maintains offices with Senator Wheeler in the Senate Office Building. He is reported to be the real brains behind the recent Senatorial investigation conducted by Senator Wheeler concerning railroads. It has been reported that without Lowenthal the investigation would have been without results. [redacted] He was counsel for the Wickersham Committee and [redacted] although this statement would appear to be wrong in view of the fact that he resigned from the Wickersham Committee, as will be shown later in this memorandum. [redacted] b7D

Several years ago Lowenthal wrote a book entitled "The Investor Pays." [redacted] b7D

He was formerly associated with the law firm of Lowenthal, Gould and Brandwen, 43 Exchange Place, New York City. This firm has also been referred to as Lowenthal, Gould and Perkins [redacted] Lowenthal was the organizer of the Amalgamated Bank in New York City several years ago and was a member of its Board of Directors [redacted] In 1936 he was a member of the [redacted] b7D

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/92 BY 8123 [redacted]

C2-25733-4X

b7c

National Committee of the International Juridical Association, which is a radical lawyers organization. There is no reference to Lowenthal in "Who's Who in America" and in "Who's Who in American Jewry."

There appeared a news item in the Washington Daily News for August 8, 1930, disclosing that Max Lowenthal, a noted lawyer, had resigned his position as secretary to former President Hoover's Law Enforcement Commission because of "disappointment over the failure of the Hoover Law Enforcement Commission to adhere to its pre-announced intention of making a scientifici and dispassionate study of law violation and law enforcement." The article pointed out that Lowenthal served thirteen months without pay "in a post which he entered at the personal solicitation of George W. Wickersham, Chairman of the Commission" and quit in "disgust over what he regarded as its antics in the realm of political expediency." The article claimed that various members' breaking of the secrecy rule by the Commission, bickering over the problem of prohibition, and breaches of common agreement precipitating several quarrels, caused Lowenthal great distress, and finally led to his resignation. [redacted]

In 1923 Lowenthal was General Counsel for the Russian-American Industrial Corporation. b7D

[redacted]

referred

The files contain a memorandum dated August 8, 1929 (62-31747-17) written by the Director concerning an interview with Max Lowenthal on August 6, 1929, at which time Lowenthal made a request for the following items of information:

> The names of fifteen Chiefs of Police who might be considered for designation on Committees to function on matters in which the National Commission on Law Observance and Enforcement is interested.
>
> The name of the Associate Editor of the Annals of

122793

the American Academy of Political and Social Science, who has charge of the forthcoming publication dealing with crime and law enforcement; also the outline of the Table of Contents for this publication.

A memorandum setting forth the percentage of time spent by the Agents and Accountants of the Bureau on the more important phases of the Bureau's investigative work, such as National Motor Vehicle Theft Act, White Slave Traffic Act, Mails to Defraud, Thefts from Interstate Shipment, Antitrust violations, etc.

A memorandum of the course of instruction followed at the training school for Special Agents and Special Accountants.

A memorandum of the procedure followed in the selection of special agents and special accountants.

A memorandum of the procedure and technique of investigation of applicants for appointment as United States Judges and District Attorneys; this memorandum to cover the procedure in the past and at the present and any suggestions for improvement.

A memorandum on the procedure followed to check the work and efficiency of special agents and special accountants after their appointment in the Bureau.

A memorandum upon the source of the business which reaches the Federal Courts handled by the Bureau.

Three copies of the new Manual of Instructions.

Six copies of the booklet covering the functions of the Bureau.

Six copies of the efficiency rating sheets used for field employees.

Six copies of the personality report sheet used by Inspectors in examining applicants.

A memorandum covering the details of operation of the National Division of Identification and Information.

The same file also contains a letter of the Director to Max Lowenthal, dated August 10, 1929, disclosing that Lowenthal was then secretary of the National Commission on Law Observance and Enforcement, occupying offices in the Tower Building, Washington, D. C. The letter dealt with the subject of selection of the proper personnel for investigators.

Respectfully - E. A. Tamm

March 29, 1940

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9-26-85 BY 3p [redacted]
#241-183

MEMORANDUM

102794

Max Lowenthal -

The New York Times index indicates that in the June 5th, 1933 issue, on page 18, there appeared a summary of a book written by Max Lowenthal, entitled "The investor Pays." A review of this book appeared in the June 25th, 1933 issue of the New York Times on page 3. The index further discloses that in the March 1st, 1936 issue on page 4, there was an account of one Maxwell D. Lowenthal being engaged to R. Schwerin. The index further revealed that there was a reference to Max Lowenthal, under the heading, "Railroads, U. S. - Van Sweringen" in the issue of May 27, 1937. It further indicated that in the April 29th, 1939 issue on page 25, there was an account of Max Lowenthal having testified before a Senate Committee hearing on railroad reorganization.

Russian-American Industrial Corporation

The report of Special Agent [redacted] dated September 6th, 1922, Bureau file 61-2389, reflects that on September 5th, 1922, the California State Authorities raided the office of the Russian-American Industrial Corporation, room 504, 224 South Spring Street, Los Angeles, California, which office was also occupied by Local #278 of the Amalgamated Clothing Workers of America. The raid was made and the books and records of the Russian-American Industrial Corporation were seized under the provisions of the California State Corporation Law, commonly known as the "Blue Sky Law." It was charged that the RAIC had violated this law by failing to obtain permission from the State Corporation Commission before selling stock of the RAIC. At the time of this raid, there were seized certain papers which appeared to be the card index of members of FRIENDS OF SOVIET RUSSIA, in Los Angeles.

The report of Special Agent [redacted] Los Angeles, California, 6-15-23, Bureau File 61-2067, indicated that relative to the above raid, [redacted] and six other individuals, described as local Jewish radicals, were indicted by the Los Angeles County Grand Jury for violation of the California State Corporation Securities Act in the asserted sale of stock in the RAIC. It further disclosed that these indictments were dismissed, June 10, 1923 by Superior Court Judge Shenk, upon motion of the District Attorney's Office. The reason given for the dismissal of the indictments was that the former investigator who purchased the stock from the defendants had been indicted by the Federal Grand Jury and would not be available as a witness, and further, because there was no evidence then available relative to the incorporation of the RAIC and it would be necessary to obtain same from the state of Delaware. In this report, Agent [redacted] stated that it was his opinion that letters from Felix Frankfurter of Harvard University to several prominent members of the Los Angeles Bar, who are former graduates

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DATE 3/25/92 BY 8123 [redacted]

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JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

May 1, 1940

EAT: [redacted]

b7c

MEMORANDUM FOR THE DIRECTOR

Re: Max Lowenthal

We have reviewed the attached memorandum dated March 29, 1940 pertaining to Max Lowenthal and feel that it accurately summarizes all information contained in the Bureau files concerning him.

Respectfully,

Clyde Tolson

Edward A. Tamm

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DATE 3/25/92 BY 8123 [redacted]

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FEDERAL BUREAU OF INVESTIGATION
5 MAY 17 1940
U.S. DEPARTMENT OF JUSTICE
TOLSON NICHOLS ONE [redacted]

I ENCL.

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Egan
Mr. Glavin
Mr. Nichols
Mr. Hendon
Mr. Rosen
Mr. Tracy
Miss Gandy

1 Ent. to Mr. Nichols 1/2/29/40 [redacted]

March 29, 1940

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9-26-85 BY 3p [redacted]
#241-183

MEMORANDUM

102793

Max Lowenthal -

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DATE 3/25/92 BY 8123 [redacted]

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HN: [redacted]

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March 29, 1940

MEMORANDUM

RE: MAX LOWENTHAL

Max Lowenthal is associated in some capacity with Senator Burton K. Wheeler of Montana. He can be found in the offices maintained by the Senate Interstate Commerce Commission, Hearing Room G. He played a part in the recent Senatorial investigation conducted by Senator Wheeler relative to railroads.

According to a confidential informant, [redacted]

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In 1923 Lowenthal was general counsel for the Russian-American Industrial Corporation, with headquarters at 31 Union Square, New York City. In a prospectus published by said corporation, for the purpose of raising capital, it is stated that the plan for the organization of a million-dollar corporation, described in this prospectus, was an outgrowth of the visit of Sidney Hillman, President of the Amalgamated Clothing Workers of America, to Russia, in the summer of 1921. The prospectus referred to Soviet concessions consisting of six factories in Petrograd and three factories in Moscow, for the making of material, and stated that the control over the concessions would be vested in representatives of the Supreme Council of National Economy of the Soviet Government and of the Russian-American Industrial Corporation.

Among the purposes of this Corporation, according to the prospectus is the following:

"(1) To aid and assist in developing the resources of Russia, thereby furthering the economic progress of Russia and the American progress in that country."

There is printed in this prospectus a note of congratulations from Felix Frankfurter.

There is also printed in the prospectus a communication addressed to Sidney Hillman by "Rykoff, Acting Chairman, Council Labor and Defense (Substitute for Lenin)."

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
Mr. Ladd
Mr. Coffey
Mr. Egan
Mr. Glavin
Mr. Harbo
Mr. Lester
Mr. Hendon
Mr. McIntire
Mr. Nichols
Mr. Pennington
Mr. Rosen
Mr. Quinn Tamm
Mrs. Files
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Mail Room
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Miss Gandy

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March 29, 1940

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#241-183

MEMORANDUM

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DATE 3/25/92 BY 8123 [redacted]

b7c

of Harvard Law School, may have had something to do with the fact that this case was allowed to drag along for eight months and finally be dismissed on technical grounds. The report stated that the letters from Felix Frankfurter appealed to them, as a personal favor to him to look after the interests of the defendants. The report also stated that the State Corporation Commission had investigated the RAIC and issued an order forbidding the sale of its stock in California, which order was still in effect, despite the dismissal of the above indictments.

102785

DATE 9 20 00 BY

MEMORANDUM FOR THE DIRECTOR #241-193

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/25/92 BY E123 [redacted]

b7C

RE: MAX LOWENTHAL

Max Lowenthal is associated with Senator Burton K. Wheeler of Montana and maintains offices with Senator Wheeler in the Senate Office Building. He is reported to be the real brains behind the recent Senatorial investigation conducted by Senator Wheeler concerning railroads. It has been reported that without Lowenthal the investigation would have been without results. [redacted] He was counsel for the Wickersham Committee and [redacted] although this statement would appear to be wrong in view of the fact that he resigned from the Wickersham Committee, as will be shown later in this memorandum.

b7D

[redacted]

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Mr. McIntire
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Adm. Files
Pers. Files
Mr. Tracy
Miss Gandy

RECORDED & INDEXED

62-2

He was formerly associated with the law firm of Lowenthal, Szold and Brandwen, 43 Exchange Place, New York City. This firm has also been referred to as Lowenthal, Szold and Perkins. [redacted]

(7 copies made)

RECEIVED - TOLSON
MAY 1 2 1964

This piece of mail is being sent through to complete our file orig. is not on rec. 6/40

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TOLSON
FOUR
NICHOLS
HENDON

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[redacted] Lowenthal was the organizer of the Amalgamated Bank in New York City several years ago and was a member of its Board of Directors. [redacted] In 1930 he was a member of the National Committee of the International Juridical Association, which is a radical lawyers organization. There is no reference to Lowenthal in "Who's Who in America" and in "Who's Who in American Jewry."

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In 1923 Lowenthal was General Counsel for the Russian-American Industrial Corporation. b7D

[redacted]

referred

[redacted]

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The names of fifteen Chiefs of Police who might be considered for designation on Committees to function on matters in which the National Commission on Law Observance and Enforcement is interested.

The name of the Associate Editor of the Annals of the American Academy of Political and Social Science, who has charge of the forthcoming publication dealing with crime and law enforcement; also the outline of the Table of Contents for this publication.

A memorandum setting forth the percentage of time spent by the agents and accountants of the Bureau on the more important phases of the Bureau's investigative work, such as, National Motor Vehicle Theft Act, White Slave Traffic Act, Mails to Defraud, Thefts from Interstate Shipment, Antitrust violations, Bankruptcy violations, etc.

A memorandum of the course of instruction followed at the training school for special agents and special accountants.

A memorandum of the procedure followed in the selection of special agents and special accountants.

A memorandum of the procedure and technique of investigation of applicants for appointment as United States Judges and District Attorneys; this memorandum to cover the procedure in the past and at the present and any suggestions for improvement.

A memorandum on the procedure followed to check the

work and efficiency of special agents and special accountants after their appointment in the Bureau.

A memorandum upon the source of the business which reaches the Federal Courts handled by the Bureau.

Three copies of the new Manual of Instructions.

Six copies of the booklet covering the functions of the Bureau.

Six copies of the efficiency rating sheets used for field employees.

Six copies of the personality report sheet used by Inspectors in examining applicants.

A memorandum covering the details of operation of the National Division of Identification and Information.

The same file also contains a letter of the Director to Max Lowenthal, dated August 10, 1929, disclosing that Lowenthal was then secretary of the National Commission on Law Observance and Enforcement, occupying offices in the Tower Building, Washington, D. C. The letter dealt with the subject of selection of the proper personnel for investigators.

Respectfully,

E. A. Tamm.

In another pamphlet issued by this corporation appear the names of Mr. and Mrs. Max Lowenthal, as subscribers to Russian-American Industrial Corporation stock.

Lowenthal was connected with the Wickersham Committee and [redacted]

b7D

He called at the offices of the Federal Bureau of Investigation on August 6, 1929 and requested the following items of information:

The names of fifteen Chiefs of Police who might be considered for designation on Committees to function on matters in which the National Commission on Law Observance and Enforcement (Wickersham Committee) was interested.

The name of the Associate Editor of the Annals of the American Academy of Political and Social Science, who had charge of the forthcoming publication dealing with crime and law enforcement; also the outline of the Table of Contents for this publication.

A memorandum setting forth the percentage of time spent by the Agents and Accountants of the FBI on the more important phases of the FBI's investigative work, such as National Motor Vehicle Theft Act, White Slave Traffic Act, Mails to Defraud, Thefts from Interstate Shipment, Antitrust violations et cetera.

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A memorandum upon the source of the business which reaches the Federal Court handled by the FBI.

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Mr. Rosen
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Mr. McIntire
Mr. Nichols
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Mr. Rosen
Mr. Quinn Tamm
Mrs. Files
Adm. Files
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Miss Tracy
Miss Gandy

b7D

Max Lowenthal was formerly associated with the law firm of Lowenthal, Saold and Brandwen, 43 Exchange Place, New York City. This firm has also been referred to as Lowenthal, Saold and Perkins.

[redacted]

b7D

He was connected with the Amalgamated Bank in New York City, which bank was controlled by the Amalgamated Clothing Workers of America, under the direction of Sidney Hillman. Lowenthal and Hillman have been closely connected in the past. Lowenthal was a member of the board of directors of the Amalgamated Bank in New York City.

[redacted]

b7D

[redacted]

b7D

[redacted]

referred

In 1936 Lowenthal was a member of the National Committee of the International Juridical Association. This organization has on its membership rolls a number of attorneys who have been identified at times with Communist and similar activities.

Mr. Tolson
Mr. Nathan
Mr. E. A. Tamm
Mr. Clegg
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Mr. Egan
Mr. Glavin
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Mr. Pennington
Mr. Rosen
Mr. Quinn Tamm
Mrs. Files
Adm. Files
Mail Room
Mr. Tracy
Miss Gandy

4-750 (Rev. 12-14-88)

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FEDERAL BUREAU OF INVESTIGATION
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FBI/DOJ

December 28, 1940

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/26/92 BY 8123 [redacted]

b7C

79175

MAX LOWENTHAL

[redacted]

MAX LOWENTHAL, [redacted] is associated with SENATOR BURTON K. WHEELER of Montana and maintains offices with the Senator. It has been stated that LOWENTHAL is the real brains behind the recent investigation conducted by SENATOR WHEELER regarding railroads.

b7CD

b7D

It has been reported that in 1923 LOWENTHAL and his wife subscribed to stock of the Russian American Industrial Corporation which had contracts with the Soviet Union. In January of 1923, LOWENTHAL contacted the New York Office of the Bureau and stated that he was General COUNSEL for the RUSSIAN AMERICAN INDUSTRIAL CORPORATION.

In 1929 LOWENTHAL was Executive Secretary of the WICKERSHAM COMMITTEE, which was conducting a survey with respect to crime conditions in the United States. In connection with his duties on this Commission he requested considerable information from the Bureau, including detailed information with respect to the Bureau's operation the courses of instruction given and the procedures and investigative technique followed by Bureau Agents. At this time he requested copies of the Bureau's Manual of Instructions and also copies of personnel rating sheets and inspectors reports. It is stated that he resigned in disgust from this Committee in 1930 after having served with it for thirteen months, due to what he regarded as the Commission's antics in the realm of political expediency.

62-25733-8

RECORDED & INDEXED

He was Assistant to FERDINAND PECORA during the stock market investigation [redacted]

b7D

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED SP7 [redacted] 9-26-75
DATE 10-19-81 BY SP7 [redacted]

#88.444 b7C

[redacted]

He is author of a book entitled "The Investor Pays [redacted] He was formerly associated with the law firm of LOWENTHAL, GOLD and BRANDEIS, 43 Exchange Place, New York City. b7C,D

[redacted] b7D

In 1936 he was a member of the NATIONAL COMMITTEE OF THE INTERNATIONAL JURIDICAL ASSOCIATION which is an organization devoted to the promotion of the interests of ultra liberal groups. [redacted] b7D

[redacted] b7C,D

WALTER WINCHELL'S column on March 25, 1940, contained the statement that (Max) LOWENTHAL and (Robert) LITCHFIELD were responsible for the "smear" attacks against the Bureau and Mr. HOOVER.

[redacted]

b7D

4-750 (Rev. 12-14-88)

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FEDERAL BUREAU OF INVESTIGATION
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FBI/DOJ

JEH [redacted]

DECLASSIFIED BY [redacted]
ON 5-8-91
FOIPA # 266 435

January 5, 1942

b7c 79173

Personal and Confidential

MEMORANDUM FOR THE ATTORNEY GENERAL

With reference to the John O'Donnell column which appeared in the Washington Times-Herald on December 29th and its subsequent re-publication in the New York Daily News and the Chicago Tribune, it is interesting to note that similar articles have appeared in The Nation, The New Republic, and The Daily Worker. This same avenue of attack and "smear" of the FBI was utilized in February, 1940. At that time it was definitely ascertained that one Max Lowenthal was largely the instigator of the attack [redacted]

b7D

I thought you would be interested in being advised that Max Lowenthal is also in back of the present attack upon the Bureau concerning the Pearl Harbor situation.

[redacted]

I believe, therefore, we have to assume that in this particular attack Lowenthal is at least one of the instigators of it. The attached memorandum is as factually dishonest and untrue as Lowenthal's previous laborious effort.

b7D

RECORDED & INDEXED

Respectfully

62-25733-1

FEDERAL BUREAU OF INVESTIGATION
FEB 9 1942
DEPARTMENT OF JUSTICE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/26/92 BY 8123 [redacted] b7c

John Edgar Hoover
Director

Inclosure with original

6 FEB 23 1942

JEH [redacted] b7C

February 4, 1942

Personal and Confidential

MEMORANDUM FOR THE ATTORNEY GENERAL

You, of course, have noted that yesterday Senator Truman made quite a lengthy speech relative to wire-tapping and by innuendo, at least, was critical of the Intelligence agencies and the Pearl Harbor situation.

[redacted]

Respectfully
J. Edgar Hoover

b7D

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/2/92 BY 8123 [redacted]

John Edgar Hoover
Director

Mr. Tolson
Mr. [illegible] Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Tracy
Mr. Mason
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Holloman
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

13

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TIME 4:10 P
DATE 2-6
BY 0

" sent from Directions office 4:10 pm 2/6/42 "

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FEDERAL BUREAU OF INVESTIGATION
10 FEB 14 1942
U. S. DEPARTMENT OF JUSTICE

4-750 (Rev. 12-14-88)

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FBI/DOJ

JOHN EDGAR HOOVER
DIRECTOR

ral Bureau of Investigat
United States Department of Justice
Washington, D. C.

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Tracy
Mr. Rosen
Mr. Carson
Mr. Coffey
Mr. Reddon
Mr. Hoffman
Mr. Quinn Tamm
Mr. Harbo
Tele. Room
Tour Room
Mr. Nease
Miss Beahm
Miss Gandy

LLL: [redacted]
Dictated 7:30 a. m.

February 2, 1942

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 4/2/92 BY 9123 [redacted]

MEMORANDUM FOR MR. D. M. LADD

During his broadcast last evening, Walter Winchell referred to that section of the Roberts Report on Pearl Harbor regarding the failure to prevent effective counterespionage.

Mr. Winchell stated he believed Judge Roberts was speaking for the American people and the FBI is as much a fighting arm of the United States Army as the Air Corps. He commented on the work of the Director and specifically stated the American people should know who Max Lowenthal is and why he has opposed Mr. Hoover. Winchell described Lowenthal as a very rich lawyer, a speech writer of note and an intimate of Senator Wheeler.

The Bureau's files reflect many references on Lowenthal. He is associated with Senator Wheeler of Montana, with whom he reportedly maintains office [redacted] Lowenthal was Executive Secretary of the Wickersham Committee in 1929, assistant to Ferdinand Pecora during the stock market investigation [redacted]

Mr. Winchell also stated that he had received a letter from Edward James Smythe, "a professional rabble-rouser and a fugitive from a Dies Committee subpoena", accusing Winchell of smearing him, Smythe. Winchell stated that evidence has now been received indicating that Smythe's paper is receiving support from a Nazi agency. He mentioned a letter dated December 9, 1940, in which, according to the Dies Committee, the editor of the paper's "publicity", E. J. Garner, sent Smythe a letter in which Garner stated that a remittance had been received from the German Railroad Information Office, a Nazi propaganda center. There is no information in the Bureau's files to substantiate the allegation that E. J. Garner has received money from the German Railroad Information Office. Efforts will be made to verify Mr. Winchell's statement ~~regarding~~ this.

62-25733-14

FEB 17 1942

INDEXED

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b2D

b2C

[redacted]

Mr. Winchell also made reference to a book allegedly written by Congressman at Large Stephen Day which had been published by Flanders Hall of New Jersey. Winchell stated by way of "tipping off" Day he wanted to tell him Special Assistant to the Attorney General William P. Maloney will ask him if he wrote the book to which he signed his name and if he says yes, Maloney will seek an indictment of him for perjury because the Government claims "and can prove the real author is Nazi agent George Sylvester Viereck".

It is believed that the book which Winchell probably had reference to is a book entitled "We Must Save the Republic". A copy of this work is in the possession of the Bureau and it is noted that it supposedly was written by Stephen A. Day and was actually published by Flander Hall. There is no information in the Bureau files which would tend to substantiate Mr. Winchell's statement.

Winchell also mentioned that former Senator Rush J. Holt of West Virginia claims to be the author of a book called "Who's Who Among War Mongers". He stated that publication of this work was started by Flanders Hall but after the attention of the people of the country was turned on Nazi activities, Holt arranged with Ralph Townsend to publish this work. Townsend, Winchell added, is the same person who was indicted by a Federal Grand Jury during the past week as a Japanese agent. The Bureau files reflect information [redacted] there are no references to the book "Who's Who Among War Mongers" and there is no reference in the Bureau files [redacted] An effort will be made to determine the authenticity of this statement.

b7c

Respectfully,

L. L. Laughlin

L. L. Laughlin

4-750 (Rev. 12-14-88)

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CT [redacted]
3/5/42

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DATE 3/25/92 BY 8123 [redacted]

b7C

MEMORANDUM FOR THE ATTORNEY GENERAL

You will recall our conversations from time to time concerning Max Lowenthal [redacted]

b7D

I am reliably informed that Lowenthal is employed on a consultant basis in the Legal Department of the Economic Defense Board, working under the General Counsel. This Board, of course, is under the executive direction of Mr. Milo Perkins.

It occurred to me that you might desire to discuss this matter with the Vice President, who is Chairman of the Board.

Respectfully,

J. Edgar Hoover

John Edgar Hoover
Director

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Holloman
Mr. McGuire
Mr. Quinn Tamm
Mr. Hoase
Miss Candy

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DATE 3/6/42
BY

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U.S. DEPARTMENT OF JUSTICE

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FBI/DOJ

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b7C

The report of the Secretary of the Senate for the fiscal year 1940 reflects that Lowenthal received a total of $2400 as salary; $632.33 for travel, transportation, and perdiem; $139.27 for miscellaneous expenditures, and $33.50 for newspapers and periodicals, or a total of $3205.10 for that year. There is attached hereto a detailed statement. The report for the fiscal year 1941 will be issued by the Secretary of the Senate within the near future. Arrangements have been made to secure this.

Respectfully,

L. B. Nichols

February 19, 1942

MEMORANDUM

Detailed Statement of Disbursements to Max Lowenthal as Counsel to the Committee on Interstate Commerce Investigating all Phases of Railroad Financing under Resolution of May 20, 1935. This Statement is Compiled from the Report of the Secretary of the Senate from July 1, 1939, to June 30, 1940

I. Travel, Transportation and Per Diem

Date	Page No.	Purpose for which paid	Amount	Total
1939				
July 6	99	June 19. Railroad fare from New York to Washington (12:50 a.m.)	$6.70	
		Berth from New York to Washington	2.65	
		Taxi from home to station in New York	.75	
		Taxi from station to hotel in Washington	.20	
		22. Railroad fare from Washington to New York (4 p.m.)	6.70	
		Chair from Washington to New York	1.35	
		Taxi from hotel to station in Washington	.20	
		19-22. Per diem allowance for 4 days, at $5 per day	20.00	$38.
14	113	July 5. Railroad fare (round trip) from New York to Washington (12:50 a.m.)	$13.10	
		Berth from New York to Washington	2.65	
		Taxi from station to hotel in Washington	.20	
		7. Chair from Washington to New York (5 p.m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		5-7. Per diem allowance for 3 days, at $5 per day	15.00	32.
17	106	June 27. Railroad fare from New York to Washington	6.70	
		Chair from New York to Washington	1.35	
		Taxi from station to hotel in Washington	.20	
		29. Railroad fare from Washington to New York	6.70	
		Chair from Washington to New York	1.35	
		Taxi from hotel to station in Washington	.20	
		27-29. Per diem allowance for 3 days, at $5 per day	15.00	31

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62-30743-19

Date 1939	Page No.	Purpose for which paid	Amount	Total
July 21	114	July 10. Railroad fare (round trip) from New York to Washington (12:50 a.m)	$13.10	
		Berth from New York to Washington	2.65	
		Taxi from station to hotel in Washington	.20	
		14. Chair from Washington to New York (1 p.m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		10-14. Per diem allowance for 5 days, at $5 per day	25.00	$42.50
Aug. 4	119	July 17. Railroad fare (round trip) from New York to Washington (3:30 p.m.)	13.10	
		Chair from New York to Washington	1.35	
		Taxi from station to hotel in Washington	.20	
		27. Chair from Washington to New York	1.35	
		Taxi from hotel to station in Washington	.20	
		Taxi from station to home in New York	1.10	
		17-27. Per diem allowance for 11 days, at $5 per day	55.00	72.3
17	121	Aug. 1. Railroad fare (round trip) from New York to Washington (12:50 a.m.)	13.10	
		Berth from New York to Washington	2.65	
		Taxi from station to hotel in Washington	.20	
		4. Chair from Washington to New York (5 p.m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		Taxi from station to home in New York	1.00	
		1-4. Per diem allowance for 4 days, at $5 per day	20.00	38.
Sept. 28	125	Sept. 5. Railroad fare (round trip) from New York to Washington (coach rate)	9.65	
		Taxi from station to hotel in Washington	.20	
		6. Taxi from hotel to station in Washington	.20	
		5-6. Per diem allowance for 2 days, at $5 per day	10.00	20

Date 1939	Page No.	Purpose for which paid	Amount	Total
Oct. 11	111	June 30. Taxi, bus, and carfare----------		$120.98
Oct. 21	128	Sept. 29,30-Oct. 10,11. For per diem allowance for time spent away from home office in pursuance of official duty, 4 days, at $5 per day----------		20.00
Nov. 9	135	Oct. 24-26. Railroad fare (round trip) from New York to Washington (coach)-----	$9.65	
		Taxi from station to hotel in Washington----------	.20	
		Taxi from hotel to station in Washington----------	.20	
		Subsistence, 3 days, at $5---------	15.00	25.0
Nov. 24	136	Nov. 2. Railroad fare (round trip) from New York to Washington (coach rate)--------	9.65	
		Taxi from station to hotel in Washington----------	.20	
		3. Taxi from hotel to station in Washington----------	.20	
		2,3. Per diem allowance for 2 days at $5 per day----------	10.00	20.0
Dec. 16	145	Nov. 28. Railroad fare (round trip) from New York to Washington (coach rate)-------	9.65	
		Taxi from station to hotel in Washington----------	.20	
		30. Taxi from hotel to station in Washington----------	.20	
		28-30. Per diem allowance for 3 days, at $5 per day----------	15.00	25.0

Date 1940	Page No.	Purpose for which paid	Amount	Total
Jan. 9	149	Jan. 2. Railroad fare (round trip) from New York to Washington (coach rate)-------	$9.65	
		Taxi from station to hotel in Washington----------	.20	
		4. Taxi from hotel to station in Washington----------	.20	
		2-4. Per diem allowance for 3 days at $5 per day----------	15.00	$25.05
Feb. 2	158	Jan. 23-24. Railroad fare (round trip) from New York to Washington (coach fare)----------	9.65	
		Taxi from station to hotel in Washington, D. C.----------	.20	
		Taxi from hotel to station in Washington, D. C.----------	.20	
		Per diem allowance for 2 days, at $5 per day----------	10.00	20.0
Feb. 12	164	Jan 29. Railroad fare (round trip) from New York to Washington (coach rate)------	9.65	
		Taxi from station to hotel in Washington----------	.20	
		30. Taxi from hotel to station in Washington----------	.20	
		Jan. 29-30. Per diem allowance for 2 days, at $5 per day----------	10.00	20.0
Feb. 28	168	Feb. 8. Railroad fare (round trip) from New York to Washington (coach rate)----	9.65	
		Taxi from station to hotel in Washington----------	.20	
		10. Taxi from hotel to station in Washington----------	.20	
		Feb. 8-10. Per diem allowance for 3 days, at $5 per day----------	15.00	25.0

Date	Page No.	Purpose for which paid	Amount	Total
1940				
Feb. 28	168	Feb. 15. Railroad fare (round trip) from New York to Washington, D. C. (coach rate)	$9.65	
		Taxi fare from station to hotel in Washington, D. C.	.20	
		17. Taxi fare from hotel to station in Washington, D. C.	.20	
		Feb. 15-17. Per diem allowance for 3 days at $5 per day	15.00	
				$25.05
Mar. 2	170	Feb. 19. Railroad fare (round trip) from New York to Washington, D.C. (coach rate)	9.65	
		Taxi from station to hotel in Washington, D. C.	.20	
		22. Taxi from hotel to station in Washington, D. C.	.20	
		19-22. Per diem allowance for 4 days, at $5 per day	20.00	
				30.05
		Total for travel, transp., and p.d. --		632.33

II. Salary

Date	Page No.	Purpose for which paid	Amount	Total
1939				
July 29	115	July 1-31. For services rendered - at $3,600 per annum		300.00
Aug. 25	123	Aug. 1-31. For services rendered - at $3,600 per annum		300.00
Sept. 28	126	Sept. 1-30. For services rendered - at $3,600 per annum		300.00
Oct. 30	131	Oct. 1-31. For services rendered - at $3,600 per annum		300.00
Nov. 29	136	Nov. 1-30 For services rendered - at $3,600 per annum		300.00

Date	Page No.	Purpose for which paid	Amount	Total
1939 Dec. 27	148	Dec. 1-31. For services rendered - at $3,600 per annum		$300.00
1940 Feb. 2	158	Jan. 1-31. For services rendered - at $3,600 per annum		300.00
Feb. 28	169	Feb. 1-29. For services rendered - at $3,600 per annum		300.00
		Total for salary		2400.00

III. Miscellaneous

Date	Page No.	Purpose for which paid	Amount	Total
1939 Oct. 11	111	June 30. Postage	$53.47	
		Telephone calls	3.20	
		Telegraph and messenger charges	5.66	
		Office supplies	15.06	
		Mimeographing	2.00	
		Express, baggage, and freight charges	34.06	
		Warehouse labor and charges	5.50	
		Typewriter repairs	1.83	
		Miscellaneous office expenses	13.49	
				139.27
		Total miscellaneous expenses		139.27

IV. Newspapers and Periodicals

Date	Page No.	Purpose for which paid	Amount	Total
1939 Oct. 11	111	Newspapers and periodicals		33.50
		Total for newspapers and periodicals		33.50

I.	Total for travel, transp., and p.d.	632.33
II.	Total for salary	2400.00
III.	Total miscellaneous expenses	139.27
IV.	Total for newspapers and periodicals	33.50
	GRAND TOTAL paid Max Lowenthal by the Government	3205.10

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1939—Continued		
1939 July 6	3	Max Lowenthal:		
		For reimbursement for travel and other expenses incurred as agent for the Committee on Interstate Commerce investigating all phases of railroad financing under resolution of May 20, 1935:		
		1939		
		June 19. Railroad fare from New York to Washington (12:50 a. m.)	$6.70	
		Berth from New York to Washington	2.65	
		Taxi from home to station in New York	.75	
		Taxi from station to hotel in Washington	.20	
		22. Railroad fare from Washington to New York (4 p. m.)	6.70	
		Chair from Washington to New York	1.35	
		Taxi from hotel to station in Washington	.20	
		19-22. Per diem allowance for 4 days, at $5 per day	20.00	$38.55
	4	Elbert D. Thomas, chairman:		
		For amounts advanced to him as chairman of the Committee on Education and Labor investigating violations of the rights of labor, under resolution of June 6, 1936:		
		Josephine Lanese:		
		1938		
		June 25-30. For services rendered as an assitant clerk of the Subcommittee on Education and Labor investigating violations of the rights of labor under resolution of June 6, 1936: 6 days on basis of $4 per diem		24.00
		Kathryn V. Evans:		
		1938		
		July 1, 5-7. For services rendered as an assistant clerk of the Subcommittee on Education and Labor, investigating violations of the rights of labor under resolution of June 6, 1936: 4 days on basis of $4 per diem		16.00
		Nona Harney:		
		1939		
		Feb. 24. For services rendered as an assistant clerk for the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936: 1 day, on basis of $3 per day		3.00
		Josephine Lanese:		
		1938		
		July 24-28. For services rendered as an assistant clerk of the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936: 5 days, on basis of $4 per diem		20.00
		Burroughs Adding Machine Co.:		
		1938-39		
		Dec. 24-Mar. 24. For the following furnished the subcommittee of the Committee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936: Rental of adding machine		28.50
		Leigh Albourn:		
		For expenses incurred as an investigator for the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936:		
		1939		
		Jan. 6. Railroad travel, San Francisco to Berkeley, Calif., and return	.42	
		7, 9, 10, 11, 12. Necessary gas and oil expense for 5 round trips from San Francisco to East Bay, Calif	5.00	
		13. Railroad travel, Berkeley to Sacramento, Calif., and return, day coach	2.88	
		20. Railroad travel, San Francisco to Sacramento, Calif., and return, day coach	3.24	
		20. Notary fee	1.00	12.54

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1939—Continued		
1939 July 17	31	Max Lowenthal: For reimbursement of travel and other expenses incurred as counsel to the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1939		
		June 27. Railroad fare from New York to Washington	$6.70	
		Chair from New York to Washington	1.35	
		Taxi from station to hotel in Washington	.20	
		29. Railroad fare from Washington to New York	6.70	
		Chair from Washington to New York	1.35	
		Taxi from hotel to station in Washington	.20	
		27–29. Per diem allowance for 3 days, at $5 per day	15.00	
				$31.50
	32	O. T. Smith:		
		1939		
		June 20–22. For stenographically reporting proceedings before the Committee on Appropriations, and furnishing transcripts to committee as per estimate from Government Printing Office, under Senate resolution of Jan. 12, 1939, hearings on Work Relief and Public Works Appropriation Act of 1939, 156,801 words, at 25 cents per hundred words		392.00
	33	Marian Winston:		
		1939		
		June 26–30. For services rendered to the Committee on Finance, considering revenue and taxation, under resolution of Jan. 12, 1939, 5 days, at $5 a day		25.00
18	34	Warren R. Austin:		
		1939		
		May 9–June 13. For reimbursement for expenses incurred as a member of the Committee on the Judiciary, investigating reorganization of the courts, under authority of resolution of Apr. 19, 1939, railroad fares and Pullman-car charges from Washington, D. C., to Burlington, Vt., and New York City, N. Y., and return to Washington, D. C., including subsistence expenses, taxi fares, porterage and incidentals		209.62
	35	O. T. Smith: For stenographically reporting proceedings before the Committee on Military Affairs, and furnishing transcript to committee as per estimate from Government Printing Office, under Senate resolution of Jan. 12, 1939:		
		1939		
		June 16. Hearings on allowances for certain Reserve officers, 2,618 words, at 25 cents per hundred words	6.62	
		2 carbon copies, at 5 cents per hundred words each	2.65	
				9.27
	36	O. T. Smith: For stenographically reporting proceedings before the Committee on Military Affairs and furnishing transcript to committee as per estimate from Government Printing Office, under Senate resolution of Jan. 12, 1939:		
		1939		
		June 23. Hearing on "To facilitate certain construction work for the Army," 8,968 words, at 25 cents per hundred words	22.42	
		2 carbon copies of same, at 5 cents per hundred words each	8.97	
				31.39
	37	Ward & Paul: For stenographically reporting and transcribing hearing before the subcommittee of the Committee on Education and Labor, in re: S. 1958, to eliminate certain oppressive labor practices, under resolution of Jan. 12, 1939:		
		1939		
		June 1–13. 77,172 words, at 25 cents per hundred words	192.93	
		1 additional copy, at 5 cents per hundred words	38.59	
				231.52

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1939—Continued		
1939 Sept. 11	67	Andrew Johnson Hotel:		
		For hotel accommodations furnished the Joint Committee Investigating the Tennessee Valley Authority, under authority of Public Res. No. 83, 75th Cong., approved Apr. 4, 1938, and Public Res. No. 2, 76th Cong.:		
		1938		
		July 12. James M. Mead, Congressman	$0.45	
		16-29. Lynn J. Frazier, Senator	34.34	
		17-22. James J. Davis, Senator	20.25	
		Aug. 2-30. Fred H. Brown, Senator	5.65	
		Sept. 1. H. H. Schwartz, Senator	7.92	
		Vic Donahey, Senator	11.25	
		Conference room	2.50	
		1-4. Graham A. Barden, Congressman	17.93	
			100.29	
		One-half to be paid by House of Representatives	50.15	
				$50.14
Oct. 11	68	Max Lowenthal:		
		For reimbursement for expenses incurred as agent for the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1939		
		June 30. Postage	58.47	
		Newspapers and periodicals	33.50	
		Taxi, bus, and carfares	120.98	
		Telephone calls	3.20	
		Telegraph and messenger charges	5.66	
		Office supplies	15.06	
		Mimeographing	2.00	
		Express, baggage, and freight charges	34.96	
		Warehouse labor and charges	5.50	
		Typewriter repairs	1.83	
		Miscellaneous office expenses	13.49	
				293.75
Nov. 18	69	Ward & Paul:		
		For stenographically reporting and transcribing hearing before the subcommittee of the Committee on Finance in re S. 552, under resolution of Jan. 12, 1939:		
		1939		
		May 23-29. 65,968 words, at 25 cents per hundred words	164.92	
		1 additional copy of above, at 5 cents per hundred words	32.98	
				197.90
1940 Mar. 27	70	Fourth Assistant Postmaster General:		
		1939		
		Mar. 26-June 30. For telephone service furnished the Committee on Finance, investigating revenue and taxation, under resolution of Jan. 12, 1939		50.77
May 6	71	Ward & Paul:		
		For stenographically reporting and transcribing hearing before the Committee on Mines and Mining in re S. 1542, to authorize the Director of the Geological Survey to acquire certain collections for the United States, under resolution of Jan. 12, 1939:		
		1939		
		May 4. 19,201 words, at 25 cents per hundred words	48.00	
		1 additional copy of above, at 5 cents per hundred words	9.60	
				57.60
23	72	Henry F. Ashurst:		
		1938-39		
		Dec. 21-Jan. 3. For reimbursement for expenses incurred as chairman of the Subcommittee on Public Lands and Surveys, investigating the necessity, etc., of creating Petrified Forest National Park, under resolution of June 7, 1938, railroad and Pullman fares, taxicab charges including coach and bus fare in circumtouring the exterior boundaries of the proposed national park, and meals en route from Washington, D. C., to Winslow, Ariz., and return		378.00

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 July 14	5	Max Lowenthal:		
		For reimbursement of travel and other expenses incurred as agent for the Committee on Interstate Commerce, investigating all phases of railroad financing under resolution of May 20, 1935:		
		1939		
		July 5. Railroad fare (round trip) from New York to Washington (12:50 a. m.)	$13.10	
		Berth from New York to Washington	2.65	
		Taxi from station to hotel in Washington	.20	
		7. Chair from Washington to New York (5 p. m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		5-7. Per diem allowance for 3 days, at $5 per day	15.00	$32.50
17	6	Hart & Dice:		
		For stenographically reporting and transcribing hearing before the Committee on Indian Affairs (S. 1878), "Distribution of Judgment Fund of Shoshone Tribe," under authority of Senate resolution of Jan. 12, 1939:		
		1939		
		July 10. 5,060 words, at 25 cents per hundred words	12.65	
		5,060 words (additional), at 5 cents per hundred words	2.53	15.18
	7	Hart & Dice:		
		For stenographically reporting and transcribing hearing before the Committee on Indian Affairs (S. 2206), final discharge of Federal supervision over certain individual Indians, under authority of Senate resolution of Jan. 12, 1939:		
		1939		
		July 10. 13,110 words, at 25 cents per hundred words	32.77	
		13,110 words (additional), at 5 cents per hundred words	6.55	39.32
19	8	Elizabeth Y. Arnason:		
		1939		
		July 1-21. For services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935, at $1,800 per annum (July 1 to 21, 12:30 p. m.)		102.50
	9	Chas. A. Brown:		
		For stenographically reporting and furnishing transcript of proceedings before a subcommittee of the Committee on the Judiciary, on the nomination of Elmer D. Davies, under resolution of Jan. 12, 1939:		
		1939		
		July 6. 40,720 words, at 25 cents per hundred words	101.80	
		2 carbon copies for use of committee, 40,720 words, at 5 cents per hundred for each copy	40.72	142.52
20	10	Frank A. Gamble:		
		1939		
		July 5-15. For services rendered as clerk to the Committee on Irrigation and Reclamation investigating water resources of arid lands, under resolution of June 7, 1938, at $2,400 per annum		73.33
21	11	Lucien Hilmer:		
		For reimbursement of travel and other expenses incurred as agent for the Committee on Interstate Commerce investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1939		
		July 10. Railroad fare (round trip) from New York to Washington (12:50 a. m.)	13.10	
		Berth from New York to Washington	2.65	
		Taxi from home to station in New York	.80	
		Taxi from station to hotel in Washington	.20	
		13. Chair from Washington to New York (5 p. m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		Taxi from station to home in New York	.80	
		10-13. Per diem allowance for 4 days, at $5 per day	20.00	39.10

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 July 21	12	Sidney J. Kaplan:		
		For reimbursement of travel and other expenses incurred as agent for the Committee on Interstate Commerce investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1939		
		July 10. Railroad fare (round trip) from New York to Washington (12:50 a. m.)	$13.10	
		Berth from New York to Washington	2.65	
		Taxi from home to station in New York	.80	
		Taxi from station to hotel in Washington	.20	
		14. Chair from Washington to New York (7 p. m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		Taxi from station to home in New York	.80	
		10-14. Per diem allowance for 5 days, at $5 per day	25.00	
				$44.10
	13	Max Lowenthal:		
		For reimbursement of travel and other expenses incurred as agent for the Committee on Interstate Commerce investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1939		
		July 10. Railroad fare (round trip) from New York to Washington (12:50 a. m.)	13.10	
		Berth from New York to Washington	2.65	
		Taxi from station to hotel in Washington	.20	
		14. Chair from Washington to New York (1 p. m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		10-14. Per diem allowance for 5 days, at $5 per day	25.00	
				42.50
	14	Telford Taylor:		
		For reimbursement of travel and other expenses incurred as agent for the Committee on Interstate Commerce investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1939		
		July 11. Railroad fare (round trip) from New York to Washington (9:30 a. m.)	13.10	
		Chair from New York to Washington	1.35	
		Taxi from office to station in New York	1.00	
		Taxi from station to hotel in Washington	.20	
		13. Chair from Washington to New York (5 p. m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		Taxi from station to home in New York	.60	
		11-13. Per diem allowance for 3 days, at $5 per day	15.00	
				32.80
22	15	Albert Boutwell:		
		For reimbursement for expenses incurred as clerk of joint Committee on Forestry, under House concurrent resolution of Mar. 31, 1939:		
		1939		
		July 1-12. Subsistence allowance of $5 per day while away from base point, Birmingham, Ala., in Washington, D. C., on official business	60.00	
		Transportation from Birmingham, Ala., the base point to Washington, D. C., and return:		
		Railroad ticket $38.35		
		Pullman 12.10	50.45	
			110.45	
		One-half to be paid by House of Representatives	55.23	
				55.22
25	16	Doris E. Walker:		
		1939		
		July 1-10. For services as typist rendered the Committee on Finance, under authority of Senate resolution of January 12, 1939	.....	50.00
26	17	Chas. A. Brown:		
		For stenographically reporting and furnishing transcript of proceedings before a subcommittee of the Committee on the Judiciary, on municipal bankruptcy, under authority of Senate resolution of Jan. 12, 1939:		
		1939		
		July 12. 12,845 words at 25 cents per hundred words	32.11	
		2 carbon copies for use of committee: 12,845 words, at 5 cents per hundred for each copy	12.85	
				45.96

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 July 26	18	Chas. A. Brown: For stenographically reporting and furnishing transcript of proceedings before a subcommittee of the Committee on the Judiciary, on agricultural compositions and extensions, under authority of Senate resolution of Jan. 12, 1939: 1939 July 20. 19,110 words, at 25 cents per hundred words	$47.77	
		2 carbon copies for use of committee: 19,110 words, at 5 cents per hundred for each copy	19.11	$66.88
	19	Hart & Dice: For stenographically reporting and transcribing hearings before the Committee on Indian Affairs, under authority of S. Res. No. 43, Jan. 12, 1939: 1939 July 12-17. To repeal the Wheeler-Howard Act: 13,580 words, at 25 cents per hundred words	33.95	
		13,580 words (additional), at 5 cents per hundred words	6.79	
		S. 1968: 2,918 words, at 25 cents per hundred words	7.29	
		2,918 words (additional) at 5 cents per hundred words	1.45	49.48
	20	Hart & Dice: For stenographically reporting and transcribing hearings before the Committee on Indian Affairs, under authority of S. Res. No. 43, Jan. 12, 1939: 1939 July 17. Claims of the Kiowa, Comanche, and Apache Tribes of Indians in Oklahoma: 1,752 words, at 25 cents per hundred words	4.38	
		Additional water for the Wapato Indian irrigation project, Washington, 1,020 folios, at 25 cents per hundred words	2.55	
		Gratuity expenditures allowable as offsets in favor of the United States against the Five Civilized Tribes of Indians, 1,148 words, at 25 cents per hundred words	2.87	
		S. J. Res. No. 165, 277 words, at 25 cents per hundred words	.69	10.49
	21	Ward & Paul: For stenographically reporting and transcribing hearing before the Committee on Mines and Mining in re: S. 2420, Inspections and Investigations in Coal Mines, under resolution of Jan. 12, 1939: 1939 July 20. 8,520 words, at 25 cents per hundred words	21.30	
		3 additional copies, at 5 cents per hundred words for each	12.78	34.08
29	22	J. Heywood Bell: 1939 July 1-31. For services as clerk rendered the Special Committee Investigating the Executive Departments and Agencies of the Government, under resolution of Feb. 24, 1936, at $3,600 per annum		300.00
	23	Edward Cooper: 1939 July 1-31. For services as chief investigator rendered the Committee on Interstate Commerce investigating the telegraph industry, under resolution of June 19, 1939, at $3,000 per annum		250.00
	24	Max Lowenthal: 1939 July 1-31. For services rendered the Committee on Interstate Commerce investigating all phases of railroad financing, under resolution of May 20, 1935, at $3,600 per annum		300.00
	25	Mildred Johnson: 1939 July 1-31. For clerical services rendered the Committee on Interstate Commerce investigating railroad financing, under resolution of May 20, 1935, at $1,620 per annum		135.00

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 Aug. 4	52	Hart & Dice:		
		For stenographically reporting and transcribing hearing before the subcommittees of Committee on Interstate Commerce, in the matter of amending the Interstate Commerce Act, under authority of Senate resolution of Jan. 12, 1939:		
		1939		
		July 27. 2,430 words, at 25 cents per hundred words	$6.07	
		2,430 words (additional), at 5 cents per hundred words	1.21	
				$7.28
	53	O. T. Smith:		
		For stenographically reporting proceedings before the subcommittee of the Committee on Military Affairs, and furnishing transcript to committee as per estimate from Government Printing Office, under authority of Senate resolution of Jan. 12, 1939:		
		1939		
		July 8. Hearing on S. 756, 14,310 words, at 25 cents per hundred words	35.77	
		2 carbon copies, at 5 cents per hundred words	14.31	
		17. Hearing on S. 1682, 15,370 words, at 25 cents per hundred words	38.42	
		2 carbon copies, at 5 cents per hundred words	15.37	
		26. Hearings on S. 2668, 7,440 words, at 25 cents per hundred words	18.60	
		2 carbon copies, at 5 cents per hundred words	7.44	
				129.91
	54	Lucien Hilmer:		
		For reimbursement of travel and other expenses incurred as agent for the Interstate Commerce Committee, investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1939		
		July 27. Railroad fare (round trip) from New York to Washington (12.50 a. m.)	13.10	
		Berth from New York to Washington	2.65	
		Taxi from home to station in New York	.80	
		Taxi from station to hotel in Washington	.20	
		28. Chair from Washington to New York (5 p. m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		Taxi from station to home in New York	.80	
		27-28. Per diem allowance for 2 days, at $5 per day	10.00	
				29.10
	55	Sidney J. Kaplan:		
		For reimbursement of travel and other expenses incurred as agent for the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1939		
		July 18. Railroad fare (round trip) from New York to Washington (12.50 a. m.)	13.10	
		Berth from New York to Washington	2.65	
		Taxi from home to station in New York	.80	
		Taxi from station to hotel in Washington	.20	
		28. Chair from Washington to New York (5 p. m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		Taxi from station to home in New York	.80	
		18-28. Per diem allowance for 11 days, at $5 per day	55.00	
				74.10
	56	Max Lowenthal:		
		For reimbursement of travel and other expenses incurred as agent for the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935.		
		1939		
		July 17. Railroad fare (round trip) from New York to Washington (3.30 p. m.)	13.10	
		Chair from New York to Washington	1.35	
		Taxi from station to hotel in Washington	.20	
		27. Chair from Washington to New York	1.35	
		Taxi from hotel to station in Washington	.20	
		Taxi from station to home in New York	1.10	
		17-27. Per diem allowance for 11 days, at $5 per day	55.00	
				72.30

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 Aug. 14	65	Ward & Paul:		
		For stenographically reporting and transcribing hearing before the subcommittee of the Committee on Military Affairs, in re U. S. Soldiers Home, under resolution of Jan. 12, 1939:		
		1939		
		July 19. 17,466 words, at 25 cents per hundred words	$43.67	
		1 additional copy of above, at 5 cents per hundred words	8.73	
		For typing material for inserts in above record:		
		Original copy, 221 pages, at 15 cents per page	33.15	
		1 additional copy, at 5 cents per page	11.05	
				$96.60
17	66	James F. Byrnes:		
		1939		
		Aug. 14. For reimbursement of money advanced in the payment of telephone calls in connection with the Special Committee to Investigate Unemployment and Relief, under resolution of June 10, 1937		8.85
	67	Max Lowenthal:		
		For reimbursement of travel and other expenses incurred as counsel to the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1939		
		Aug. 1. Railroad fare (round trip) from New York to Washington (12:50 a. m.)	13.10	
		Berth from New York to Washington	2.65	
		Taxi from station to hotel in Washington	.20	
		4. Chair from Washington to New York (5 p. m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		Taxi from station to home in New York	1.00	
		1–4. Per diem allowance for 4 days, at $5 per day	20.00	
				38.50
18	68	Albert Boutwell:		
		1939		
		Aug. 1–15. For salary as clerk of Joint Committee on Forestry, under House concurrent resolution of Mar. 31, 1939, at $1,200 per annum	175.00	
		One-half to be paid by House of Representatives	87.50	
				87.50
	69	Lucien Hilmer:		
		For reimbursement of travel and other expenses incurred as agent for the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1939		
		July 31. Railroad fare (round trip) from New York to Washington (9:30 a. m.)	13.10	
		Chair from New York to Washington	1.35	
		Taxi from home to station in New York	.80	
		Taxi from station to hotel in Washington	.20	
		Aug. 4. Chair from Washington to New York (5 p. m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		Taxi from station to home in New York	.80	
		July 31–Aug. 4. Per diem allowance for 4½ days, at $5 per day	22.50	
				40.30
	70	Sidney J. Kaplan:		
		For reimbursement of travel and other expenses incurred as agent for the Committee on Interstate Commerce investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1939		
		July 31. Railroad fare (round trip) from New York to Washington (9:30 a. m.)	13.10	
		Chair from New York to Washington	1.35	
		Taxi from home to station in New York	.80	
		Taxi from station to hotel in Washington	.20	
		Aug. 3. Chair from Washington to New York (5 p. m.)	1.35	
		Taxi from hotel to station in Washington	.20	
		Taxi from station to home in New York	.80	
		July 31–Aug. 3. Per diem allowance for 3½ days, at $5 per day	17.50	
				35.30

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1939—Continued		
1939 Aug. 25	78	Edward Cooper: 1939 Aug. 1-31. For services as chief investigator rendered the Committee on Interstate Commerce, investigating the telegraph industry, under resolution of June 19, 1939, at $3,000 per annum		$250.00
	79	Frank A. Gamble: 1939 Aug. 1-31. For services rendered as clerk to the Committee on Irrigation and Reclamation, investigating water resources of arid lands, under resolution of June 7, 1938, at $2,400 per annum		200.00
	80	Mildred Johnson: 1939 Aug. 1-31. For clerical services rendered the Committee on Interstate Commerce, investigating railroad financing, under resolution of May 20, 1935, at $1,620 per annum		135.00
	81	Max Lowenthal: 1939 Aug. 1-31. For services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935, at $3,600 per annum		300.00
	82	Brantley Womble: 1939 Aug. 1-31. For clerical services rendered Special Committee to Investigate Conditions in the American Merchant Marine, under resolution approved Feb. 25, 1938, at $150 per month		150.00
	83	Eunice V. Avery: 1939 Aug. 1-31. For services rendered as a clerk to the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $1,800 per annum		150.00
	84	Shanette G. Blake: 1939 Aug. 1-31. For services rendered as a clerk to the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $1,800 per annum		150.00
	85	Annis C. Muller: 1939 Aug. 1-31. For services rendered as a clerk to the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $1,800 per annum		150.00
	86	Philip Levy: 1939 Aug. 1-31. For services rendered as clerk of the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $5,200 per annum		433.33
	87	Hubert L. Will: 1939 Aug. 1-31. For services rendered as clerk of the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $2,640 per annum		220.00
30	88	A. V. Donahey, Jr.: 1939 Aug. 1-31. For services rendered as clerk to the Joint Committee Investigating the Tennessee Valley Authority, under authority of Public Res. 83, 75th Cong., approved Apr. 4, 1938, and Public Res. 2, 76th Cong., at $2,600 per annum	$216.66	
		One-half to be paid by House of Representatives	108.33	108.33
	89	Clergue C. Schilling: 1939 Aug. 16-31. For clerical services rendered the Special Committee Investigating Taxation of Governmental Securities and Salaries, under resolution of Aug. 4, 1939, at $150 per month		75.00
Sept. 5	90	W. O. Heffernan: 1939 July 1-31. For services as secretary-auditor rendered the Joint Committee Investigating the Tennessee Valley Authority, under authority of Public Res. 83, 75th Cong., approved Apr. 4, 1938, and Public Res. 2, 76th Cong., at $9,000 per annum	750.00	
		One-half to be paid by House of Representatives	375.00	375.00

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 Sept. 26	100	New York Telephone Co.: 1939 July 1-31. For telephone services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935		$44.63
28	101	J. Heywood Bell: 1939 Sept. 1-30. For services as clerk rendered the Special Committee Investigating the Executive Departments and Agencies of the Government, under resolution of Feb. 24, 1936, at $3,600 per annum		300.00
	102	A. V. Donahey, Jr.: 1939 Sept. 1-30. For services rendered as clerk to the Joint Committee Investigating the Tennessee Valley Authority, under authority of Public Res. 83, 75th Cong., approved Apr. 4, 1938, and Public Res. 2, 76th Cong., at $2,600 per annum	$216.66	
		One-half to be paid by House of Representatives	108.33	108.33
28	103	Frank A. Gamble: 1939 Sept. 1-30. For services rendered as clerk to the Committee on Irrigation and Reclamation, investigating water resources of arid lands, under resolution of June 7, 1938, at $2,400 per annum		200.00
	104	Edward Cooper: 1939 Sept. 1-30. For services as chief investigator rendered the Committee on Interstate Commerce, investigating the telegraph industry, under resolution of June 19, 1939, at $3,000 per annum		250.00
	105	Dorothy Hutchison: 1939 Sept. 18-30. For services as clerk rendered the Committee on Interstate Commerce, investigating the telegraph industry, under resolution of June 19, 1939, at $1,820 per annum		65.72
	106	Eunice V. Avery: 1939 Sept. 1-30. For services rendered as clerk of the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $1,800 per annum		150.00
	107	Shanette G. Blake: 1939 Sept. 1-30. For services rendered as clerk of the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $1,800 per annum		150.00
	108	Philip Levy: 1939 Sept. 1-30. For services rendered as clerk of the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $5,200 per annum		433.34
	109	Annis C. Muller: 1939 Sept. 1-30. For services rendered as clerk of the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $1,800 per annum		150.00
	110	Mildred Johnson: 1939 Sept. 1-30. For clerical services rendered the Committee on Interstate Commerce, investigating railroad financing, under resolution of May 20, 1935, at $1,620 per annum		135.00
	111	Max Lowenthal: For reimbursement of travel and other expenses incurred as counsel to the Committee on Interstate Commerce, investigating all phases of railroad financing under resolution of May 20, 1935: 1939 Sept. 5. Railroad fare (round trip) from New York to Washington (coach rate)	9.65	
		Taxi from station to hotel in Washington	.30	
		6. Taxi from hotel to station in Washington	.30	
		5-6. Per diem allowance for 2 days, at $5 per day	10.00	20.05

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 Sept. 28	112	Max Lowenthal: 1939 Sept. 1-30. For services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935, at $3,600 per annum		$300.00
	113	Clergue C. Schilling: 1939 Sept. 1-30. For clerical services rendered the Special Committee Investigating Taxation of Governmental Securities and Salaries, under resolution of Aug. 4, 1939, at $150 per month		150.00
	114	Brantley Womble: 1939 Sept. 1-30. For clerical services rendered Special Committee to Investigate Conditions in the American Merchant Marine, under resolution approved Feb. 25, 1938, at $150 per month		150.00
29	115	Albert Boutwell: 1939 Sept. 16-30. For salary as clerk of Joint Committee on Forestry, under House concurrent resolution of Mar. 31, 1939, at rate of $4,200 per year	$175.00	
		One-half to be paid by House of Representatives	87.50	87.50
Oct. 2	116	Della C. Kessler: 1939 Sept. 5-26. For services rendered the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936, salary, 22 days, on basis of $150 per month		110.00
3	117	Nancy A. Haycock: 1939 Aug. 11-22-Sept. 8-13. For services rendered as editorial clerk for the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936, 21 days, on basis of $1,800 per annum		105.00
	118	Robert M. La Follette, Jr.: For expenses incurred as chairman of the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936: 1939 Aug. 28. Long-distance telephone calls	15.10	
		28. Railroad travel, Madison, Wis., to Washington, D. C., one way, with Pullman lower berth	34.95	
		Baggage transfer	.25	
		Sept. 1. Railroad travel, Washington, D. C., to Madison, Wis., one way, with Pullman lower berth	34.95	
		Baggage transfer	.25	
		Aug. 28-Sept. 1. Subsistence, 5 days, at $5 per day	25.00	110.50
	119	James E. Wood: 1939 Sept. 18-30. For services rendered as economist for the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936, 13 days, on basis of $3,800 per annum		137.21

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 Oct. 17	125	Albert Boutwell:		
		1939 Oct. 1-15. For salary as clerk of Joint Committee on Forestry, under House concurrent resolution of Mar. 31, 1939, at $4,200 per annum	$175.00	
		One-half to be paid by House of Representatives	87.50	
				$87.50
21	126	Chas. A. Brown:		
		For stenographically reporting and furnishing transcript of proceedings before a subcommittee of the Committee on Immigration, on deportation of aliens, under authority of Senate resolution of Jan. 12, 1939:		
		1939 July 28. 8,880 words, at 25 cents per hundred words	22.20	
		2 carbon copies for use of committee, 8,880 words, at 5 cents per hundred for each copy	8.88	
				31.08
	127	Max Lowenthal:		
		1939 Sept. 29, 30-Oct. 10, 11. For per diem allowance for time spent away from home office in pursuance of official duty for the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935, 4 days, at $5 per day		20.00
	128	New York Telephone Co.:		
		1939 Aug. 1-31. For telephone services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935		51.19
26	129	Ruth B. Abrams:		
		1939 Oct. 13-20. For expenses incurred as a clerk for the subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936, subsistence, 8 days, at $4 per day		32.00
	130	Benjamin Allen:		
		For expenses incurred as investigator for the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936:		
		1939 Oct. 11-20. Railroad travel, Washington, D. C., to San Francisco Calif., round trip	132.20	
		Pullman, Washington, D. C. to San Francisco, Calif., one way	21.55	
		Oct. 12-20. Subsistence, 9 days, at $4 per day	36.00	
				189.75
	131	Maryanne S. Brenner:		
		1939 Sept. 24-Oct. 20. For expenses incurred as a clerk for the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936, subsistence, 27 days, at $4 per day		108.00
	132	Jack B. Burke:		
		For expenses incurred as an investigator for the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936:		
		1939 Sept. 22-Oct. 20. Automobile travel, Washington, D. C., to San Francisco, Calif., 2,946 miles, at 4 cents per mile	117.84	
		Subsistence, 29 days, at $4 per day	116.00	
				233.84
	133	Carnzu A. Clark, Jr.:		
		1939 Oct. 11-20. For expenses incurred as a clerk for the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936, subsistence, 10 days, at $4 per day		40.00

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 Oct. 23	148	Charlotte T. Westwood: For expenses incurred as a clerk for the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936: 1939 Oct. 9-16. Automobile travel, Mare Island, Calif., to San Francisco, Calif., and return, and travel in and about San Francisco, 115 miles at 4 cents per mile	4.60	
		Automobile travel, Mare Island, Calif., to San Francisco, Calif., in and around San Francisco and return, 115 miles at 4 cents per mile	4.60	
		Automobile travel, Mare Island, Calif., to San Francisco and return, 115 miles at 4 cents per mile	4.60	
		9, 13, 16. Subsistence, 3 days at $4 per day	12.00	$25.80
	149	Luke W. Wilson: For expenses incurred as an investigator for the Subcommittee on Education and Labor, investigating violations of the rights of labor under resolution of June 6, 1936: 1939 Sept. 16-Oct. 15. Subsistence, 30 days at $4 per day	120.00	
		Oct. 16-17. Subsistence, 2 days at $4 per day	8.00	
		18. Subsistence, 1 day at $2 per day	2.00	
		19, 20. Subsistence, 2 days at $4 per day	8.00	138.00
30	150	J. Heywood Bell: 1939 Oct. 1-31. For services as clerk rendered the Special Committee Investigating the Executive Departments and Agencies of the Government, under resolution of Feb. 24, 1936, at $3,600 per annum		300.00
	151	Edward Cooper: 1939 Oct. 1-31. For services as chief investigator rendered the Committee on Interstate Commerce, investigating the telegraph industry, under resolution of June 19, 1939, at $3,000 per annum		250.00
	152	A. V. Donahey, Jr.: 1939 Oct. 1-31. For services rendered as clerk to the Joint Committee Investigating the Tennessee Valley Authority, under authority of Public Res. No. 83, 73th Cong., approved Apr. 4, 1938, and Public Res. No. 2, 76th Cong., at $2,600 per annum	216.66	
		One-half to be paid by the House of Representatives	108.33	108.33
	153	Frank A. Gamble: 1939 Oct. 21-31. For services rendered as clerk to the Committee on Irrigation and Reclamation, investigating water resources of arid lands, under resolution of June 7, 1938, 10 days at $2,400 per annum		66.67
	154	Clergue C. Shilling: 1939 Oct. 1-31. For clerical services rendered the Special Committee Investigating Taxation of Governmental Securities and Salaries under resolution of Aug. 4, 1939, at $150 per month		150.00
	155	Brantley Womble: 1939 Oct. 1-31. For clerical services rendered Special Committee to Investigate Conditions in the American Merchant Marine, under resolution approved Feb. 25, 1938		150.00
	156	Mildred Johnson: 1939 Oct. 1-31. Clerical services rendered the Committee on Interstate Commerce, investigating railroad financing, under resolution of May 20, 1935, at $1,620 per annum		135.00
	157	Max Lowenthal: 1939 Oct. 1-31. For services rendered the Committee on Interstate Commerce investigating all phases of railroad financing under resolution of May 20, 1935, at $3,600 per annum		300.00

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 Nov. 9	183	Charles O. Andrews:		
		For reimbursement for expenses incurred as a member of the subcommittee of the Committee on Public Lands and Surveys investigating the necessity for creating Petrified Forest National Park under resolution of June 7, 1938:		
		1939		
		Aug. 22-Sept. 2. Subsistence, 12 days, at $5 per day	$60.00	
		Necessary expense of travel by automobile from Estes Park, Colo., to Orlando, Fla., via Flagstaff, Ariz., and El Paso, Tex	105.00	
				$165.00
	184	Edward Cooper:		
		For reimbursement for expenses incurred as chief investigator for the Committee on Interstate Commerce, investigating the telegraph industry, under resolution of June 19, 1939:		
		1939		
		Oct. 30-Nov. 3. Railroad fare Washington, D. C. to New York City	8.05	
		Subsistence, Oct. 30 to Nov. 2, 4 days, at $5	20.00	
		Taxi fares	3.35	
		Telephone	.20	
		Railroad fare from New York City to Washington, D. C	8.05	
				39.65
	185	Max Lowenthal:		
		For reimbursement of travel and other expenses incurred as counsel to the Committee on Interstate Commerce investigating all phases of railroad financing under resolution of May 20, 1935:		
		1939		
		Oct. 24-26. Railroad fare (round trip) from New York to Washington (coach)	9.65	
		Taxi from station to hotel in Washington	.20	
		Taxi from hotel to station in Washington	.20	
		Subsistence, 3 days, at $5	15.00	
				25.05
13	186	Albert Boutwell:		
		For reimbursement for expenses incurred as clerk of Joint Committee on Forestry, under House concurrent resolution of Mar. 31, 1939:		
		1939		
		Aug. 23, Oct. 4-Nov. 8. Subsistence allowance of $5 per day while away from base point, Birmingham, Ala., in Jasper, Ala., on official business, 1 day, Aug. 23; in Jasper, Ala., and Washington, D. C., on official business, Oct. 4, 5, and 6; en route and in Washington, D. C., on official business, Oct. 28 to and including Nov. 8 (16 days)	80.00	
		Aug. 23-Oct. 4-Nov. 8. Transportation by automobile, from Birmingham, Ala., the base point: Round trip from Birmingham to Jasper, Ala., Aug. 23, 80 miles; round trip from Birmingham to Jasper, 80 miles, Oct. 4; and immediately leaving Birmingham for Washington, D. C., by auto, Oct. 4, 800 miles; Birmingham to Washington, D. C., by auto beginning Oct. 28, 800 miles; total, 1,760 miles, at 5 cents per mile	88.00	
			168.00	
		One-half to be paid by House of Representatives	84.00	
				84.00
	187	Albert Boutwell:		
		1939		
		Nov. 1-15. For salary as clerk of Joint Committee on Forestry, under H. Con. Res. of Mar. 31, 1939, at $4,200 per annum	175.00	
		One-half to be paid by House of Representatives	87.50	
				87.50

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 Nov. 18	188	Hart & Dice: For stenographically reporting and transcribing hearings before the Special Committee to Investigate Production, Transportation and Marketing of Wool, under authority of S. Res. of June 16, 1938: 1939 Oct. 23-25. 112,030 words at 25 cents per hundred words	$280.07	
		112,030 words (2 additional copies at 5 cents per folio each)	112.03	$392.10
	189	Goldsmith Bros.: 1939 Oct. 2-24. For supplies furnished to the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935		8.49
	190	New York Telephone Co.: 1939 Sept. 1-30. For telephone services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935		49.72
	191	New York Telephone Co.: 1939 Oct. 1-31. For telephone services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1939		52.26
24	192	Frank A. Gamble: 1939 Nov. 1-24. For services rendered as clerk to the Committee on Irrigation and Reclamation, investigating water resources of arid lands, under resolution of June 7, 1938, at $2,400 per annum		160.00
	193	Max Lowenthal: For reimbursement of travel and other expenses incurred as counsel to the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935: 1939 Nov. 2. Railroad fare (round trip) from New York to Washington (coach rate)	9.65	
		Taxi from station to hotel in Washington	.20	
		3. Taxi from hotel to station in Washington	.20	
		2, 3. Per diem allowance for 2 days at $5 per day	10.00	20.05
29	194	J. Heywood Bell: 1939 Nov. 1-30. For services as clerk rendered the Special Committee Investigating the Executive Departments and Agencies of the Government, under resolution of Feb. 24, 1936, at $3,600 per annum		300.00
	195	Edward Cooper: 1939 Nov. 1-30. For services as chief investigator rendered the Committee on Interstate Commerce, investigating the telegraph industry, under resolution of June 19, 1939, at $3,000 per annum		250.00
	196	Mildred Johnson: 1939 Nov. 1-30. For clerical services rendered the Committee on Interstate Commerce, investigating railroad financing, under resolution of May 20, 1935, at $1,620 per annum		135.00
	197	Max Lowenthal: 1939 Nov. 1-30. For services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1939, at $3,600 per annum		300.00
	198	Clergue C. Schilling: 1939 Nov. 1-30. For clerical services rendered the Special Committee Investigating Taxation of Governmental Securities and Salaries, under resolution of Aug. 4, 1939, at $150 per month		150.00
	199	Eunice V. Avery: 1939 Nov. 1-30. For services rendered as clerk of the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $1,800		150.00

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 Dec. 7	250	James E. Wood:		
		1939		
		Oct. 1-10. For services rendered as an economist for the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936, at $3,800 per annum		$105.55
9	251	Frank A. Gamble:		
		1939		
		Dec. 1-9. For services rendered as clerk to the Committee on Irrigation and Reclamation, investigating water resources of arid lands, under resolution of June 7, 1938, at $2,400 per annum		60.00
	252	Edna Shelley:		
		For expenses incurred as a clerk for the subcommittee of the Committee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936:		
		1939		
		Oct. 21-Nov. 10. Subsistence, 21 days at $4 per day	$84.00	
		Nov. 11-20. Subsistence, 10 days at $2 per day	20.00	
				104.00
13	253	Evelyn Hecht:		
		1939		
		Nov. 27-Dec. 7. For services rendered to the Committee on Finance, considering revenue and taxation, under resolution of Jan. 12, 1939, 10 days at $5 a day, except Sunday, Dec. 3		50.00
16	254	J. Heywood Bell:		
		1939		
		Dec. 1-31. For services as clerk rendered the Special Committee Investigating the Executive Departments and Agencies of the Government, under resolution of Feb. 24, 1936, at $3,600 per annum		300.00
	255	Albert Boutwell:		
		1939		
		Dec. 1-15. For salary as clerk of Joint Committee on Forestry, under House concurrent resolution of Mar. 31, 1939, at $4,200 per annum	175.00	
		One-half to be paid by House of Representatives	87.50	
				87.50
	256	Edward Cooper:		
		1939		
		Dec. 1-31. For services as chief investigator rendered the Committee on Interstate Commerce investigating the telegraph industry, under resolution of June 19, 1939, at $3,000 per annum		250.00
	257	Mildred Johnson:		
		1939		
		Dec. 1-31. For clerical services rendered the Committee on Interstate Commerce investigating railroad financing under resolution of May 20, 1935, at $1,620 per annum		135.00
	258	Max Lowenthal:		
		For reimbursement of travel and other expenses incurred as counsel to the Committee on Interstate Commerce investigating all phases of railroad financing under resolution of May 20, 1935, as follows:		
		1939		
		Nov. 28. Railroad fare (round trip) from New York to Washington (coach rate)	9.65	
		Taxi from station to hotel in Washington	.20	
		30. Taxi from hotel to station in Washington	.20	
		28-30. Per diem allowance for 3 days, at $5 per day	15.00	
				25.05
	259	Eunice V. Avery:		
		1939		
		Dec. 1-31. For services rendered as clerk of the Committee on Banking and Currency under resolution of Jan. 12, 1939, at $1,800 per annum		150.00
	260	Shanette G. Blake:		
		1939		
		Dec. 1-31. For services rendered as a clerk of the Committee on Banking and Currency under resolution of Jan. 12, 1939, at $1,800 per annum		150.00

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 Dec. 20	272	Dorothy Hutchinson:		
		1939		
		Dec. 1-14. For services rendered the Committee on Interstate Commerce, investigating the telegraph industry, under resolution of June 19, 1939, 13 days, at $1,820 per annum		$65.72
21	273	Chesapeake & Potomac Telephone Co.:		
		1939		
		Aug. 1-Nov. 22. For long-distance telephone messages furnished Committee on Interstate Commerce, investigating the telegraph industry, under resolution of June 19, 1939	$6.45	
		Less Federal tax	.55	
				5.90
	274	Keeper of Stationery:		
		1939		
		Sept. 6-Oct. 28. For supplies furnished the Committee on Interstate Commerce, investigating the telegraph industry, under resolution of June 19, 1939		11.73
27	275	Max Lowenthal:		
		1939		
		Dec. 1-31. For services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935, at $3,600 per annum		300.00
	276	New York Telephone Co.:		
		1939		
		Nov. 1-30. For telephone services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935		50.26
28	277	Albert Boutwell:		
		For reimbursement for expenses incurred as Clerk of Joint Committee on Forestry under House concurrent resolution of Mar. 31, 1939:		
		1939		
		Dec. 1-22. Subsistence allowance while away from base point, Birmingham, Ala., on official business in Washington, Chicago, San Francisco, Portland, and Madison, Wis.—22 days at $5 per day	110.00	
		Trip by auto, Washington, D. C., to Jackson, Mich., 540 miles—Dec. 1, 2—5 cents a mile	27.00	
		Pullman charges—Portland, Oreg. to Madison, Wis., Dec. 15	16.55	
		Railroad fare—Chicago, Ill., to Birmingham, Ala.—Dec. 21	19.85	
		Pullman charges—Chicago to Birmingham	5.25	
		Telephone call—Uniontown, Pa., to Washington, to Dr. Earl Clapp, Associate Chief Forester—Dec. 1	1.35	
		Telephone call to Congressman Englebright, Eureka, Calif., to San Francisco—Dec. 9	1.80	
		Telegram to Congressman Fulmer, Green Island, Nebr., to Long Beach, Calif—Dec. 3	1.19	
		Railroad fare Jackson, Mich., to Chicago, Ill. Dec. 2	6.30	
		Pullman fare Jackson, Mich., to Chicago, Ill., Dec. 2	.90	
		Telegram to Senator LaFollette, Troy, Mont. to Madison, Wis., Dec. 15	1.13	
		Folders and labels for Committee	2.19	
		Key board paper	1.84	
		Local calls—San Francisco, Calif	.70	
		Local calls—Portland, Oreg	1.10	
		Local calls—Madison, Wis	.50	
		Air mail special-delivery stamps	1.62	
			199.27	
		Rebate on round-trip ticket—Chicago, Ill., to San Francisco via Portland, Oreg., and Madison, Wis., by reason of change from Forty-Niner Train to Overland Limited	10.00	
			189.27	
		One-half to be paid by House of Representatives	94.64	

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1939 Dec. 28	278	Albert Boutwell:		
		1939		
		Dec. 16-31. For salary as clerk of Joint Committee on Forestry, under house concurrent resolution of Mar. 31, 1939, at $4,200 per annum	$175.00	
		One-half to be paid by House of Representatives	87.50	$87.50
1940 Jan. 4	279	A. V. Donahey, Jr.:		
		1939		
		Dec. 1-31. For services rendered as clerk to the Joint Committee Investigating the Tennessee Valley Authority, under authority of Public Res. No. 83, 75th Cong., approved Apr. 4, 1938, at $2,600 per annum	216.66	
		One-half to be paid by House of Representatives	108.33	108.33
	280	Southern Railway Co.:		
		For transportation furnished the Joint Congressional Committee on Forestry under authority of House concurrent resolution of Mar. 31, 1939:		
		1939		
		Nov. 12. 3 round-trip tickets, Washington, D. C., to Greenville, Ala., at $38.65	115.95	
		3 one-way tickets, Mobile, Ala., to Greenville, Ala., at $4.05	12.15	
		3 lower berths, Washington, D. C., to Greenville, Ala., at $6.85	20.55	
		1 one-way ticket, Washington, D. C., to Greenville, Ala.	25.75	
		1 lower berth, Washington, D. C., to Greenville, Ala.	6.85	
		1 round-trip ticket, Washington, D. C., to Greenville, Ala.	49.35	
		1 one-way ticket, Mobile, Ala., to Greenville, Ala.	4.05	
		1 lower berth, Washington, D. C., to Greenville, Ala.	6.85	
			241.50	
		One-half to be paid by House of Representatives	120.75	120.75
6	281	Evelyn Hecht:		
		1939–40		
		Dec. 26-29, Jan. 2-3. For services rendered the Committee on Finance, considering revenue and taxation under resolution of Jan. 12, 1939, 6 days at $5 a day		30.00
9	282	Edward Cooper:		
		For reimbursement for expenses incurred as chief investigator for the Committee on Inter-state Commerce investigating the telegraph industry, under resolution of June 19, 1939, as follows:		
		1939		
		Dec. 21-24. Railroad fare, Washington, D. C., to New York City	8.05	
		Subsistence, Dec. 21-23, 3 days at $5 per day	15.00	
		Taxi fares	2.25	
		Telephone charges	.65	
		Railroad fare, New York City, to Washington, D. C.	8.05	
				34.00
	283	Max Lowenthal:		
		For reimbursement of travel and other expenses incurred as counsel to the Senate Committee on Inter-state Commerce investigating all phases of railroad financing under resolution of May 20, 1935 as follows:		
		1940		
		Jan. 2. Railroad fare (round trip) from New York, to Washington (coach rate)	9.65	
		Taxi from station to hotel in Washington	.20	
		4. Taxi from hotel to station in Washington	.20	
		2-4. Per diem allowance for 3 days at $5 per day	15.00	
				25.05
11	284	Ruth B. Abrams:		
		1939		
		Nov. 21-Dec. 20. For expenses incurred as a clerk to the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936: Subsistence, 30 days, at $2 per day		60.00

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1940 Feb. 2	348	R. F. Camaller:		
		For reimbursement for expenses incurred as clerk to the Committee on Public Lands and Surveys, investigating the necessity for creating a Petrified Forest National Park, under resolution of June 7, 1938:		
		1939		
		Sept. 27–Oct. 3. Railroad fare, Denver, Colo., to Flagstaff, Ariz.	$24.73	
		Pullman	7.65	
		Railroad fare, Flagstaff to Washington, D. C.	61.71	
		Pullman	19.65	
		Subsistence, 7 days, at $5 per day	35.00	
				$168.74
	349	Chan Gurney:		
		For reimbursement for expenses incurred as a member of the Committee on Public Lands and Surveys, investigating all questions relating to the proposed enlargement of Rocky Mountain National Park, under resolution of Jan. 8, 1940:		
		1939		
		Aug. 27–Sept. 7. Railroad fare, Washington, D. C., to Estes Park, Colo., and return	108.50	
		Pullman	25.20	
		Subsistence, 12 days, at $5 per day	60.00	
				193.70
	350	Chan Gurney:		
		For reimbursement for expenses incurred as a member of the Committee on Public Lands and Surveys, investigating the necessity for creating a Petrified Forest National Park, under resolution of June 7, 1938:		
		1939		
		Dec. 3–6. Railroad fare, Flagstaff, Ariz., to Washington, D. C.	81.71	
		Pullman	19.65	
		Subsistence, 4 days, at $5 per day	20.00	
				121.36
	351	Gerald P. Nye:		
		For reimbursement for expenses incurred as a member of the Committee on Public Lands and Surveys, investigating all questions relating to the proposed enlargement of Rocky Mountain National Park, under resolution of Jan. 8, 1940:		
		1939		
		Aug. 27–Sept. 7. Railroad fare, Washington, D.C., to Estes Park, Colo., and return	108.50	
		Pullman	25.20	
		Subsistence, 12 days, at $5 per day	60.00	
				193.70
	352	Max Lowenthal:		
		For reimbursement of travel and other expenses incurred as counsel for the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1940		
		Jan. 23–24. Railroad fare (round trip) from New York to Washington (coach rate)	9.65	
		Taxi from station to hotel in Washington, D. C.	.20	
		Taxi from hotel to station in Washington, D. C.	.20	
		Per diem allowance for 2 days, at $5 per day	10.00	
				20.05
	353	Max Lowenthal:		
		1940		
		Jan. 1–31. For services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935, at $3,600 per annum		300.00
	354	New York Telephone Co.:		
		1939		
		Dec. 1–31. For telephone services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935		51.90
	355	Ruth B. Abrams:		
		For expenses incurred as a clerk for the Subcommittee on Education and Labor, investigating violations of the rights of labor, under resolution of June 6, 1936:		
		1939–40		
		Dec. 21–Jan. 20. Taxi fare	.70	
		Subsistence, 31 days, at $2 per day	62.00	
				62.70

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1940 Feb. 6	393	Elvin C. Wangsness:		
		For expenses incurred as an investigator for the Subcommittee on Education and Labor, investigating violations of the rights of labor under resolution of June 6, 1936:		
		1939–40		
		Dec. 29–Jan. 3. Taxi fares		
		Dec. 12. Auto travel, San Francisco to Los Angeles, 409 miles, at 4 cents per mile	$1.30	
		Dec. 13–Jan. 20. Carfare	16.36	
		Dec. 21–Jan. 20. Subsistence, 31 days, at $4 per day	.56	
			124.00	$142.22
	394	Frances L. Wheeler:		
		For expenses incurred as an investigator for the Subcommittee on Education and Labor, investigating violations of the rights of labor under resolution of June 6, 1936:		
		1940		
		Jan. 3–23. Railroad fare and Pullman, Los Angeles to San Francisco	16.60	
		Certification of election contributions	3.00	19.60
	395	Luke W. Wilson:		
		For expenses incurred as an investigator for the Subcommittee of the Committee on Education and Labor, investigating violations of the rights of labor under resolution of June 6, 1936:		
		1939–40		
		Dec. 21–Jan. 20. Automobile travel, in and around Los Angeles, 444 miles, at 4 cents per mile	17.76	
		Subsistence, 6 days, at $2 per day	12.00	
		Subsistence, 25 days, at $4 per day	100.00	129.76
8	396	Carneu A. Clark, Jr.:		
		For expenses incurred as a clerk for the Subcommittee on Education and Labor, investigating violations of the rights of labor under resolution of June 6, 1936:		
		1939–40		
		Dec. 21–Jan. 20. Taxi fare	2.40	
		Subsistence, 7 days, at $2 per day	14.00	
		Subsistence, 24 days, at $4 per day	96.00	112.40
	397	Keeper of Stationery:		
		1940		
		Jan. 1–31. For stationery supplies furnished the Subcommittee of the Committee on Education and Labor, investigating violations of the rights of labor under resolution of June 6, 1936		29.97
	398	Ward & Paul:		
		1940		
		Jan. 10–20. For stenographically reporting and transcribing hearing before the Subcommittee of the Committee on Education and Labor, in re S. Res. 266, Violation of Free Speech and Rights of Labor, held at Los Angeles, Calif., under resolution of June 6, 1936, 402,540 words, at 25 cents per 100 words		1,006.35
12	399	Max Lowenthal:		
		For reimbursement of travel and other expenses incurred as counsel to the Committee on Interstate Commerce investigating all phases of railroad financing under resolution of May 20, 1935, as follows:		
		1940		
		Jan. 29. Railroad fare (round trip) from New York to Washington (coach rate)	9.65	
		Taxi from station to hotel in Washington	.20	
		30. Taxi from hotel to station in Washington	.20	
		Jan. 29–30. Per diem allowance for 2 days, at $5 per day	10.00	20.05
	400	Gregor Macpherson:		
		1940		
		Jan. 25–30. For services in reporting stenographically and furnishing transcript, under authority of Senate resolution of Jan. 12, 1939, hearings before the Subcommittee on Appropriations, on the Independent Offices appropriation bill for 1941, in accordance with estimate of Government Printing Office, 78,120 words, at 25 cents per 100 words		195.30

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1940 Feb. 28	423	Edward Cooper: 1940 Feb. 1-29. For services rendered as Chief Investigator rendered the Committee on Interstate Commerce investigating the telegraph industry, under resolution of June 19, 1939, at $3,000 per annum		$250.00
	424	Volt Gilmore: 1940 Feb. 1-29. For services as clerk rendered Special Senate committee investigating conditions in the American Merchant Marine under Senate resolution of Feb. 25, 1938, at $150 per month		150.00
	425	Mildred Johnson: 1940 Feb. 1-29. For clerical services rendered the Committee on Interstate Commerce, Investigating railroad financing, under resolution of May 20, 1935, at $1,620 per annum		135.00
	426	Clergue C. Schilling: 1940 Feb. 1-29. For clerical services rendered the Special Committee Investigating Taxation of Governmental Securities and Salaries, under resolution of Aug. 4, 1939, at $150 per month		150.00
	427	Eunice V. Avery: 1940 Feb. 1-29. For services rendered as a clerk of the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $1,800		150.00
	428	Shanette G. Blake: 1940 Feb. 1-29. For services rendered as a clerk of the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $1,800		150.00
	429	Phillip Levy: 1940 Feb. 1-29. For services rendered as special assistant of the Banking and Currency Committee, under resolution of Jan. 12, 1939, at $5,200 per annum		433.33
	430	Annis C. Muller: 1940 Feb. 1-29. For services rendered as a clerk of the Committee on Banking and Currency, under resolution of Jan. 12, 1939, at $1,800		150.00
	431	Goldsmith Bros.: 1940 Jan. 1-31. For supplies furnished the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935		3.37
	432	Max Lowenthal: For reimbursement of travel and other expenses incurred as counsel to the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935: 1940		
		Feb. 8. Railroad fare (round trip) from New York to Washington (coach rate)	$9.65	
		Taxi from station to hotel in Washington	.20	
		10. Taxi from hotel to station in Washington	.20	
		Feb. 8-10. Per diem allowance for 3 days, at $5 per day	15.00	
				25.05
	433	Max Lowenthal: For reimbursement of travel and other expenses incurred as counsel to the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935: 1940		
		Feb. 15. Railroad fare (round trip) from New York to Washington, D. C. (coach rate)	9.65	
		Taxi fare from station to hotel in Washington D. C.	.20	
		17. Taxi fare from hotel to station in Washington D. C.	.20	
		Feb. 15-17. Per diem allowance for 3 days, at $5 per day	15.00	
				25.05

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1940 Feb. 28	434	Max Lowenthal:		
		1940		
		Feb. 1-29. For services rendered the Committee on Interstate Commerce, investigating all phases of railroad financing under resolution of May 20, 1935, at $3,000 per annum		$300.00
	435	New York Telephone Co.:		
		1940		
		Jan. 1-31. For telephone service rendered the Committee on Interstate Commerce, investigating all phases of railroad financing, under resolution of May 20, 1935		57.76
	436	Daniel A. Reed:		
		For reimbursement for expenses incurred as a member of Joint Committee on Forestry under authority of House concurrent resolution of Mar. 31, 1939, on official business for committee:		
		1939		
		Oct. 28-Dec. 20. Subsistence allowance while away from Washington, D. C., Nov. 7-18, 21-30; Dec. 1-20; 42 days, at $5 per day	$210.00	
		Road trip by auto, Washington, D. C. to Syracuse, N. Y., Nov. 7-11, 800 miles, at 5 cents a mile	40.00	
		Pullman, Mobile, Ala., to Washington, D. C., Nov. 17-18	7.65	
		Railroad fare and pullman, Washington, D. C., San Francisco, Calif., Portland, Oreg., Madison, Wis., Washington, D. C.	180.00	
		Seat on streamliner in California	1.60	
		Chair, Chicago to Washington, D. C.	1.05	
		Chicago to Madison and return, including Pullman	9.20	
		Carrying official records	5.66	
		Long-distance call, Nov. 27	.90	
		Long-distance call, Washington, D. C., to Syracuse, N. Y., Oct. 28	4.90	
			463.96	
		One-half paid by House of Representatives	231.98	231.98
Mar. 2	437	Albert Boutwell:		
		1940		
		Feb. 16-29. For salary as clerk of Joint Committee on Forestry, under House concurrent resolution of Mar. 31, 1939, at $4,200 per annum	175.00	
		One-half paid by House of Representatives	87.50	87.50
	438	H. P. Fulmer:		
		For reimbursement for expenses incurred as member of Joint Committee on Forestry, under authority of House concurrent resolution of Mar. 31, 1939, on official business for committee:		
		1939		
		Nov. 8-Dec. 21. Subsistence, 44 days, at $5 per day	220.00	
		Railroad fare and Pullman, Mobile, Ala., to New Orleans, La	4.65	
		Railroad fare and Pullman, New Orleans, La. to San Francisco, Calif.	81.23	
		Railroad fare and Pullman, Portland, Oreg., to Madison, Wis.	104.04	
		Railroad fare and Pullman, Madison to Chicago to Washington, D. C.	33.55	
		Carrying official records	8.65	
		Special clerical service	10.00	
			462.12	
		One-half paid by House of Representatives	231.06	231.06

Detailed statement of disbursements from contingent fund, etc.—Continued

Date	No.	To whom paid and for what object	Amount	Total
		EXPENSES OF INQUIRIES AND INVESTIGATIONS—Continued		
		Fiscal year 1940—Continued		
1940 Mar. 2	439	Marian F. Whitmore:		
		For stenographically reporting and transcribing hearing before the Joint Committee on Forestry, at Syracuse, N. Y., under authority of House concurrent resolution of Mar. 31, 1939:		
		1939		
		Nov. 9. 53,070 words, at 25 cents per hundred words	$132.67	
		One-half paid by House of Representatives	66.33	
	440	Percy E. Budlong:		$66.34
		1940		
		Feb. 6. For services in reporting stenographically and furnishing transcript, under authority of Senate resolution of Jan. 12, 1939, of hearing on nomination of Linus C. Glotzbach (not printed), per estimate of Government Printing Office, held before the Subcommittee on Appropriations, 15,925 words, at 25 cents per hundred words		39.81
	441	Gregor Macpherson:		
		1940		
		Feb. 19-21. For services in reporting stenographically and furnishing transcript, under authority of Senate resolution of Jan. 12, 1939, of hearings before Committee on Appropriations on the State, Commerce, and Justice appropriation bill for 1941 (H. R. 8319), per estimate of Government Printing Office, 83,780 words, at 25 cents per hundred words		209.45
	442	Max Lowenthal:		
		For reimbursement of travel and other expenses incurred as counsel to the Committee on Interstate Commerce investigating all phases of railroad financing, under resolution of May 20, 1935:		
		1940		
		Feb. 19. Railroad fare (round trip) from New York to Washington, D. C. (coach rate)	9.65	
		Taxi from station to hotel in Washington, D. C.	.20	
		22. Taxi from hotel to station in Washington, D. C.	.20	
		19-22. Per diem allowance for 4 days, at $5 per day	20.00	
				30.05
	443	J. C. M. Vann:		
		1940		
		Feb. 1-29. For services as special assistant rendered Special Senate Committee Investigating Conditions in the American Merchant Marine under Senate resolution of Feb. 25, 1938, at $700 per month		700.00
	444	Albert Boutwell:		
		For reimbursement for expense incurred as clerk to Joint Committee on Forestry, under authority of House current resolutions of Mar. 31, 1939, while on official business for committee:		
		1939-40		
		Nov. 8-Mar. 4. Subsistence, while in Washington, D. C., and en route to and from Birmingham, Ala., Feb. 23-Mar. 4, 11 days, at $5 per day	55.00	
		Railroad fare Washington, D. C., to Birmingham, Ala	23.00	
		Pullman	6.05	
		Transportation and station porterage for official records, 8 pieces, Washington, D. C., to New York City, transfer through city via ferry (ferry fare included in railroad ticket previously paid) to train and off train to Hotel Syracuse, N. Y.	3.30	
		Transportation of official records to and from Syracuse University	1.95	
		Transportation and station porterage, Syracuse, N. Y., to Albany, N. Y., to New York City; transfer, New York City to train to Washington, D. C.	3.85	
		Transportation and station porterage, 6 pieces, Washington, D. C., to Greenville, Ala., to Brewton, Ala., to Mobile, Ala., and return	3.75	
			96.90	
		One-half paid by House of Representatives	48.45	
				48.45

MAJ [redacted] b7C

March 3, 1942

MR. NICHOLS

Attached hereto is a memorandum on Max Lowenthal which consolidates the available material. Though he uses the name Max Lowenthal at the present time, it is noted from correspondence had with this individual in the early 1930's his full name is Max H. Lowenthal.

Respectfully,

J. J. McGuire

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/26/92 BY 8123 [redacted] b7C

[redacted]

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Tracy
Mr. Rosen
Mr. Carson
Mr. Coffey
Mr. Henden
Mr. Holloman
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

RECEIVED NICHOLS
E B I
DEPT OF JUSTICE

124
APR 27 1942
RECORDED

Original cannot be located and is not on record. When [illegible] in Files [illegible] [redacted]
3/25/42

62-25733
FEDERAL BUREAU OF INVESTIGATION
10 MAR 28 1942
U. S. DEPARTMENT OF JUSTICE
FIVE

CONFIDENTIAL

February 28, 1942

3/26/92
Classified by 8123 [redacted]
Declassify on: OADR

MEMORANDUM

Re: Max H. Lowenthal

b7C

The current Washington, D. C., telephone directory reflects that Max Lowenthal, who is associated with Senator Burton K. Wheeler of Montana and maintains offices with the Senator in the Senate Office Building, resides at 1 West Irving Street, Chevy Chase, Maryland, telephone [redacted]

b7D

[redacted]

2A

3A

5

b7D

Lowenthal was formerly associated with the law firm of Lowenthal, Szold and Brandwen, 43 Exchange Place, New York City. This firm has also been referred to as Lowenthal, Szold and Perkins. [redacted]

b7D

Tolson
E. A. Tamm
Clegg
Glavin
Ladd
Nichols
Tracy
Rosen
Carson
Coffey
Hendon
Holloman
Mina Tamm
Nease
Wandy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/26/92 BY 8123 [redacted] b7C

RECORDED

FEDERAL BUREAU OF INVESTIGATION
10 MAR 28 1942
U. S. DEPARTMENT OF JUSTICE

CONFIDENTIAL

[redacted] There is no reference to this individual in "Who's Who in America" and in "Who's Who in American Jewry."

[redacted] In fact, in a letter written to the Bureau in 1931, New Milford, Connecticut, appeared on the letterhead.

In 1923, Lowenthal in his capacity as a partner in the law firm above-mentioned, indicated to an Agent of the Federal Bureau of Investigation that he was General Counsel for the Russian-American Industrial Corporation, 31 Union Square, New York City. In a prospectus published by this corporation for the purpose of raising capital, it is stated that the plan for the organization of a million dollar corporation described in this prospectus was an outgrowth of the visit of Sidney Hillman, president of the Amalgamated Clothing Workers of America, to Russia in the summer of 1921. The prospectus referred to Soviet concessions consisting of six factories in Petrograd and three factories in Moscow for the making of material, and stated that the control over the concessions would be vested in representatives of the Supreme Council of National Economy of the Soviet Government and of the Russian-American Industrial Corporation.

Among the purposes of this corporation, according to the prospectus, appeared the following: "To aid and assist in developing the resources of Russia, thereby furthering the economic progress of Russia and the American progress in that country." There is also printed in the prospectus a communication addressed to Sidney Hillman by "Rykoff, Acting Chairman, Council Labor and Defense (Substitute for Lenin)."

In another pamphlet issued by this corporation appears the names of Mr. and Mrs. Max Lowenthal as subscribers to Russian-American Industrial Corporation stock.

In 1929, Lowenthal was named secretary of the National Commission on Law Observance and Enforcement (the Wickersham Commission) which occupied offices in the Tower Building, Washington, D. C. In his capacity as secretary, Mr. Lowenthal interviewed Director Hoover of the FBI on August 6, 1929. According to a memorandum prepared by the Director dated August 8th of the same year, Mr. Lowenthal at that time made a request for the following items of information:

The names of fifteen Chiefs of Police who might be considered for designation on Committees to function on matters in which the National Commission on Law Observance and Enforcement is interested.

The name of the Associate Editor of the Annals of the American Academy of Political and Social Science, who has charge of the forthcoming publication dealing with crime and law enforcement; also the outline of the Table of Contents for this publication.

A memorandum setting forth the percentage of time spent by the Agents and Accountants of the Bureau on the more important phases of the Bureau's investigative work, such as National Motor Vehicle Theft Act, White Slave Traffic Act, Mails to Defraud, Thefts from Interstate Shipment, Antitrust violations, etc.

A memorandum of the course of instruction followed at the training school for Special Agents and Special Accountants.

A memorandum of the procedure followed in the selection of Special Agents and Special Accountants.

A memorandum of the procedure and technique of investigation of applicants for appointment as United States Judges and District Attorneys; this memorandum to cover the procedure in the past and at the present and any suggestions for improvement.

A memorandum on the procedure followed to check the work and efficiency of Special Agents and Special Accountants after their appointment in the Bureau.

A memorandum upon the source of the business which reaches the Federal Courts handled by the Bureau.

Three copies of the new Manual of Instructions.

Six copies of the booklet covering the functions of the Bureau.

Six copies of the efficiency rating sheets used for field employees.

Six copies of the personality report sheet used by Inspectors in examining applicants.

A memorandum covering the details of operation of the National Division of Identification and Information.

During the remaining months of 1929 and also during 1930, the Bureau corresponded with Lowenthal on several occasions, all of the letters pertaining to requests for information Lowenthal had made of the Bureau. Considerable material was furnished to him, including three copies of the Bureau's Manual of Rules and Regulations and one copy of the Manual of Instructions which were furnished on August 6, 1929. (62-21747-17)

The "Washington Daily News" for August 8, 1930, indicated that Max Lowenthal, a noted lawyer, had resigned his position as Secretary to former President Hoover's Law Enforcement Commission because of "disappointment over the failure of the Hoover Law Enforcement Commission to adhere to its preannounced intention of making a scientific and dispassionate study of law violation and law enforcement." The article pointed out that Lowenthal served thirteen months without pay "in a post which he entered at the personal solicitation of George W. Wickersham, Chairman of the Commission" and quit in "disgust over what he regarded as its antics in the realm of political expediency." The article claimed that the breaking of the secrecy rule by various members of the Commission, bickering over the problem of prohibition, and breaches of common agreement precipitating several quarrels, caused Lowenthal great distress, and finally led to his resignation. [redacted] but this seems unlikely in view of the above information.

The "New York Times" index indicates that in the June 5, 1933, issue, on page 18, there appeared a summary of a book written by Max Lowenthal entitled "The Investor Pays." [redacted]

Max Lowenthal was Assistant to Ferdinand Pecora during the stock market investigation [redacted]

CONFIDENTIAL

[redacted]

referred

In 1936, Lowenthal was a member of the National Committee of the International Juridical Association which is a radical lawyers organization. In a report dated February 11, 1942, on this Association which was submitted by the New York Office there was enclosed a copy of the most recent available letterhead of the organization. This reflects Max Lowenthal as being a member of the National Committee representing the District of Columbia. He previously was carried on the letterhead as being from New York. (100-258)

[redacted]

b7c,D

CONFIDENTIAL

[redacted] 5 5 b7D

An article in the March 12, 1940, issue of the "St. Louis Post Dispatch," St. Louis, Missouri, described Lowenthal as Counsel for the Railroad Financing Investigation being conducted by Senator Burton K. Wheeler. It has been reported that Lowenthal was the real brains behind the investigation and without his work the whole thing would have been without results. The article also stated that Lowenthal had been mentioned by Senator Norris for the task of investigating charges made by the Senator against the FBI during the smear campaign which was conducted in the spring of 1940. (62-58277-1) 3 5

[redacted] 6 b7D

[redacted] b7D

On March 25, 1940, the following reference concerning Lowenthal appeared in one of Walter Winchell's columns, "Incidentally the Attorney General has protested the appointment of Max Lowenthal to the Senate Wire Tapping Probe on the ground that he was the writer of the anonymous brief against John Edgar Hoover. It was distributed by Lowenthal's stooge Litchfield. . . The irony of it: than an anonymous letter writer should be against wire tapping." (94-4-4099-2)

[redacted] b7D

(100-7046-120)

[redacted] (94-1-3863-3) b7D

According to an extremely confidential source, on May 24, 1940 Carol King wrote Lee Pressman at Washington, D. C., and asked whether it would not be a good idea for the Mine and Smelter Workers to get in touch with Max Lowenthal with reference to the FBI's activities at Ducktown, Tennessee. Carol King stated she did not want to do this direct inasmuch as one could never tell when Max was going to be temperamental and refuse to see the representatives of the Mine and Smelter Workers. She expressed the thought that Max could do a lot if he once got started and added that he was somewhat discouraged "these days."

[redacted] (100-0-257[illegible]) b7C,D

CONFIDENTIAL

[redacted]

Early in 1941, a memorandum of Lowenthal's entitled "Is the Department of Justice Sufficiently Competent in National Defense?" appeared. This was a twenty page brief urging defeat of legislation initiated by Congressman Hobbs intended to legalize wire tapping in specific types of cases, particularly those relating to the national defense program. The brief stated that the use of wire tapping in espionage, sabotage and other cases involving serious felonies constituted a menace and a threat to the American people.

[redacted]

CONFIDENTIAL

[redacted] A comparison of the platform of the Communist Party - USA issued in 1940 and the program of the National Federation for Constitutional Liberties indicated that the principles advocated for all practical purposes are synonymous.

[redacted]

It is not known whether this person is identical with the Max Lowenthal under consideration. (100-1170-49)

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

b7D

On July 10, 1941, it came to the Bureau's attention that Lowenthal and another had prepared a series of articles dealing with the Director and the Bureau for publication in the "Baltimore Sun." It does not appear that such articles were ever printed. (94-8-19

The column by Drew Pearson and Robert S. Allen entitled "Washington Merry-Go-Round" which appeared in the "Washington Times-Herald" on January 20, 1942, contained the following reference to Lowenthal: "The CIO left-winger General Counsel Lee Pressman tried secretely to get an appointment to the Board for Max Lowenthal, an attorney on the staff of Senator Burton Wheeler." This statement had reference to the War Labor Board. (94-8-350-365)

[redacted]

b7D

[redacted]

b7D

CONFIDENTIAL

☑ Deletions were made pursuant to the exemptions indicated below with no segregable [illegible] available for release to you.

Section 552		Section 552a
☐ (b)(1)	☐ (b)(7)(A)	☐ (d)(5)
☑ (b)(2)	☐ (b)(7)(B)	☐ (j)(2)
☐ (b)(3)	☑ (b)(7)(C)	☐ (k)(1)
_____	☑ (b)(7)(D)	☐ (k)(2)
_____	☐ (b)(7)(E)	☐ (k)(3)
_____	☐ (b)(7)(F)	☐ (k)(4)
☐ (b)(4)	☐ (b)(8)	☐ (k)(5)
☐ (b)(5)	☐ (b)(9)	☐ (k)(6)
☐ (b)(6)		☐ (k)(7)

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62-25733-20p11

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FBI/DOJ

[redacted]

b7C
b7D
62-65764-12

[redacted]

b7C
b7D

[redacted]

It will be recalled that on the floor of the Senate on February 2, 1942, Senator Truman alleged in substance the Bureau had no excuse for not intercepting messages between Japanese spies in Hawaii and the authorities in Japan. Generally speaking the Senator's remarks were critical of the Bureau's activities. It seems apparent that Lowenthal was the one who supplied Senator Truman with the material he utilized in his speech.

b7D

In Walter Winchell's column on February 5, 1942, the statement is made that Senator Wheeler's man, Lowenthal, in addition to his Washington office which he occupies at the taxpayers' expense, also has an office at 45 Broadway, New York City, the phone number of which is Digby 4-6790. Winchell alleges that this number is assigned to a government phone. The columnist then asks whether Wheeler had put the very rich man (meaning Lowenthal) on the Senate Interstate Commerce Committee's pay roll.

CONFIDENTIAL

[redacted]

5

[redacted]

b7D

By way of explanation it might be noted that HR 6250 is a bill passed by the House of Representatives to amend the Nationality Act and provides for the cancelling of citizenship of a naturalized citizen "on the ground that his utterances, writings, actions, or course of conduct establishes that his political allegiance is to a foreign state or sovereignty."

[redacted]

6

b7C D

On March 5th, [redacted] of the War Production Board, contacted the Bureau official and advised that Max Lowenthal was employed on a consultant basis in the Legal Department of the Economic Warfare Board under the General Counsel, Monroe Oppenheimer. The Board itself is under the direction of Milo Perkins and Charles B. Rayner, the Assistant Executive Director.

3

b7C

CONFIDENTIAL

[redacted]

[redacted]

The report of the Secretary of the Senate for the fiscal year 1940 reflects that Lowenthal received during the year $2,400 as salary; $632.33 for travel, transportation and per diem; $139.27 for miscellaneous expenditures; and $33.50 for newspapers and periodicals, a total of $3,205.10 for the year. (62-25733-19)

[redacted]

On April 4, 1942, the Director of the FBI conferred with Milo Perkins, Executive Director, Board of Economic Warfare, relative to Max Lowenthal. Mr. Perkins stated that Lowenthal was serving in an advisory capacity to the Board of Economic Warfare on a project which would probably be completed within sixty or ninety days. The Director outlined for Mr. Perkins some of Lowenthal's activities and Mr. Perkins concluded that the best procedure would be to permit Lowenthal to conclude his present assignment and then not to renew the arrangements for his services. (62-25733-22)

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_____	☐ (b)(7)(E)	☐ (k)(3)
_____	☐ (b)(7)(F)	☐ (k)(4)
☐ (b)(4)	☐ (b)(8)	☐ (k)(5)
☐ (b)(5)	☐ (b)(9)	☐ (k)(6)
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FBI/DOJ

May 1, 1942

MEMORANDUM FOR MR. TOLSON
MR. TAMM

I have a vague recollection that several weeks ago I suggested a review and possible revamping of the memorandum which we have prepared on Max Lowenthal so that I might transmit a copy of it to Mr. Milo Perkins, in whose office Mr. Lowenthal is at present engaged as a temporary adviser. I do not recall having seen the revised memorandum coming back to me.

Will you please check into this as I would like to transmit a letter to Mr. Perkins giving him the substance of such material as we can make available to him concerning Lowenthal.

Very truly yours

/s/ J. E. H.

John Edgar Hoover
Director

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/26/92 BY 8123 [redacted]

b7c

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Holloman
Mr. McGuire
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

SENT FROM D. O.
TIME 7:25
DATE 5/1/42
BY

RECORDED
5 MAY 8 1942

FEDERAL BUREAU OF INVESTIGATION
20 MAY 2 1942
U. S. DEPARTMENT OF JUSTICE

MEMORANDUM

RE: MAX LOWENTHAL

Max Lowenthal, according to information obtained from confidential sources believed to be thoroughly reliable, has been engaged for a period of several years in a surreptitious "smear campaign" against the Federal Bureau of Investigation. Lowenthal [redacted] in a vituperative manner, has attempted to discredit the Federal Bureau of Investigation and its operations.

[redacted]

b7D

Another memorandum entitled "Is the Department of Justice sufficiently competent in National Defense?" appeared early in 1941. It constituted a 20 page brief urging defeat of legislation initiated by Congressman Hobbs intended to legalize wire tapping in specific types of cases, particularly those relating to the national defense. The brief stated that the use of wire tapping in espionage, sabotage and other cases involving serious felonies constituted a menace and a threat to the American people. In this regard, it may be noted that the Director of the Federal Bureau of Investigation has for a period of more than ten years openly expressed official and personal opposition to the promiscuous use of wire tapping by law enforcement or governmental agencies.

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62-25733

FEDERAL BUREAU OF INVESTIGATION
MAY 7 1942

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Section 552		Section 552a
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☐ (b)(2)	☐ (b)(7)(B)	☐ (j)(2)
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_____	☐ (b)(7)(F)	☐ (k)(4)
☐ (b)(4)	☐ (b)(8)	☐ (k)(5)
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62-25733-24 p2

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FBI/DOJ

Mr. Milo Perkins
Executive Director
Board of Economic Warfare
2501 Q Street, N. W.
Washington, D. C.

Dear Mr. Perkins:

With reference to our recent conversation, I am attaching hereto a memorandum dealing with activities of Mr. Max Lowenthal with respect to the Federal Bureau of Investigation.

With kind personal regards,

Sincerely yours,

J. Edgar Hoover

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/26/92 BY 8123 [redacted]

67c

Enclosure

PERSONAL AND CONFIDENTIAL

COMMUNICATIONS SECTION
MAILED 7
★ MAY 5 1942 P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

55921

Tolson
E. A. Tamm
Clegg
Glavin
Ladd
Nichols
Rosen
Tracy
Carson
Coffey
Hendon
Holloman
McGuire
Quinn Tamm
Nease
Gandy

MAY 8 1942

3/26/92
Classified by 8123 [redacted]
Declassify on: OADR

April 11, 1942

1942

M E M O R A N D U M

Re: MAX LOWENTHAL

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/26/92 BY 8123 [redacted]

The current Washington, D. C. telephone directory reflects that Max Lowenthal resides at Number 1 West Irving Street, Chevy Chase, Maryland.

In 1923, Lowenthal was a partner in the law firm of Lowenthal & Scold, 43 Exchange Place, New York City, and in that capacity indicated to an Agent of the Federal Bureau of Investigation that he was General Counsel for the Russian-American Industrial Corporation, 31 Union Square, New York City. In a prospectus published by this corporation for the purpose of raising capital, it is stated that the plan for the organization of a million dollar corporation described in this prospectus was an outgrowth of the visit of Sidney Hillman, President of the Amalgamated Clothing Workers of America to Russia in the summer of 1921. The prospectus referred to Soviet concessions consisting of six factories in Petrograd and three factories in Moscow for the making of material, and stated that the control over the concessions would be vested in representatives of the Supreme Council of National Economy of the Soviet Government and of the Russian-American Industrial Corporation.

Among the purposes of this corporation, according to the prospectus, appeared the following: "To aid and assist in developing the resources of Russia, thereby furthering the economic progress of Russia and the American progress in that country." There is also printed in the prospectus a communication addressed to Sidney Hillman by "Rykoff," Acting Chairman, Council Labor and Defense (Substitute for Lenin)."

In another pamphlet issued by this corporation appears the names of Mr. and Mrs. Max Lowenthal as subscribers to Russian-American Industrial Corporation stock.

A copy of a letter forwarded to Lowenthal on August 10, 1929, which is contained in the files of the Federal Bureau of

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INDEXED

JUN 16

CONFIDENTIAL

Investigation, indicates that Lowenthal was at that time Secretary of the National Commission on Law Observance and Enforcement, occupying offices in the Tower Building, Washington, D. C.

The Washington Daily News for August 8, 1930, indicated that Max Lowenthal, a noted lawyer, had resigned his position as Secretary to former President Hoover's Law Enforcement Commission because of "disappointment over the failure of the Hoover Law Enforcement Commission to adhere to its pre-announced intention of making a scientific and dispassionate study of law violation and law enforcement." The article pointed out that Lowenthal served thirteen months without pay "in a post which he entered at the personal solicitation of George W. Wickersham, Chairman of the Commission" and quit in "disgust over what he regarded as its antics in the realm of political expediency." The article claimed that the breaking of the secrecy rule by various members of the Commission, bickering over the problem of prohibition, and breaches of common agreement precipitating several quarrels, caused Lowenthal great distress, and finally led to his resignation.

The New York Times index indicates that in the June 8, 1933, issue, on page 18, there appeared a summary of a book written by Max Lowenthal, entitled [redacted] b7D

[redacted]

b7C,D

CONFIDENTIAL

[redacted]

b7D

The St. Louis Post Dispatch, St. Louis, Missouri, in its issue of March 12, 1940, described Lowenthal as Counsel for the Railroad Financing Investigation being conducted by Senator Burton K. Wheeler. It was further stated in this article that Lowenthal had been mentioned by Senator Norris for the task of investigating charges made by Senator Norris against the Federal Bureau of Investigation during the "smear" campaign.

[redacted]

b7D

CONFIDENTIAL

[redacted] b7D

Walter Winchell's column on March 26, 1940, contained the statement that (Max) Lowenthal and (Robert) Litchfield were responsible for the "smear" attacks against the Federal Bureau of Investigation and its Director.

[redacted] b7D

[redacted]

b7C
b7D

[redacted]

b7C
b7D

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62-25733-25 p5

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FBI/DOJ

Communist Party - USA issued in 1940 and the program of the National Federation for Constitutional Liberties indicates that the principles advocated for all practical purposes are synonymous.

There are attached hereto copies of memoranda previously submitted regarding Max Lowenthal by Inspector L. B. Nichols and Supervisor K. R. McIntire, which set forth additional material which is not contained in the files of the Federal Bureau of Investigation.

CONFIDENTIAL

Room 5744 6/25 1942

To: ✓ Director
Mr. Edward Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Hendon
Mr. Laughlin
Mr. McGuire
Mr. Nease
Miss Gandy
Personnel Files Section
Files Section
[redacted] b7c

See Me For Appropriate Action

Send File Note and Return

Clyde Tolson

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DATE 3/26/92 BY 8123 [redacted]

b7c

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FBI/DOJ

[redacted]

Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Kramer
Mr. McGuire
Mr. Harbo
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

MEMORANDUM FOR MR. LADD

OUTGOING CALL,
Time of Call: 6:03 to 6:05 PM

RE: MAX LOWENTHAL

In accordance with authorization, Supervisor [redacted] phoned Assistant SAC Donegan in New York at the time indicated and requested that the Bureau be advised immediately the identity of the listing, [redacted] in New York City.

Mr. Donegan called back at 6:24 PM and advised that the listing was under the name of [redacted] New York City.

This call was necessary in connection with the analysis of conversations received through confidential surveillance now being maintained on subject.

[redacted] A comprehensive memorandum is being submitted regarding this matter for the attention of the Director.

Respectfully,

F. L. Welch

F. L. Welch

b7c

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/26/92 BY 8123 [redacted]

FOR VICTORY BUY UNITED STATES DEFENSE BONDS AND STAMPS

RECORDED & INDEXED

F B I
18 APR 13 1943

55 APR 27 1943

[redacted]

Mr. Tamm

MEMORANDUM FOR ~~THE DIRECTOR~~

RE: MAX LOWENTHAL

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/26/92 BY B128 [redacted]

Mr. Coffey
Mr. Hendon
Mr. Kramer
Mr. McGuire
Mr. Harbo
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

It was learned through a highly confidential source that on April 7th the subject conversed with an individual named [redacted] in New York City. [redacted]

Lowenthal agreed to call Pressman. [redacted] The New York Office when contacted, advised that this listing is for [redacted]

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RECORDED & INDEXED APR 21 1943

60 SEP 23 1943

b7C

[redacted]

In connection with the matter discussed between Lowenthal and [redacted] Lowenthal did, in fact, call Pressman and although the conversation was vague it appears that Pressman was in agreement with the suggestion of Lowenthal to retain [redacted] on a national scale as counsel for a committee representing the A.F. of L., the CIO and the "brotherhoods."

Lowenthal called [redacted] in New York and talked with [redacted] indicating that Pressman had seen [redacted] and the matter was being taken up for joint action, and that he, Lowenthal, had suggested [redacted] name and "mentioned the same steps as [redacted] had in mind without mentioning [redacted]

b7C

Subsequent information received through the highly confidential source was carefully analyzed in order to ascertain additional information concerning this, but to date there has been no further mention made.

ACTION: You will be kept advised of the developments with regard to this and other matters received through the confidential source.

Respectfully,

D. M. Ladd

D. M. Ladd

Mr. Carson
Mr. Coffey
Mr. Hendon
Mr. Kramer
Mr. McGuire
Mr. Harbo
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

b7c

MEMORANDUM FOR THE DIRECTOR

RE: MAX LOWENTHAL

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/26/92 BY 8123 [redacted]

Through the medium of a highly confidential source available to the Bureau, it was learned that Max Lowenthal conversed with Felix Frankfurter on April 14, 1943. Lowenthal mentioned an article by David Lawrence, columnist, appearing in the Washington Evening Star of April 14, 1943, and asked Justice Frankfurter if he realized that he had hurt the feelings of a "chain columnist." Lowenthal identified the columnist as David Lawrence. A copy of the article by Lawrence is attached, and substantially, it criticizes a speech made by Justice Frankfurter at the Library of Congress in connection with the Thomas Jefferson Bicentennial Celebration. Briefly, the Lawrence article criticized the Frankfurter speech as being critical of the judgment of the public, and Lawrence stated in part: "Justice Frankfurter reflects a view not infrequently articulated by the bureaucrat, by the man who wields tremendous public power. It is that somehow the intelligence of the country is far below the level of government and that the American people are not capable of sifting ideas and reasoning for themselves."

Justice Frankfurter indicated a dislike for David Lawrence and stated that Mr. Lawrence, in his opinion, regarded him, Justice Frankfurter, as a great friend until a meeting "two years ago when he had a dirty piece about Hugo Black and I gave him one holy hell at a dinner and that was the end of a not perfect friendship." In this connection, Justice Frankfurter also stated: "Well, I am glad I got his goat. As a matter of fact, I put that in, it was calculated to give the brethren pain. I thought it was innocent enough." He also stated: "I suppose, I thought, I'd get to hear from the Gallup pollers, too. We're going to have a little poison. You know, there is such good will in the things that a little poison - I thought had to be put into it to save it from tameness." You will probably be interested in side remarks made by Lowenthal during this conversation, as follows:

RECORDED & INDEXED D41

62-25733-

1-ENCL. D41

"L: (laugh) You think that DAVE LAWRENCE is practical. You remember what WICKERSHAM said about him?

F: What?

L: Remember the time when WICKERSHAM was written this note by FDR--FDR in Albany and WICKERSHAM in Maine, in 1929; there was going to be a meeting of the governors; FDR was going to preside, and he wanted to know what were WICKERSHAM's suggestions on prohibition--remember

FEDERAL BUREAU OF INVESTIGATION
APR 28 1943
U.S. DEPARTMENT OF JUSTICE

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60 SEP 23 1943 107 JUL 31 1964

b7c

that was the time when a member of the WICKERSHAM commission couldn't spit out of the window but what it made the front pages?

F: Yeah.

L: And WICKERSHAM in his own handwriting, without a copy or anything, wrote a note, and [redacted] (ph) had a part of the letter typewritten, and FDR read it at the meeting of the governors in New London, and it made not only the front pages but everything else all over the United States; it was a seven day's wonder. Terrific excitment. When WICKERSHAM came back he agreed not to see the press, and he was secluded from them and so on, and so on, and about a week later DAVE LAWRENCE published a piece what WICKERSHAM had meant by this letter, and I asked WICKERSHAM what happened. 'Why, he said, I was coming from--I had lunch at the Carlton and I was leaving the lunch room, and in the lobby I ran into DAVE LAWRENCE and he asked me some questions, and of course I asked them. I thought he was a gentleman.' (both men laugh.)

F: Great mistake."

b7c

It occurred to me that you would be interested in this particular information.

Respectfully,

D. M. Ladd

D. M. Ladd

Attachment

Public's Judgment

By DAVID LAWRENCE.

Felix Frankfurter has just made a speech about the difficulties of democracy which, had it not been uttered by a justice of the Supreme Court, might be passed by as simply another philosophical discourse on why the New Dealers are supposed to be superior to the rest of their fellow citizens, but the words used betray a singular impatience with the processes whereby public opinion is formed in our Republic.

David Lawrence.

"The grandeur of the aims of democracy," he said in an address prepared for delivery at the Library of Congress in connection with the Thomas Jefferson Bicentennial celebration, "is matched by the difficulties of their achievement. For democracy is the reign of reason on the most extensive scale. And the difficulties have appallingly multiplied since Jefferson's day.

"Not only has our industrial civilization, which he so feared even in its incipiency, thrown up an intricate range of problems, but the misuse and manipulation of modern devices, chain newspapers, cheap magazines, popular polls, the movies, and the radio, have enormously enlarged opportunities for arousing passions, confusing judgment, and regimenting opinion. And we now know how slender a reed is reason—how recent its emergence in men, how deep the countervailing instincts and passions, how treacherous the whole rational process."

View Similar to Bureaucrat's.

Justice Frankfurter reflects a view not infrequently articulated by the bureaucrat, by the man who wields tremendous public power. It is that somehow the intelligence of the country is far below the level of government and that the American people are not capable of sifting ideas and reasoning for themselves.

Too often it has been apparent that the officials in power consider those vehicles of public opinion to be misused which are not under their own domination or control.

Technique of Discrediting.

Democracy is on trial in America, not because too many opinions have been expressed but because of a trend toward control of public opinion. The tendency to belittle and discredit our institutions, such as Congress, is part of the technique of those exponents of an all-powerful executive who, through his coterie of master minds, shall tell the people what to think and how to act.

Justice Frankfurter's speech presents no surprise in viewpoint, because the New Deal lawyers and twisters of statutes have been impatient all along of those who expose smart aleck and trickster Government. It does no service to the Supreme Court to have its justices make speeches questioning the use of the freedom of speech and of the press which the present war is supposed to underwrite and strengthen.

What if there are extremists among us all? What if some are isolationists and some are co-operationists? What if some are demagogues and arouse passions by the use of executive power and by sowing the seeds of class hatred, and some try to reason with their elected officials, pleading with them often in vain to respect and preserve the rights of the minority? The American people collectively can be depended on to vote their untrammeled judgment for persons and policies in a democratic process. It takes time, but in the end the demagogue is defeated.

Holmes' Definition of Freedom

Literally accepted, the Frankfurter doctrine betrays an impatience with election campaigns, but who would want to abolish them in favor of ponderous speeches and pontifical commands from the so-called intellectuals in our midst?

It takes all kinds of people and all kinds of opinions to make a democracy, and he who is impatient with those who disagree and feel they "misuse" their power has forgotten a great adage that came from the lips of another Supreme Court Justice — Oliver Wendell Holmes, who defined freedom of speech as "freedom for the thought we hate."

If the people cannot be trusted to appraise newspapers, magazines, polls, radio and the movies, then certainly we are not celebrating Jefferson's birthday anniversary but the rise of a spirit of intolerance and intellectual snobbery that is hardly Jeffersonian.

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DATE 3/26/92 BY 8123 [redacted]

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Clipping appearing in
The Washington Evening Star
for April 14, 1943

ENCLOSURE

62-25755-30

LBN [redacted] DATE May 7, 1943

MEMORANDUM FOR MR. TOLSON

Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. McGuire
Mr. Mumford
Mr. Piper
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

[redacted]

I told him I felt sure if the Civil Service Commission did contact the Bureau that they would be given such information as was available. In the meantime, I told him to see to it that he did a good job.

Respectfully,

L. B. Nichols

b7C,D

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We ought to check into this & find out what he is being considered for.

Memo — Director 5-12-43

RECORDED & INDEXED 0192

62-25238-31
F B I
15 MAY 24 1943

14 MAY 26 1943

(INFORMATIVE MEMORANDUM — NOT TO BE SENT TO FILES SECTION)

Mr. Hendon
Mr. Kramer
Mr. McGuire
Mr. Harbo
Mr. Quinn Tam
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

b7c

MEMORANDUM FOR THE DIRECTOR

Re: MAX LOWENTHAL
INFORMATION CONCERNING

On May 7, 1943 Mr. Nichols reported a telephone call received from [redacted] It was concerning this matter that you requested that a check be made to determine what position Lowenthal might be considered for.

b7c(D)

[redacted]

referred

Respectfully,

D. M. Ladd

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HEREIN IS UNCLASSIFIED
DATE 3/26/92 BY 8123 [redacted]

RECORDED
&
INDEXED

62-25733-32
F B I
15 MAY 24 1943

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107 JUL 31 1964

55 JUN 1 1943

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Section 552		Section 552a
☐ (b)(1)	☐ (b)(7)(A)	☐ (d)(5)
☐ (b)(2)	☐ (b)(7)(B)	☐ (j)(2)
☐ (b)(3)	☐ (b)(7)(C)	☐ (k)(1)
_____	☐ (b)(7)(D)	☐ (k)(2)
_____	☐ (b)(7)(E)	☐ (k)(3)
_____	☐ (b)(7)(F)	☐ (k)(4)
☐ (b)(4)	☐ (b)(8)	☐ (k)(5)
☐ (b)(5)	☐ (b)(9)	☐ (k)(6)
☐ (b)(6)		☐ (k)(7)

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FBI/DOJ

[illegible] had been reported to us but for obvious reasons it would not be possible to name sources and that, of course, it was to be understood that anything we furnished was to be on a confidential basis [redacted]

In order that there may be a future reference I wish to relay briefly the substance of the information furnished to [redacted] I pointed out that according to matters of public record Lowenthal was a General Counsel for the Russian American Industrial Corporation in 1923 which had as its purpose the placing of American capital in Russia and it appeared that certain concessions were being given by the Russian Government; further, that the Los Angeles County Grand Jury, if he would check the court records in Los Angeles, indicted six individuals for selling this stock although the indictments were later dismissed. However, the State Corporation Commission of California barred the sale of the stock. I further pointed out that Lowenthal had been Executive Secretary for the Wickersham Commission and in all probability [redacted] might be able to give him information. I further pointed out that there had been a rumo some years ago to the effect that the Department of the Interior had in vestigated Communists holding positions in the U. S. Government and that possibly there might be some information if he could get to this report. I further pointed out that he was the author of the book "The Investor Pays" [redacted] that apparently both of these organizations might be a source of information. He has the information of Lowenthal's connection with the International Juridicial Association. I told him that since he had this information it was clear that he was apparently an associate of Carole King, the lawyer for Browder, Bridges and Lee Pressman and others I then pointed out the Communist Party program in the fall of 1939, the details of the Communist meeting on February 6, 1940 held at 1337 7th Street, N. W., and that apparently one of the individuals who was at the meeting had done considerable talking since the details of this meeting appeared in the paper, that attempts were made to smear the FBI, [redacted] I suggested that he study the "New Masses," "The Daily Worker" and other Communistic papers and magazines during that period; that at the time Senator Norris attacked the Bureau

b7D, C

[redacted] I further suggested that he might contact [redacted] here in Washington, who might have additional information although I did not know. I further pointed out that the New York Daily News and the Times-Herald attacked not only the FBI but the administration on the Pearl Harbor situation and that there was a rumo around town [redacted] had been used as a basis for this. I further referred him to the Pearson and Allen column in the Times-Herald on January 20, 1942, making references to Lowenthal and Pressman; that it was common gossip that Lowenthal was interested in blocking a house bill providing for the cancellation of citizenship of a naturalized citizen if his writings show him to be in favor of a foreign state.

b7C,D

This, briefly, is the summary of the information furnished which you will note contains several leads. [redacted]

referred

[redacted]

refer

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Respectfully,

H. B. Nichols

☐ Deletions were made pr
available for release to you.

Section 552		Section 552a
☐ (b)(1)	☐ (b)(7)(A)	☐ (d)(5)
☐ (b)(2)	☐ (b)(7)(B)	☐ (j)(2)
☐ (b)(3)	☐ (b)(7)(C)	☐ (k)(1)
_____	☐ (b)(7)(D)	☐ (k)(2)
_____	☐ (b)(7)(E)	☐ (k)(3)
_____	☐ (b)(7)(F)	☐ (k)(4)
☐ (b)(4)	☐ (b)(8)	☐ (k)(5)
☐ (b)(5)	☐ (b)(9)	☐ (k)(6)
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FBI/DOJ

AUG 17 1943

MEMORANDUM FOR THE ATTORNEY GENERAL

Pursuant to the request of [redacted] of your office, this morning, there are attached hereto copies of the various memoranda I have sent you concerning Max Lowenthal. For clarification there are also attached copies of your memorandum to me dated March 20, 1942.

You may be interested to know that an inquiry was recently received from the Civil Service Commission concerning Mr. Lowenthal, indicating that that agency is conducting an investigation of him.

Respectfully,

S/ J E Hoover

John Edgar Hoover
Director

b7C

1-ENCL.

[redacted]

Attachments

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

RECORDED 162-25733
F B I
29 AUG 18 1943

SENT FROM D. O.
TIME 7-00 pm
DAT[redacted]
BY

Held over 8/18/43

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17 AUG 19 1943