

● PSF

Justice Dept. : Biddle, Francis

1941-1943

CONTINUED

Mr. President

File
confidential

Should this be filed
or destroyed?
G.

Handwritten notes on a small piece of paper, possibly a receipt or a note, with some illegible text.

This was sent to the Attorney Gen.
to be returned.

Reminder: to see that it
gets back, etc

RF: Justice 7. Biddell folder
2-42

PERSONAL AND CONFIDENTIAL

November 17, 1942.

MEMORANDUM FOR

THE ATTORNEY GENERAL

It has been suggested to me that the Attorney General study, in confidence, the following constitutional problem:

1. It is assumed that the Constitution provides, or at least intends to provide, for universal suffrage.
2. It is recognized that each State is entitled to determine the qualification of voters in carrying out the general requirement of universal suffrage. This brings in the question of reasonability in setting up qualifications -- such, for example, as permanence of residence in a given State or County or Election District; such as simple and fundamental educational requirements of literacy. It has been submitted to me that universal suffrage, being paramount from the Federal Constitution point of view, any unreasonable qualifications by States are subject to determination either by the Congress of the United States or, at the least, by the Supreme Court of the United States in any given case.
3. This being so, and on the assumption that the Congress fails to act, the Attorney General of the United States becomes the guardian of the Constitution.
4. Therefore, the question arises: Does the Attorney General have the fundamental duty of raising the question of unreasonable restrictions by an action at law by the United States against a State either under quo-warranto or an order to show cause, alleging that the election laws of a State impose unreasonable restrictions on universal suffrage. Such an action would, of course, be tried in a lower court and then in the Supreme Court.

DECLASSIFIED

By Deputy Archivist of the U.S.

By W. J. Stewart Date FEB 25 1972

5. The point of this arises through the apparently successful filibuster in the Senate of the United States, preventing the Poll Tax Bill from coming to a vote.

Would it be possible, therefore, for the Attorney General to bring an action against, let us say, the State of Mississippi, to remove the present poll tax restrictions? I understand that these restrictions are such that poor persons are, in many cases, prevented from voting through inability either to raise the poll tax or to raise the cumulative tax which has accrued over a period of years.

6. It should be noted that in this procedure the question of race need not be raised in any way, on the ground that in the poll tax States a very large number of whites, as well as Negroes, are, in effect, denied the right to vote.

F. D. R.

OFFICE OF
THE ATTORNEY GENERAL



*file
confidential*

November 19, 1942

Dear Miss Tully:

The enclosed is a most confidential communication for the President. I should appreciate it if you would see that he reads it.

Sincerely yours,

Frank

Miss Grace Tully

The White House.



Office of the Attorney General
Washington, D.C.

November 19, 1942

*7. Biddle folder
1-42
PSF Justice*

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DECLASSIFIED

By Authority of Justice

dept. letter 12-13-71

By JS Date 2-25-78

My dear Mr. President:

In connection with the investigation of the Triumph Explosive Corporation at Elkton, it has come to my attention that the Dies Committee has information tending to connect Basil O'Connor with certain financial transactions of the corporation. These are now being investigated; and I have asked Mr. Hoover to put a Special Agent on the case and report to me immediately.

As soon as I have anything definite, I shall report to you.

Sincerely yours,

Francis Biddle

Francis Biddle

The President

The White House

THE WHITE HOUSE
WASHINGTON

November 20, 1942

Dear Mr. Attorney General:

I gave the President
the enclosure from the Major in
the Engineers and I can't tell
you how much he enjoyed it.

He really laughed out-
loud at least three or four times
and I do not think I need tell
you the paragraphs where the
laughs came!

Very sincerely yours,

GRACE G. TULLY
Private Secretary

The Honorable,
The Attorney General,
Washington, D. C.



Office of the Attorney General
Washington, D.C.

November 17, 1942

Dear Miss Tully:

This letter is from a Major in the Engineers who fought through the last war, did his basic over again, and is now in England. Some of it is so amusing that I thought the President might like to see it.

Sincerely yours,

Francis Biddle

Miss Grace Tully
The White House

*F. Biddle folder
1-42*

5 November '42

Dear Francis:-

Don't write come on over and look this over "War is Hell" Sherman never campaigned here. There has been a wondrous change in these people and they are very cordial to the Americans. The change is dated by age - when you meet an old bitch with an equine denture you can be sure she is going to take a poke at the Americans, and then winnie or bray which ever pleases her fancy at the moment. The young people have no time for them either. So many want to come to America not because of the old superior curiosity but because of an admiration. Ridicule has gone out of fashion. A few good natured wise cracks - like Native who cracked that he had been to London and seen an English soldier and the American came back - yep and they put up some more of those balloons that you use to hold this island up so we can get a few more Americans on it.

The blackouts are taken in great stead - the only way our dear boys can keep their virginity in Piccadilly is to rely on their training in broken field running. They have a quaint devise to encourage sleeping alone. They put hot water bottles in the beds. That is gospel truth. If you have a romantic mind you can name your hot-water bottle - say "Genneieve."

The way they took the Raids was unbelievable. One kid, 8 years old who was blitzed out of her home hit on the idea of charging a penny to see the stars thru the hole in the roof. I know the family - they lost about half of their very nice furniture and now live in a converted big house like a poor model of the C.H. - The same family - I took the mother to a relatives for dinner and then missed the last train because of some nonchalant change in the schedule - so we walked seven miles and Mrs. Cook thought nothing of it. I think you and I could pick some people for them to send over and send back here some of the British and Americans with "out of date" minds and have a cordial relation for a long time, and a world peace without too much formulization. Our fellows are doing very well - a number have been decorated by the government and a relatively few by jealous husbands. I was awarded the "Fresh Egg" which is more highly thought of than the O.B.E. - The Stewart kid, you remember his father, a Dr. Stewart who stopped in at the farm while we were at breakfast - he worked as a painter on McPherson house (No1) at 30cts an hr. and was clumsy as hell. He was on March of Time for bringing down 3 enemy planes and landing his plane badly shot up. Why can't our peace time economy bring out qualities like that. I suppose Henry M. came over to suggest they do away with this money system. You could come over to suggest some revisions in their law and make the No. 1 suggestion that they stop this driving on the left hand side like every day was New Years Eve. Its perverseness rather than reason.

Florence said you have been so damned swell to her. She received your letter from Mr. Winant before she had heard from me. Bad Mail service.

Seriously this duty and the prospect is everything I could have asked for. The years haven't made much difference, and I have kept up with whatever the demand was for - 7 days a week and no days off since I landed here. Early to late and a little steam left for play. Get me as good a ringside seat that the peace as you did at the war and I'll be your boundless debtor. I must be an expert at something. I do not fool myself - the thing I am doing is a relatively lazy effort without dull and killing responsibility which poor devils like you have to carry. I will be part of the adventurous war effort and sent you a picture yesterday which should arrive in time for Xmas. You can throw it away with the cards after the first of the year.

I have a feeling we are going to twist Adolph's tail a lot sooner than he expected. Poor bastard and he had just begun to get along after a rather late start in life. F.D.R. and W.C. are just too good for him. These people over here are so strong for the President that they seem to think he is the second coming. If things get tight why not let them vote next election. The funny part of it is that all the old conservatives who would be Penna. "die hards" at home are all for him.

Tell the two girls on your staff who asked for the R.A.F.ers that I haven't been able to get them yet - They are, like everything else, still rationed.

I cannot talk much sense because of possible violation of security, but wanted to give you a line or two to let you know I'm still kicking.

Very best

The Honorable Francis Biddle
Attorney General of the United States
Washington, D. C.

(240)

hm

F. Biddle folder
2-42

THE WHITE HOUSE
WASHINGTON

PSF
Justice

December 3, 1942

MEMORANDUM FOR
THE ATTORNEY GENERAL

Will you speak to me
about this tomorrow at Cabinet?

F. D. R.

Enclosure

Statement regarding approximately
135,000 German emigres in the U.S. who
are stateless. Suggests exemption of
these people from the alien enemy
regulations.

OFFICE OF
THE ATTORNEY GENERAL



*PSF - Justice 7 Biddle folder
file
personal. 2-42*

December 10, 1942

Dear Miss Tully:

I would appreciate it if you would bring the attached to the President's attention as it concerns a matter about which I wrote him in November.

Sincerely,

A handwritten signature in cursive script, appearing to read "Francis Biddle".

Francis Biddle

Miss Grace Tully
The White House



Office of the Attorney General
Washington, D.C.

December 10, 1942

My dear Mr. President:

You will recall that I wrote you some time ago about some information which came to my attention tending to connect Basil O'Connor with certain financial transactions of the Triumph Explosive Corporation at Elkton.

I thought you would like to know that the report which I have since obtained from Mr. Hoover shows that there was no information developed whatever to implicate Mr. O'Connor in the transactions of the corporation.

Sincerely yours,

Francis Biddle

The President

The White House

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2-42

THE WHITE HOUSE
WASHINGTON

December 18, 1942.

MEMORANDUM FOR

THE ATTORNEY GENERAL

Please talk over this matter of Hawaii with Secretary Stimson in person -- you may emphasize the fact that I think Bill O'Dwyer would be an excellent man to clean this thing up. You can tell the Secretary of War for me that the situation is bad and that I know from many other sources that Emmons gets most of his knowledge of conditions from "The Big Five". Also, I want a special Army-Navy investigation into violation of blackout regulations, etc., by Army-Navy officer personnel.

The real point of the matter is that while Hawaii will not, in all probability, be attacked again, the eyes of the country are, and will be, on Hawaii and all conditions there. It is a thoroughly insidious place for Army and Navy officers to be stationed in. That statement needs no argument. There should be a constant rotation of officers and men.

F. D. R.



Office of the Attorney General
Washington, D.C.

December 17, 1942

Dear Miss Tully:

I should appreciate if you would give
this confidential memorandum on the Hawaiian
situation to the President at your earliest oppor-
tunity.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Francis Biddle".

Francis Biddle
Attorney General

Miss Grace Tully
The White House



Office of the Attorney General
Washington, D.C.

December 17, 1942

CONFIDENTIAL MEMORANDUM FOR THE PRESIDENT

Re: Hawaii

For the past week, Harold Ickes, Abe Fortas, Governor Stainback, and I have been working with Jack McCloy, General Emmons and the latter's executive officer, General Green, to agree on a satisfactory proclamation turning the civilian government of Hawaii back to Stainback, but leaving the military job (including martial law, suspension of habeas corpus, and special emergency powers) in the military.

It is a tough job, because the military, who are now running Hawaii lock, stock and barrel, don't want to give an inch.

At present the Army runs courts (largely), food supply and distribution, commerce, communications, traffic, hospitals and health, O.P.A., civilian defense, liquor, gasoline rationing, fiscal matters - and about everything else. The attached "functional" chart shows General Green's elaborate set-up. He impresses me as being a stuffy, over-zealous, unyielding J.A.G. type. McCloy agrees he should be replaced. I have suggested Bill O'Dwyer, who at present, I am informed, is doing comparatively unimportant work. You may wish to underscore the suggestion.

Interior and Justice have had detailed reports from Hawaii and have sent our own men there to investigate. This seems to be the situation: Emmons has styled himself Military Governor, and through a generous issue of military

December 17, 1942

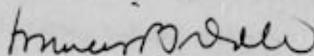
orders (we have been through 180) establishes the law and enforces it. Substantially all civilian officials have been taken over to do civilian work under this military direction. Much of the administration appears to be autocratic, wasteful, and unjust.

There is deep resentment, much of which doesn't come to the surface, as criticism is suppressed and Emons gets most of his knowledge of conditions from a handful of the powerful planters (the "Big Five"). The situation has the makings of a lurid Congressional investigation, suggested by the recent criticism of Byron Price's censorship on communications with Alaska.

A confidential FBI report of December 10 states that it is common knowledge that blackout regulations are flagrantly violated by officer personnel of both Army and Navy, and that cocktail parties last far beyond blackout hours.

The matter may come to you for decision if the Army cannot agree to our suggestions, and I thought you should have this background.

Respectfully yours,



Francis Biddle
Attorney General

PSF: Justice Francis Biddle
folder
2-42

THE WHITE HOUSE
WASHINGTON

~~CONFIDENTIAL~~

December 22, 1942.

MEMORANDUM FOR

THE ATTORNEY GENERAL

Will you speak to me right
after Christmas about Rutledge and
Thurman Arnold?

F. D. R.

*F. Biddle. foldu
2-42*

THE WHITE HOUSE
WASHINGTON

*PSF
Justice*

December 22, 1942.

**MEMORANDUM FOR
THE ATTORNEY GENERAL**

How about Dick Dunann, recently
defeated for Congress in Missouri,
for the new Judgeship in Missouri?

F. D. R.

OFFICE OF
THE ATTORNEY GENERAL



*file
Confidential*

February 25, 1943

MEMORANDUM FOR THE PRESIDENT.

I have your note about Maloney which I return to you with this memorandum. I asked Jim Rowe to prepare the facts for you. If you wish to discuss the matter, I am of course ready to do so at your convenience.

Respectfully,

frs
Francis Biddle
Attorney General

F. Biddle folder
2-43

Department of Justice
Washington

JAMES ROWE, JR.
THE ASSISTANT TO THE ATTORNEY GENERAL

March 1, 1943

MEMORANDUM FOR THE ATTORNEY GENERAL.

You will recall that in my memorandum of February 25th summarizing for the President the facts of Maloney's removal from the seditious conspiracy case, I mentioned on page two Chief Justice Stone's private comments to you about the conduct of the Department's prosecutors, and also expressed a fear that the Viereck case might be reversed by the Supreme Court because of Maloney's conduct.

In that connection, I wish to point out the Viereck conviction was reversed by the Supreme Court today. Although the reversal was on technical grounds, the Chief Justice made certain comments about Maloney's conduct. I quote from the press ticker:

"Stone's opinion, however, also called attention to conduct of the prosecuting attorney --William Power Maloney, Special Assistant to the Attorney General --which 'we think prejudiced petitioner's (Viereck's) right to a fair trial. In his closing remarks to the jury he (Maloney) indulged in an appeal wholly irrelevant to any facts or issues in the case, the purpose and effect of which could only have been to arouse passion and prejudice,"Stone said.

You may wish to send this memorandum on to the President as an addendum to that of February 25th.



JHR

James Rowe, Jr.

Department of Justice

Washington

February 25, 1943

JAMES ROWE, JR.

THE ASSISTANT TO THE ATTORNEY GENERAL

CONFIDENTIAL — NOT FOR THE FILES



MEMORANDUM FOR THE ATTORNEY GENERAL.

You have given me an undated memorandum from the President reading "Atty Gen. Why Maloney's removal? F.D.R." to which is attached a column by Johannes Steel. Briefly, the column states that Maloney was removed from the seditious conspiracy case because of Senator Wheeler's opposition to him, and says further the case will never be tried. You have asked me to prepare the facts and background on this matter to send to the President.

I suggest you ask Grace Tully that these facts do not go into the files. The facts of the Maloney matter are as follows:

Maloney, who was formerly with the SEC and Assistant United States Attorney for the Southern District of New York, has been handling certain cases under the Foreign Registration Act and Sedition Act. He handled, for example, the Viereck case, which is now pending in the Supreme Court.

In the course of his operations in these cases Maloney conceived the idea of a general conspiracy indictment of all the persons accused of sedition throughout the country. He conducted a grand jury in Washington for many months which was featured by the Washington Post. His activities during these cases brought wide-spread criticism from many members of the isolationist group in the Congress.

As you know, my opinion has long been that Maloney's activities were never properly supervised in the Department. I think you now agree.

I have long felt it to be a necessity either that Maloney's activities be closely supervised or that he be removed from the case. He has received enormous publicity from the Washington Post, from Walter Winchell, Drew Pearson and Leonard Lyons (a night club columnist) and he has paid for that publicity in the usual way, by revealing evidence to all of the newspapermen mentioned. I am not particularly fastidious about such matters, except when they are criminal. Revealing what transpired in a grand jury room is contempt of court. There is not a shadow of a doubt that Maloney has done so. It is easily susceptible to documentary proof. In fact, when Walter Winchell complained to me about this matter I pointed out to him that Winchell himself had said two weeks before that the grand jury had "unanimously" voted indictments. I pointed out to Winchell he could not have known what the grand jury vote was unless someone had told him. I told Winchell we knew Maloney telephoned him every Sunday before his radio broadcast to give grand jury information to him. He has done the same thing with Dillard Stokes of the Washington Post, in fact helping him prepare his newspaper stories. When Mrs. Henry Grattan Doyle was foreman of the last grand jury she "raised hell" with Maloney because of a column by Leonard Lyons



revealing grand jury secrets. I know Maloney has done this for the very simple reason that the lawyers working with him on the case and the newspapermen covering it have told me so privately.

As I say, I am not necessarily fastidious about this, but the lawyers in the Department are. There have been increasing complaints by our good trial men about Maloney's ethics and conduct. They object that Maloney has brought the entire Department into disrepute among the members of the Bar. The lawyers are jealous of the good name of the Department and have little or no interest in what certain columnists have to say. They are interested in what the Bar says. You will recall that a year ago there was a vacancy as Chief of the Trial Section which Maloney wanted. Because of the protests of the lawyers of the Criminal Division, I argued strongly against it.

When Maloney was Assistant United States Attorney in New York he handled the Buckner case, a run-of-the-mill mail fraud case. He charged at that time, without factual basis, that Senator David Walsh was indulging in chorus girl parties with Buckner at the Carlton Hotel in Washington. That caused serious repercussions. At one time, led by inexcusable personal motive, Maloney indicted ten non-existent persons. This fact was never known except among the Assistant United States Attorneys in New York where it was, of course, criticized.

You recall that Chief Justice Stone has warned you that he is disturbed about the court room conduct of our prosecutors and plans to administer a "spanking" at the first opportunity. You spoke to the division heads about this some months ago. Considerable space is taken in the government and defense briefs of the Viereck case arguing about Maloney's conduct. Some lawyers fear this case will be reversed by the Supreme Court because of the prosecution methods. Assistant Attorney General Berge was more nervous about this part of his argument before the Supreme Court than any other. Maloney's conduct as a prosecutor was severely criticized by the Second Circuit in another case, although the court refused to reverse on that ground.

This combination of factors has long necessitated Maloney's removal from the conspiracy case, which must be won at all costs. Just at the time when Maloney was "tipping off" newspapermen that he was getting ready to indict Hoffman, Fish and even Wheeler and Nye, (and when in fact the lawyers conversant with the case knew we had no case against these men) and when I, among others, was urging you that Maloney be removed, Wheeler started his campaign against the Department because of Maloney. He said publicly and privately that he could prove Maloney had "leaked" grand jury secrets to the press and that he was going to investigate the Department. He then got himself appointed to the Senate Judiciary Committee without any protest from Senator Barkley. He then lined up Professor Chafee of Harvard and the American Civil Liberties Union. He knew what Maloney had been doing and could prove it.

Just about this time the President appointed Neil Andrews, Chief of the Trial Section as United States Attorney in Atlanta, Georgia. Maloney wanted this job and asked for it. He also told me, among others, that he was afraid of Wheeler, that Wheeler had the goods on him. So we "promoted" Maloney. As you know, the whole question of this promotion was a close question which was privately debated for days. It was obvious that if the matter did not break correctly, the Department would receive the adverse publicity which it has received. You, as Attorney General, did this with your

eyes open as to the possible consequences.

Unfortunately Maloney was unable to keep his mouth shut. He got what he wanted despite the vehement feeling of the trial lawyers, who came to my office in protest about it. However, his newspaper and columnist friends asked him what was happening and he either decided to play "martyr" or to play both sides. He engineered the press campaign through Dillard Stokes.

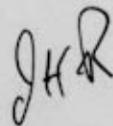
The next move was to bring in just as tough trial men, with the added advantage of competence. Therefore, you brought in John Rogge, former Assistant Attorney General who cleaned up the Long machine and was instrumental in the Prendergast prosecution. The President is quite conversant with Rogge's career and would, I think, agree that Rogge is not precisely the kind of man we would choose if we were so bent on "appeasement" as Mr. Steel's column seems to indicate. At the same time, Wheeler and the isolationist crowd who had made a tactical mistake in concentrating their fire on Maloney rather than on the inherent weakness of the conspiracy case, are thoroughly silenced. If they now start to complain about Rogge or the case it should be perfectly apparent to the public that they are trying to kill the case and will complain about any lawyer brought in, and that their complaints about Maloney were without merit. You will note there has been not one single complaint from the isolationist crowd about the case since Rogge's appointment. Joe Burns, who convicted "Nucky" Johnson and who is one of the Department's best trial men, has become second in command to Rogge.

Mr. Steel's statement that the case will never be tried, and other statements that the case will be delayed for 8 or 9 months are, as you know, nonsense. Rogge states he will be ready for trial in a month. We have had 8 lawyers in the Special War Policies Unit preparing the research for 3 months. Ed Rhett's in my office is now reviewing the evidence. The Criminal Division has 6 men doing research.

Personally, I think the whole thing was an excellent tactical maneuver in the face of a most difficult situation. We have got better counsel and have silenced the isolationists.

However, I think you should tell the President frankly that this "conspiracy" indictment which Maloney thought up will be a difficult one to make stick in the appellate courts. I don't think we can. But if good lawyers can do it it will be done.

The simple fact is that the one single important thing is to win the case if possible. All this press controversy so far has been minor yammering compared to the real harm that will be done if we lose it.



James Rowe, Jr.

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hm

PSF Justice

F. Biddle folder
2-43

THE WHITE HOUSE
WASHINGTON

March 20, 1943.

MEMORANDUM FOR THE ATTORNEY GENERAL:

Through confidential sources, I get the following:

The French sailors on the French battleship and cruiser in New York are being encouraged to desert at the following places:

- (1) La Maol, a bar at 811 Third Avenue (just around the corner)
- (2) The Champlain Rest., 115 W. 49th St.
- (3) Bal Tabarin, 225 W. 46th St. (not certain, but somewhere near there)

I am told that into these places the men are brought by either people who meet them on the street or become acquainted. They are made to drink, taken to a room to sleep it off and told on waking up that they are deserters, that there is no use to return to the ship. They are promised money.

I am told that many of the boys are simple and easy to work on. The Free French, I am told, are responsible for it, as it stirs up trouble.

F.D.R.



Office of the Attorney General
Washington, D.C.

April 22, 1943

*file
Personal*

MEMORANDUM FOR THE PRESIDENT

On March nineteenth, you told me that you had information that French sailors were being drugged in restaurants in New York, in an effort to make them desert the Giraud war vessels and join the Free French, and asked me to have an investigation made.

The F.B.I. report, copies of which have been sent to General Watson, the State Department, M. I. D., and O. N. I, shows that there has been an effort directed by the DeGaulle Fighting French to make these seamen desert. This takes the form of offering higher wages, of propaganda, and (in only one instance) indicating drugging of sailors and forcing them to sign papers indicating loyalty to DeGaulle.

I have written to the Secretary of State calling his attention to the situation and suggesting that he might wish to take it up with representatives of the Free French to try to stop the desertions.

Respectfully yours,

Francis Biddle

Francis Biddle
Attorney General.

(870)

hm

Attorney Gen. Biddle
folder

THE WHITE HOUSE
WASHINGTON

PSF
Justice

March 29, 1943.

MEMORANDUM FOR

THE ATTORNEY GENERAL:

Will you speak to me about this?

F.D.R.

Memorandum to the Pres. 3-26 from Adolf Berle, enclosing copy of report from Office of Naval Intelligence, re ONI sitting in on a Communist meeting in New York, to develop plans for a pressure campaign against the State Dept. and enumerating objectives of their campaign.

7. Biddle folder

THE WHITE HOUSE
WASHINGTON

*PSF
Justice*

April 7, 1943.

MEMORANDUM FOR THE
ATTORNEY GENERAL:

Will you let me know what names have been submitted to you as candidates for the position of Federal Attorney in the Southern District of New York?

F.D.R.

April 1, 1943.

MEMORANDUM FOR THE PRESIDENT

Re: Federal Attorney - Southern District of
New York.

When you make a good appointment of a Federal Attorney in the Southern District of New York, you get all the credit -- and that's good.

When you make a bad appointment of a Federal Attorney in the Southern District of New York, I get all the blame -- and that's bad.

This arises from the fact that it is assumed -- erroneously, as you well know -- that since you and I were law partners for some time in the Southern District of New York, you consult me with reference to the appointment of the Federal Attorney in the Southern District of New York.

One of the few rights you have left is not to consult me with reference to the appointment of the Federal Attorney in the Southern District of New York.

One of the few rights I have left is to say to you as a mere citizen, that some of your appointments to the office of Federal Attorney in the Southern District of New York have been very good -- others have been lousy.

If the names I have heard mentioned for this office are even remotely indicative of what might happen, then you will make another lousy appointment to this office!

I have no candidate. I could probably dig one up!

I suppose the Senate will be very much interested in any appointment to the office of Federal Attorney in the Southern District of New York.

In time of war -- if not always -- this office is extremely important, as you well know and at this time should be filled by someone of real seasoning and ability.

I would like to discuss this situation with you before you commit yourself.

B. O'C.



Office of the Attorney General
Washington, D.C.

April 23, 1943

FILE
THE WHITE HOUSE
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PSF: Justice
Biddle

MEMORANDUM FOR THE PRESIDENT

Recently you sent me a memorandum asking me to speak to you about a note to you from Adolf Berle, and a report from O.N.I. (attached) on Communist propoganda against the State Department, and to free Spanish prisoners in Africa. I enclose a detailed report from F.B.I. Summarized it shows:

Spanish Republican Prisoners in Africa

The Communist Party is engaged in this country through various Communist and front organizations in a campaign to free these prisoners. Recently John Hess, National Maritime Union, C.I.O. (Communist controlled) has made a speaking tour for this purpose. On March 4, 1943, Earl Browder and other Communists spoke at a meeting in New York. On April 5, Dorothy Thompson and former Spanish Republican leaders spoke at Carnegie Hall, urging pressure on the State Department to free the 20,000 Spanish prisoners.

Puerto Rico

The Communist forces, working through the Council for Pan American Democracy, have adopted resolutions for the feeding of the Puerto Rican

population, release of political prisoners in Puerto Rico, particularly Pedro Albizu Campos, President of the Nationalist Party, now in Atlanta for a conspiracy to institute revolt, and endorsing Governor Tugwell's administration.

India

There have been articles in the Communist Press and statements by Communist leaders demanding freedom for India. A parallel is drawn between the Indian situation and that of the Negro in this country.

Foreign-Language Groups

The Communist Party is endeavoring to get the cooperation of the State Department with underground groups in conquered countries. The Party is cooperating with the army opposed to Mikhailovitch in Yugoslavia. It is infiltrating foreign-language groups here, opposing the governments in exile, and working for post-war influence in Europe.

Attack on Franco

The Daily Worker, Communist newspaper, on November 23, 1942 published the manifesto of the Communist Party of Spain, calling on "Spanish patriots to unite. . . to overthrow Franco and the Falange. . . Guerilla warfare must be intensified. . ."

Assistance of Lehman

The Daily Worker on March 23, 1943, stated that various delegations were to visit the State Department and Governor Lehman to urge him to permit representatives of the Joint Anti-Fascist Refugee Committee (Communist) to visit prison camps and distribute food to the imprisoned Spaniards.

Attacks on Government Officials

These include the Attorney General, the Secretary of State, and others.

For instance:

William C. Bullitt -- "One of the leading Munichmen in Washington."
(Daily Worker, 3/21/43)

Adolf Berle -- ". . . the ineffable Mr. Adolph Berle, Jr., spinning his webs of intrigue in Europe and Latin America." (Earl Browder, address, Feb. 12, 1943)

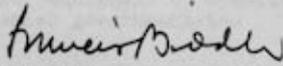
". . . Mr. Biddle, whose chief virtue is weakness of character which prevents him from following his mischievous theories to their logical conclusions."

Aid to Refugees in Mexico

Money is collected here by the Joint Anti-Fascist Refugee Committee and sent to Luis P. Maya in Mexico, head of the Federacion de Organismos de Ayuda a Los Rubricanos Espanoles.

I also enclose comments on the Communist activities in this country recently received from Mr. Hoover.

Respectfully yours,


Francis Biddle
Attorney General

Encl.

DEPARTMENT OF STATE
WASHINGTON

March 26, 1943

MEMORANDUM FOR THE PRESIDENT:

The attached copy of a report from the Office of Naval Intelligence is sent you merely because it throws some light on certain kinds of publicity you are likely to see about the State Department. It is supported by other indications.

In summary, ONI sat in on a Communist meeting in New York to develop plans for a pressure campaign against the State Department.

The Communist view is that the United States' objective is to defeat the German and Italian armies; whereas Russia and the Communist Party objective is to eliminate all fascists, in Spain, France, North Africa, England and the United States.

Objectives of the campaign:

1. To begin working on Lehman before the policies of his organization are determined ... influencing him as much as possible away from the policy practiced by Hoover in 1918.
2. Organize a campaign against the State Department; demand withdrawal of Ambassador Hayes; recall of Military and FBI intelligence agents sent to North Africa.
3. Release of Spanish prisoners; equipment of Spanish Republican Army; organization of Spanish government-in-exile in Mexico.

The campaign is to be bigger than the "Lift the Embargo" or "Second Front" campaigns. It apparently is to be centered at various times on different individuals, probably beginning with State, continuing with FBI and Military Intelligence.

It looks like an interesting Spring.

AW
Adolf Berle.

DHq-11
RD3/AG-5/P9-2
Serial #1169-B-7
(Rating A-2)

NAVAL INTELLIGENCE
THIRD NAVAL DISTRICT
50 Church Street
New York, N.Y.

March 9, 1943

From: The District Intelligence Officer
Third Naval District
To: The Chief of Naval Operations
(The Director of Naval Intelligence)

Subject: State Department, Pressure Campaign Against The

1. Several leading Manhattan Communists recently discussed the Spanish situation and a highly confidential informant has summarized their conversation in the following way:

The current campaign to free the Republicans in Africa is the greatest national and international situation today. It is the key to the future course of the war and to the peace. This war started in Spain and can only end with the return of Republican government to Spain. This issue raises more than the question of defeating Germany and Japan. It raises the issue of the United Nations' policy toward "progressive" elements who will come to power in all liberated countries. To date the United States shows itself essentially anti-Communist and opposed to the spread of Socialism. If the persons who determine our policies are allowed to remain in power it is obvious the United States will use its influence to check Socialism in Europe after this war just as it did after the last war.

But if the mass of people can be educated to a point where they demand a change in State Department personnel and in policy, the United States can be a factor in permitting Socialism to take its natural course in Europe. The issues of Puerto Rico and India while essentially colonial are complicated by our government's fearing that Socialism will obtain a hold in them. So the problem is to win the United States if not into a position of cooperation with Socialism, at least to neutralize its effects.

DECLASSIFIED

EO 1.1652, Sec. 302 and 509 or 6D

OSD Letter, May 3, 1971
MAY 28 1975

DRG-11
MD3/A8-5/Pg-2
Serial #1169-B-7

March 9, 1943

Subject: State Department, Pressure Campaign Against The

This is the critical period. The next three months will determine whether we continue or change our policy. Freeing the veterans of the Spanish War is the opening wedge in the campaign to get United States' cooperation with all progressive forces. The organizations of progressives in underground Europe are worthless if the United States and Britain are to oppose them when victory is won. This campaign will be made one of the biggest ever organized in the United States, bigger than the "Lift the Embargo" or "Second Front" campaigns. All the organizations and tactics used in 1937, 1938 and 1942 will be revived, complete unity of all Spanish, Trade Union, and progressive organizations will be arranged and the Communist movement will receive a severe setback if this campaign is not successful.

In addition all exiled officials of the Spanish Republic will be brought together and a bona fide Republican government-in-exile set up which will seek recognition from the Allies. We will try to get the Allies to restore this government in Spain or at least to cooperate with it when the present forces in Spain find the opportunity to overthrow Franco. One of its objectives will be to stop immediately all aid to Franco Spain. In releasing the Republican prisoners, a nucleus of a Spanish Republican Army could be organized to attack Franco from without while the guerrillas work from within.

The United States must be made to have the same attitude toward Fascists as the Soviet has. At present their objective is to defeat the German and Italian armies; whereas Russia and the Communist Party know that Fascism is essentially opposed to Communism and that fascist-minded people will oppose Communism even in non-fascist countries. Our objective is to eliminate all fascists, the ones in the United States, the ones in North Africa, Spain, England, France and everywhere. Therefore the struggle against Fascism will have to continue after

DECLASSIFIED

EO. 11652, Sec. 302 and 303 or 304

ORD 10498, May 3, 1972

by SP NATH DAVIS MAY 28 1975

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DHq-11
ND3/AS-5/P9-2
Serial #1169-B-7

March 9, 1943

Subject: State Department, Pressure Campaign Against The

The Allies must establish a free Spain and these prisoners must be able to return home. This Spanish war is still on, it has never ended and the United States is still on the same side as it was in 1938. We intend to shake the State Department to its very foundations. We have made four visits to this department and know now that it does not represent the people, its members live in "Ivory Towers" and represent interests which the people detest.

We must rally united labor and all people as we did in 1937 to demand an ousting of any official who collaborates with fascists - we demand the withdrawal of Hayes and the ouster of people responsible for the African situation and the recall of military and F.B.I. intelligence agents sent to North Africa who have taken fascist and anti-progressive attitudes with them and are applying them in Africa today.

/s/H.J.McCarthy

H. J. McCarthy
By direction

cc: FBI(NY)
B-7-FA

~~CONFIDENTIAL~~

-4-

DECLASSIFIED

E.O. 11652, Sec. 3(E) and 5(D) or (E)

OSD letter, May 3, 1973

by *J* NARS Date

MAY 28 1975

There is contained hereinafter information received which is pertinent to those issues appearing in the report dated March 9, 1943, concerning the "Pressure Campaign Against the State Department" which was prepared by the Office of Naval Intelligence for the Third Naval District, New York City. This information is being set forth under appropriate headings as they apply to the specific issues mentioned in the above-named report.

CURRENT CAMPAIGN TO FREE SPANISH REPUBLICAN
PRISONERS IN NORTH AFRICA

Throughout the report of the Office of Naval Intelligence the captioned subject matter is referred to frequently. The following information relative to this issue is being set forth:

This campaign engaged in by the Communist Party and its various forces has its inception in events which took place in Europe subsequent to the Spanish Civil War. It is recalled that numerous Spanish refugees migrated to France where later they were interned by the French Government. Many were sent to places of internment in North Africa. The fight to aid these refugees was begun by the Spanish Refugee Relief Campaign which was organized by former left-wing members and reported Communist members of the North American Spanish Aid Committee. The organization then had a change of name to that of the United American Spanish Aid Committee. On March 20, 1940, members of this organization and members of the Veterans of the Abraham Lincoln Brigade, the Communist inspired brigade which was formed in this country and fought in the Spanish Civil War on the Loyalist side, picketed the French Consulate in New York City protesting against the treatment by the French of Spanish refugees in that country.

There appeared on the scene at this time the American Committee to Save Refugees, which was an outgrowth of the North American Committee to Aid the Spanish Revolt formed in July, 1936. Both the parent and new organization have been described as having been directly under the control of the Communist Party.

After the Spanish Civil War there were three groups, all of which have been reported to be influenced by the Communist Party, working for the aid of Spanish refugees and those active in the Spanish Civil War. They were:

- (1) The United American Spanish Aid Committee, giving as its purpose the freeing of Spanish refugees from Spanish and French concentration camps and providing transportation for refugees

to Mexico and rehabilitating them there.

- (2) The American Committee to Save Refugees, whose stated aims were to lend aid to all other European refugees not covered by the activities of the United American Spanish Aid Committee.
- (3) The Veterans of the Abraham Lincoln Brigade, Incorporated, which aimed at the rehabilitation of American veterans who fought on the Loyalist side against General Franco.

On February 24, 1942, the American Committee to Save Refugees and the United American Spanish Aid Committee met in New York City and formed an amalgamation known as the Joint Anti-Fascist Refugee Committee. This organization, which has been exceedingly active since its inception in 1942, carried on the work of the two former organizations and has succeeded in bringing several hundred refugees from Europe to South America, mainly to the country of Mexico. Those individuals who have been helped by this Committee are believed to have all been directly connected in some manner with the Spanish Civil War, with the exception of a number of German Communist Party members who are presently in Mexico.

The program of the Joint Anti-Fascist Refugee Committee has been to obtain funds in this country for the purpose of bringing these refugees to South America. It has also openly engaged in political matters, especially demanding the release of the Spanish Republican prisoners interned in North African concentration camps. In this respect its activities assume an international scope. It is reported that one of the most active organizers and officials of the Joint Anti-Fascist Refugee Committee engaged in this activity is Felix Kusman, who has been reported to be a Communist Party member and is a former member of the International Brigade. He has been in direct contact with Jack Brent, international leader of the International Brigade Association, the parent organization of all brigades fighting on the Loyalist side in the Spanish Civil War. Recently information appearing in cables sent by Kusman to Brent and sent by Brent to Kusman reflect current maneuverings to form a Committee which will visit North African concentration camps in furtherance of assisting and seeking the freedom of internees there.

In addition to the Joint Anti-Fascist Refugee Committee there is an organization known as the Federacion de Organismos de Ayuda a los Republicanos Espanoles which is affiliated with the former organization and is located in Mexico City, Mexico. The leader of this organization is Luis P. Maya. Considerable correspondence regarding the handling of refugees in Mexico and the transportation of additional refugees there is engaged in between these two organizations. The correspondence has also included the political activity connected with the campaign to free Spanish political prisoners.

The current activities of the Joint Anti-Fascist Refugee Committee in recent months all point to aid and assistance for and the freedom of the "more than 20,000 anti-Fascist fighters.....held in concentration camps." In the past two weeks, beginning in the latter part of March, 1943, this organization has sponsored a tour by one John Hess, a member of the National Maritime Union, CIO, the national headquarters of which Union is controlled by the Communist Party, during which Hess will speak in major cities throughout the East urging a national campaign dedicated to the freeing of the imprisoned "anti-Fascists" in North Africa. Recently Hess made the following statement concerning the campaign:

"Amidst all of the confusion and dismay there is a brave and clear underground movement that fights on. There is a united front -- illegal, of course -- all de Gaullists, labor unions, Communists, and Socialists, actively at work to restore democracy in North Africa.

"They are fighting to get our friends out of the prisons and concentration camps and to arrest the Fascist leaders and murderers of our boys. They call for freedom to organize, to speak, to meet, to issue newspapers. They fight for the elimination of the anti-Semitic restrictions, for free elections, and all those things for which the soldiers are fighting."

As recently as the first part of April, 1943, the Joint Anti-Fascist Refugee Committee has made public statements pointing out that there is a possibility of the repatriation of the interned

individuals in North Africa to the Franco Government which, if accomplished, "spells death to all Spanish Loyalists." It was stated by the Committee that the only real liberation is to release them unconditionally, giving them a free choice of seeking haven in Mexico where President Camacho has allegedly offered them asylum or the freedom to join the Allied forces.

Besides editorials and articles appearing in the Communist news organ, the "Daily Worker," for the past several months urging the relief of these political prisoners and denouncing the State Department's attitude, there have been several meetings held by organizations either Communist Party controlled or influenced by reported Communist Party members among their leadership.

One of these meetings was held on March 4, 1943, by the Veterans of the Abraham Lincoln Brigade at Manhattan Center, New York City. Among the speakers at this meeting were Earl Browder, National Secretary of the Communist Party; Frederick N. "Blackie" Myers, Vice President of the National Maritime Union, who is looked upon by the Communist Party as the Union's political leader; and Charles Keith, Communist Party organizer for the Waterfront Section, New York City; and others. All demanded the freedom of the Spanish prisoners in North Africa and condemned the Franco government, demanding that aid in munitions and oil to that government be discontinued. At this meeting the State Department was attacked for its present stand with regard to the matter.

On April 5, 1943, a meeting was sponsored by the Spanish Section of the Free World Association. The speakers at this meeting, held at Carnegie Hall, were Saul Mills, Secretary of the Greater New York Industrial Union Council, CIO, and a reported Communist; Dorothy Thompson; Juan Alvarez del Vayo, former Foreign Minister of Republican Spain; Jose Antonio Aguirre, former President of the Basque Republic; Fernando de Los Rios, former Ambassador of the Spanish Republic to the United States; and Pierre Cot, former Minister of Aviation in France. The general trend of the speeches was that the American people must demand that the prisoners be released in Africa. Saul Mills, who has been further described as the liaison man between Roy Hudson, National Committee Member of the Communist Party, and Joseph Curran, President of the National Maritime Union, stated that letters, petitions and delegations must go in a steady stream to the State Department in protest of the incarceration of 20,000 prisoners in North Africa. In this connection it has been ascertained that the Joint Anti-Fascist Refugee Committee is circulating throughout the Communist Party a postal card to be signed by individuals stating their support of the President's policy of the unconditional surrender of the Axis and demanding the President obtain the unconditional release and

rehabilitation of prisoners in North Africa described as "the first fighters against Fascism."

With respect to the Free World Association it has been confidentially reported that it is a cleverly camouflaged Communist Party front in the United States. Although there are numerous prominent names connected with this organization who cannot be described as having any connections with the Communist Party, it is reported that there are several connected with it who have in the past been affiliated with Communist Party activities.

An editorial appeared in the April 5, 1943, issue of the "Daily Worker" supporting the meeting held by the Free World Association and attacking the continued internment of Spanish Republican prisoners in North Africa. The editorial pointed out that these individuals are "still prisoners under the American Flag in North Africa," and said "No wonder peoples everywhere are questioning the policy and the intent of the United States!"

THE COLONIAL QUESTION OF PUERTO RICO

In the Naval Intelligence report, specifically in the second paragraph of page one, the issue of Puerto Rico is referred to and it is stated that while such issue is essentially colonial it is complicated by the government's fear that Socialism will obtain a hold in it.

The following information is set forth which is pertinent to the Communist Party's attitude toward the Island of Puerto Rico:

It should be stated at the outset that the Communist Party adheres to the Twenty-One Points set down by the Third Communist International, and among these Points is the following concerning the colonial question:

"In the colonial question and that of the oppressed nationalities there is a necessary and especially distinct and clear line of conduct of the Parties of countries where the bourgeoisie possesses such colonies or oppresses other nationalities. Every party desirous of belonging to the Third International should be bound to denounce without any reserve all of the methods of 'its own' Imperialists in the colonies, supporting not only in words but practically a movement of liberation in the colonies. It should demand the expulsion of its own

"Imperialists from such colonies and oppressed nationalities and carry on a systematic agitation in its own Army against every kind of oppression of the colonial population."

The Party press has given in recent months space to the attitude of the Communist Party of Puerto Rico toward self rule of that Island. Articles appearing therein reflect that the Communist Party of Puerto Rico expresses its solidarity with the Declaration of Principles and Petition of Justice which was unanimously passed by the Puerto Rican Legislature of recent date. This Declaration asked the President and Congress to clarify immediately the political status of Puerto Rico and permit it to elect its own Governor in 1944.

Other recent agitation conducted with regard to the Possession of Puerto Rico by Communist forces has been through the Council for Pan American Democracy. This organization, which has generally followed the Communist Party line, is said to have been in existence since 1939 and is confidentially reported to have been organized by the American League for Peace and Democracy. Numerous individuals who have likewise been connected with other organizations reported to have Communist control are among the officers and sponsors of the organization. It is headed by Clifford T. McAvoy and Mrs. Marian Bachrach. The organization recently issued a public statement that it was embarking on a broad educational program to acquaint the people of the United States with the true state of affairs in Puerto Rico and its leader, Clifford T. McAvoy, stated that "Puerto Rico is the Caribbean equivalent of Gibraltar. American control of the Island's economy has prevented development of resources there to feed the population."

McAvoy further stated:

"Mass starvation on an island which is crucial in the military defense of our country is criminal. Those who put political ifs and buts into a program to feed the people of Puerto Rico, as a Congressional Committee did the other day, are playing heartless anti-war politics with the lives of two million people. With this sort of defeatist politics going on in Washington how can we ask the people of Puerto Rico to take their part in the war?"

During November, 1942, the Council for Pan American Democracy released a pamphlet entitled "Starvation in Puerto Rico." In this pamphlet the alleged economic situation of Puerto Rico is set forth and recommendations for its alleviation are made. A program of action is also set forth in this pamphlet and a fourth step calls for the "immediate unconditional freedom of Pedro Albizu Campos." Campos was the President of the Nationalist Party of Puerto Rico and was confined to the Atlanta Penitentiary in 1936 for his conspiracy to institute insurrection and revolt against the existing government and set up an independent one. His freedom has also been demanded by the Communist Party in Puerto Rico, as well as the establishment of an independent government there.

In the pamphlet it is stated with respect to Campos:

"He remains in jail today...still convicted of the crime of advocating Point Three of the Atlantic Charter!We cannot in good conscience call upon the people of Puerto Rico to subordinate their political differences in order to face the war crisis with unity unless we unconditionally free Pedro Albizu Campos. His freedom is a must in our war program."

At the January, 1943, National Council meeting of the National Maritime Union held in that Union's headquarters in New York City and attended by national officers and various port agents, certain political resolutions were passed. A confidential source of information has advised that these resolutions were approved by the Waterfront Section of the Communist Party in New York City prior to their passage. Among the resolutions was one concerning the Island of Puerto Rico. It is set out as follows:

"WHEREAS: The desire of the people of Puerto Rico to win the war is clearly demonstrated by the thousands of Puerto Rican seamen who are delivering food and the weapons of war to all the fighting fronts, and

"The majority of the civilian population of Puerto Rico are only permitted a total food allowance of two pounds of rice per week, and

"This hunger massacre has been instituted by the Fascist elements in our country for the following reasons:

"1. Prevent the Puerto Rican people from making their proper contribution to the war.

2. Starve the liberation movement in Puerto Rico and prevent application of the Atlantic Charter which establishes a green light for its further application in India, Africa and Asia.

3. To discredit our good neighbor policy and prevent solidarity with the Central and South American nations.

"All the true representatives of the win-the-war forces in Puerto Rico are being imprisoned, so that no leadership or representation can be given to the population, and

"The appeasers in Congress are demanding the removal of Governor Tugwell, the Administration's representative,

"The excuse is given that we cannot send food to Puerto Rico because of the danger and lack of available shipping, and

"There are a sufficient number of ships in American ports waiting to be loaded for a longer period of time than would take to make the trip to Puerto Rico and back, therefore be it

"RESOLVED:

1. We call upon the WSA (War Shipping Administration) to assign idle and available tonnage immediately for the carrying of food to Puerto Rico. *MT*

2. Reaffirm our support of Governor Tugwell as the Administration's spokesman in Puerto Rico. *A*

3. We call for the release of all political anti-Fascists now in prison so that they can resume their proper place and give leadership in mobilizing the Puerto Rican people for the war effort.

"4. We call upon our Government to apply the Atlantic Charter to Puerto Rico now.

5. Request President Murray to consult with William Green of the AFL for joint action of the AFL and the CIO, and be it finally

"RESOLVED: That copies of this resolution be sent to the War Shipping Administration, President Roosevelt, Governor Tugwell, the Nationalist Party of Puerto Rico, the National CIO, and to the press."

It will be noted from the foregoing resolution that it attacks "Fascist elements" in this country in that they attempt to "starve the liberation movement in Puerto Rico and prevent application of the Atlantic Charter....."

THE COLONIAL QUESTION OF INDIA

In the report of the Office of Naval Intelligence in New York City it is stated in paragraph two of page one that the issue of India, while essentially colonial, is complicated by the Government's fear that socialism will obtain a hold in it. The following information concerning the Communist Party and its various forces with respect to the question of the liberation of India from British control is set forth:

Until August of 1942 Communist Party officials in the United States were described as having considerable difficulty deciding what policy the Party in the United States should adopt concerning the Indian question. It was ascertained at that time that some of the officials were of the opinion that the Party should oppose the policy of the Communist Party in Great Britain, that of adhering to the demands of Mahatma Gandhi. Still others agreed with the tactics presently being used by the Communist Party and some were undecided. However, on August 11, 1942, Al Lannon, New York State Organizational Director of the Communist Party of the United States of America, instructed M. Hedley Stone, Vice President and Treasurer of the National Maritime Union, to prepare an article of some kind for public edification in connection with the situation in India. Stone subsequently informed Lannon that a telegram had been prepared in accordance with his previous request. A transcript of that telegram as originally drafted is as follows:

"Our country is placed in great danger by the Nazis' advance in the Caucasus and the dangerous developments in India. Mobilization of the Indian people for war against the Axis depends upon immediate application of the Atlantic Charter to the people of India. Victory over the Axis demands that this war be fought as a people's war for liberation. Another Burma and Malaya can be prevented by bringing about a drastic change in the policy of the British Government in India. We call upon you, Mr. President, to immediately prevail upon the British War Cabinet to reopen negotiations with the Congress, Moslem League, and other people's leaders for the purpose of assuring mobilization of the Indian people to defend India. Recognition of a provisional Indian Government, immediate release of Indian leaders, and an end to terror against the Indian people will serve to avert disaster and mobilize it in the complete unity with the Allied Nations against the Axis. The future of their war depends upon bold action now, Mr. President. Act now."

In the August 17, 1942, issue of the "Daily Worker" an editorial appears in which the "Daily News" in New York City is criticized for its

interpretation of the Communist Party's statement on India. The statement is reiterated in part thereafter:

"President Roosevelt must be urged to intervene. . . . and bring about serious negotiations which can and must result in complete unity of all peoples' forces in India against the Axis aggressors, and the formation of a representative national government for victory.

"It is time to open the western front against Hitler without further delay. . . . we must strike the enemy and not our Indian friends who are demanding nothing but the right to organize themselves for the fight side by side with us against our common foe and to realize their right to national freedom."

Thereafter numerous articles have appeared in the "Daily Worker" and the "People's World," the latter newspaper being the Communist news organ on the West Coast, which deal with the Indian situation. Numerous reprintings of articles by officials of the Communist Party in India have appeared in the "Daily Worker." In these articles there are, of course, set forth the views of the Communist Party of India and by republishing these articles the Communist Party in this country shows inferential approval of the India Communist Party's stand.

After Mahatma Gandhi had begun his fast, an editorial appeared in the February 20, 1943, issue of the "Daily Worker" on page two, which bore the entitling: "Release Gandhi: For a Settlement of India!" This editorial referred to a Communist Party meeting at which an appeal was issued to all Indian patriots for unity to obtain the release of Gandhi. In connection with the appeal of the Communist Party of India, the following statements were made in the editorial referring to action to be taken in this country:

"It is our nation's opportunity to use its influence, as an ally both of Britain and India as well as of China, to obtain the release of the national leaders and hasten a solution of the crisis. Our own security as a nation, the welfare of our soldiers in India, our responsibilities to open the Burma Road to China, and our position of leadership in the world-wide alliance of freedom-loving peoples require action from our government.

"The people, especially labor, should speak up firmly. They should request President Roosevelt to work for the immediate and unconditional release of Gandhi and for the resumption of negotiations leading to a National Government in India."

In addition to the statements, articles and editorials appearing in Communist Party publications, national leaders have issued statements concerning the freedom of India from the control of Great Britain, as well as the handling of Indian leaders. These statements have been made both publicly and privately. On numerous occasions, either in publications or in statements made by leaders, a parallel has been drawn between the Indian situation and the Negro situation in this country.

THE CAMPAIGN TO OBTAIN UNITED STATES COOPERATION
WITH PROGRESSIVE FORCES IN UNDERGROUND EUROPE

In the Office of Naval Intelligence report in paragraph one of page two the following statements are made:

" Freeing the veterans of the Spanish War is the opening wedge in the campaign to get United States' cooperation with all progressive forces. The organizations of progressives in underground Europe are worthless if the United States and Britain oppose them when victory is won. . . . "

The report goes on to state the campaign will be made one of the largest ever organized in the United States and that it will be greater than the "lift the embargo" or "second front" campaigns.

Concerning these statements, it is believed that they refer to the obtaining of the indulgence by or cooperation of the Government of the United States in and with underground movements in Europe which will presumably attempt to obtain control of the governments in various occupied countries either during the invasion of the Continent or in the postwar period. An example of such a movement is reflected in the partisan armies and groups in Yugoslavia which are authoritatively said to be Communist guided. These groups, it is recalled, have been opposed to Mikhailovitch. The Communist Party in this country has openly supported the partisan armies and groups and publicly attacked Mikhailovitch. Articles appearing in the Party press have carried such titles concerning Mikhailovitch as "The Truth About Yugoslavia Proves Mikhailovitch Treachery," "Yugoslavia Freedom Front," "Transatlantic Scheme to Aid Mikhailovitch," "Slavs Hail Expose of Mikhailovitch" and "United States Slav Leader Rips Mikhailovitch; Hails Liberation Government as Yugoslavia's Choice." In this connection, it has also been ascertained that the Communist Party was much opposed to the greetings sent by General Eisenhower to Mikhailovitch during January 1943, emphasizing the fact that the partisan armies are supported by the Soviet Union.

The Communist Party has, as a part of its activities, since its inception in this country infiltrated and exploited foreign-language or nationalistic groups and organizations. Recently, however, numerous indications have been received pointing to an intensified campaign to gain control of at least the policy-making section of foreign-language groups or organizations and publications. This campaign also includes attempting to influence or gain control of various national conventions or congresses of foreign-language organizations. One of the main objectives, besides the extension of the Party's power and scope, points to the postwar period at which time these groups or organizations controlled or influenced by the Party will be used to exert pressure against the re-establishment of the present governments in exile in London. It is obvious, of course, that as a means to this end, the State Department must be appropriately influenced. To illustrate this purpose of the Party, the following information concerning statements made by Joseph Brandt, Communist Party Organizational Secretary for the State of Ohio, is set forth:

On January 19, 1942, Brandt referred to holding conferences on the Slav situation in Northern Ohio and indicated that the Party there should contact Eugene Praeger, Communist Party member, radio announcer, and active Cleveland, Ohio, leader of the Hungarians, to see what could be done among that nationality. In conclusion he stated the following:

"I gathered from Landy (this is Avrim Landy who is in charge of nationality and foreign-language group work in the headquarters of the Communist Party, U.S.A., New York City) that the thing to do is to tie any attempts of the State Department to carry out negotiations with the governments in London. If we can get recent resolutions into the State Department, it will have some effect on their relationship."

These remarks undoubtedly referred to the apparent policy of the international Parties' creating so-called liberation or people's groups in occupied European countries. In support of the liberation or people's groups which are Communist led and opposed to existing governments in exile presently sitting in London, the Communist Party through groups it controls or influences in this country is calling upon all persons of a particular nationality for support in opposing groups or individuals who had been accepted as the governments in exile or who have in the past held themselves out to be such.

THE ATTACK ON THE FRANCO GOVERNMENT AND THE DISCONTINUANCE
OF AID TO THAT GOVERNMENT

It will be noted in the report of the Office of Naval Intelligence the statements are made in paragraph two of page two:

" . . . We will try to get the Allies to restore this government (Republican) in Spain or at least to cooperate with it when the present forces in Spain find the opportunity to overthrow Franco."

It has been previously shown herein that the Communist Party has attacked the Franco Government in Spain and has urged discontinuance of aid to that Government. On November 23, 1942, page two of the Communist news organ, the "Daily Worker," was devoted entirely to the publication of a manifesto allegedly issued by the Central Committee of the Communist Party of Spain. The page was given the following captioning:

"WHAT'S NEXT IN SPAIN?"

A Ringing Manifesto by the Spanish Communist Party"

In an introduction to the manifesto, portions of which will be quoted hereinafter, it was stated:

"In a manifesto of September 16, broadcast over the secret radio station, Espana Independient, the Central Committee of the Communist Party of Spain declared:

* * * *

"The Communist Party of Spain calls upon the Spanish patriots to unite into a broad national front to defend Spain and the Spanish people, whose very existence is at stake; to overthrow France and the Falange, to remove them from the administration of the country and to set up a government of national unity that would really administer the country and serve Spain's interests.

* * * *

"The mobilization orders must be disobeyed. Young men liable to conscription should join guerrilla columns. Guerrilla warfare must be intensified and developed throughout the country. Franco must be prevented from accumulating further stores of arms and munitions by destroying the machines producing them and by blowing up the depots where they are stored.

* * * *

"The peasants must refuse to deliver their crop to the Hitlerite agents and the Falangist landholders by organizing armed defense of the fruits of their labor. Industrialists, landowners and merchants must refuse to support the Franco government which is destroying the economy of the country and placing its wealth at the disposal of Hitler.

"They must not regard the struggle of the people as a threat to their interests, but as an expression of popular protest against the Franco regime, which is undermining and ruining the country and bringing it even closer to war and catastrophe.

"The officers and soldiers must side with the people and not against them. They must support the patriotic actions by refusing to take part in the war or be used as a repressive force against the liberation struggle of the people. They must turn their weapons against the Falange, the tool in the hands of Spain's enemies.

"The ground must be made to burn under the feet of the Falange. Sacred war for the salvation of Spain must break out and sweep the country.

"The Communist Party of Spain calls upon all Spaniards, above all upon Party members and sympathizers within and without the country to occupy their fighting positions as befits them in the present hour which will decide the fate of Spain and the existence of her people.

"The Communist Party of Spain calls upon them to do this so that they should be able, as in the past, to forge the national unity of all patriots, a unity that will destroy the Hitler agents, place Spain in the ranks of the nations fighting for freedom and lead to the salvation of our country, universal peace, and civilization."

A very recent editorial appearing on page one of the April 5, 1943, edition of the "Daily Worker" referred to the continued internment of Spanish Republican prisoners in French concentration camps.

It remarked that they are still prisoners under the American flag in North Africa. A question was posed in the editorial as follows:

"What are they to think of a country which helps keep the true representatives of the Spanish people in concentration camps, while it gives assurances of support to Hitler's ally, Francisco Franco?"

The editorial continued, referring to the attitude of President Camacho of Mexico toward Republican refugees, and states that he tells them "they are the real Spain."

In a subsequent statement, the editorial strongly hints that there should be a Republican form of government in Spain rather than the existing Franco Government:

"Meanwhile our country, a member of the anti-Hitler coalition, an original co-signer of the Atlantic Charter, keeps the real Spain in prison and converts the Day of the Motherland into a day of national shame."

SENDING DELEGATIONS TO WASHINGTON AND USING
OTHER PRESSURE

The report of the Office of Naval Intelligence is again referred to, particularly to paragraph two of page three. There the following statements are made: "Up to now we have been relying on delegations to Washington and other pressure. This week our final attempts were a failure. Therefore this huge mass campaign to get the public to force it on Washington is being organized. * * *"

Information has been received relative to delegations, mass meetings, petitions, et cetera, sponsored by the Communist Party and Communist influenced or dominated organizations, to urge the freeing of the Spanish prisoners. In this connection, the meeting sponsored by the Free World Association on April 5, 1943, which has hereinbefore been referred to, has most recently brought to light such matters. It is recalled that Saul Mills, Secretary-Treasurer of the Greater New York Industrial Union Council, CIO, stated at this meeting that letters, petitions and delegations must come in a steady stream from labor, fraternal and Spanish organizations to the State Department in protest of the incarceration of 20,000 prisoners in North Africa.

Previous delegations with this same purpose are said to have visited the State Department. A confidential and reliable source has reported that on March 15, 1943, a delegation of ten National Maritime Union Seamen from New York City and another delegation of ten from Baltimore were to have presented a resolution to the State Department criticising that Department's policy toward the Franco Government in Spain and informing the State Department that the National Maritime Union Seamen would refuse to man ships bound for Spanish ports. This delegation, according to information received, was to have been headed by Leo Huberman, "Educational Director" of the National Maritime Union of America, who has been reported to be a leading figure in the Communist Party in New York City.

On March 23, 1943, it was reported publicly in the "Daily Worker" that a series of delegations were to leave from New York City for Washington, D. C., during that week and during the subsequent week in behalf of "the jailed anti-Fascists in the American zone of occupation in North Africa." It was said that the delegates were going from trade unions and fraternal societies and that their purpose would be to ask State Department leaders to have the prisoners set free at once.

SEEKING THE ASSISTANCE OF HERBERT H. LEHMAN,
DIRECTOR OF RELIEF AND REHABILITATION IN
NORTH AFRICA

The Office of Naval Intelligence report on page three, paragraph two sets forth the following statement: "Another objective of the campaign is to begin working on Lehman before the policies of his organization are determined and before the Allies begin to actually win the war, with the purpose of influencing him as much as possible away from the policy practiced by Hoover in 1918."

The "Daily Worker" for March 23, 1943, carried an article on page two entitled "Delegations to Urge African Prisoner Aid." This article referred to a series of delegations which were to have visited Washington during the latter part of March, 1943, and stated that the delegations would visit the State Department and former Governor Herbert H. Lehman, Director of the Division for Relief and Rehabilitation in North Africa. It was further stated that Lehman would be asked by the delegations to permit representatives of the Joint Anti-Fascist Refugee Committee, who were said to have been barred from the prison camps, to distribute food and furnish medical attention to the imprisoned Spaniards. The allegation was made that the men who are imprisoned are dying of starvation and medical neglect.

It is recalled that the Joint Anti-Fascist Refugee Committee has been referred to hereinbefore, as well as the committee it is seeking to send to North Africa. In this connection, it was publicly announced in the "Daily Worker" for November 20, 1942, that Dr. Edward K. Barsky, Chairman of the Joint Anti-Fascist Refugee Committee, had stated that his committee had been carrying on a program of relief and rescue for the Spanish Republicans and the International Brigadiers in North Africa since their internment; that he, Barsky, urged immediate relief measures for these people and stated that the committee possessed intimate knowledge of the camps and of the strong anti-Fascist character of the internees.

THE ATTACK ON THE STATE DEPARTMENT AND GOVERNMENTAL
OFFICIALS

With reference to this subject matter, which is dealt with in paragraph two, page three of the Office of Naval Intelligence report, the following information is set forth.

It is recalled that in the references to the various public meetings and statements which have been made regarding the Spanish Republican prisoners in North Africa there are contained attacks and utterances against the State Department. These references have been set out hereinbefore. In addition, however, there have been received public statements made by known members of the Communist Party against officials in the State Department. An article appeared in the March 21, 1943, issue of the "Daily Worker" written by Adam Lapin, entitled "Bullitt Hates Our Ally More Than He Hates Hitler." In this article William C. Bullitt, former Ambassador to the Soviet Union and to France, was described as one of the most dangerous and sinister men in Washington. He was labeled "one of the leading Munichmen in Washington." He was attacked for his alleged anti-Soviet attitude.

In an address delivered by Earl Browder on February 12, 1943, at Baltimore, Maryland, as reprinted in the March, 1943, issue of "The Communist," he made the following statements regarding officials of this Government:

"In the State Department we have the ineffable Mr. Adolph Berle, Jr., spinning his webs of intrigue in Europe and Latin America. This is the person whom a prominent visiting Britisher is reported to have sized up in these few words: 'He is not only anti-Soviet, he is also anti-British; he is not only anti-British, he is also anti-American.'

At the head of the Department of Justice we have Mr. Biddle, whose chief virtue is weakness of character which prevents him from following his mischievous theories to their logical conclusions. He introduced a brief in the Supreme Court on the Schneiderman case (and argued it against Mr. Wendell Willkie) which bases itself on the conception that the Soviet Union is essentially hostile to the United States in particular and to democracy in general. He issued an order for the deportation of Harry Bridges, with a legal argument lifted bodily from Hitler's 'Anti-komintern,' the illiteracy and obscurantism of which can be matched only in Nazi Germany. He tried to imprison Senator Stanley Nowak of Michigan on the same basis on which he wishes to deport Harry Bridges, but had to drop it with a bald 'admission of error.' He shares the basic theories of Martin Dies, but is jealous of the Texan's prominence."

X
In addition to those Government officials mentioned above, the Communist Party has in the past attacked numerous others, especially on occasions when either action was taken against a Communist Party member or action was contemplated which would directly affect the Communist Party unfavorably. The attacks made by the Communist Party are too numerous to relate; however, they have been against the President, the Attorney General, the Secretary of State and numerous other members of the Administrative Branch of the Government. Considerable denouncing was engaged in by the Communist Party when the Attorney General ordered the deportation of Harry Bridges.

Reference is also made with respect to the instant subject matter to page four, paragraph two, of the Naval Intelligence report where it is said that the Communist Party demands the withdrawal of "Hayes and the ouster of people responsible for the African situation and the recall of military and F.B.I. intelligence agents sent to North Africa. . . ." While information has been received reflecting that the Communist Party has attacked officials of the State Department as hereinbefore set forth and while there have been numerous instances wherein the Communist Party has attacked the Federal Bureau of Investigation, no information has been received to the effect that the Communist Party or its various forces will make such demands as stated in the Naval Intelligence report.

THE JOINT ANTI-FASCIST REFUGEE COMMITTEE AND ITS
AID TO REFUGEES IN SOUTH AMERICA

In connection with this subject matter, reference is made to paragraph three, page three, of the Office of Naval Intelligence report, in which it is stated: "We have succeeded in freeing two hundred prisoners and sent food and established two rehabilitation homes in Mexico."

Considerable information has been received concerning the activities of the Joint Anti-Fascist Refugee Committee, which it is recalled is referred to in the first section of this memorandum. This organization since its inception early in 1942 has collected funds in this country which have in turn in part been forwarded to Mexico. The person receiving these funds in Mexico is Luis P. Maya, who is the head of the Federacion de Organismos de Ayuda a Los Rubricanos Espanoles, Mexico City.

A confidential source of information has made available copies of letters and cables going between Maya and various

executives of the Joint Anti-Fascist Refugee Committee. Information contained in this correspondence reflects thousands of dollars are being transmitted to Mexico each month. These funds are ostensibly for the aid of refugees who have been brought to Mexico through the assistance of both the American and the Mexican organizations. A typical example of funds which have been sent to Mexico by the Joint Anti-Fascist Refugee Committee was reported in January of 1943. At that time receipts were forwarded from the Mexican organization to the American organization which reflected the following:

\$300.00 (U.S.CY.) for aid to hospital
\$125.00 (U.S.CY.) for general aid to refugees
\$450.00 (U.S.CY.) for children's scholarships
\$125.00 (U.S.CY.) for aid
\$1,500.00 (U.S.CY.) for aid to anti-Fascist refugees
\$250.00 (U.S.CY.) for aid to Spanish refugees

It will be noted that in the above set out figures there was reflected \$450.00 designated for children's scholarships. As of February, 1943, it was reported that twenty-seven refugee children in Mexico City were enrolled in a school sponsored by the Federacion de Ayuda a Los Republicanos Espanoles. These children were enabled to attend this school through contributions and patronage given by individuals in the United States. The aid from these individuals in this country has reportedly been solicited by the Joint Anti-Fascist Refugee Committee, as evidenced by reports made to it by the Mexican organization.

In addition to the afore-mentioned aid which is being given to refugees in Mexico by the Joint Anti-Fascist Refugee Committee, funds have also been made available by this committee for the use of neutral vessels to bring refugees from Europe to Mexico. It is through this means that the Spanish refugees brought from Europe have been established in Mexico and in other South American countries.

P
Y
FEDERAL BUREAU OF INVESTIGATION

April 12, 1943

MEMORANDUM FOR THE ATTORNEY GENERAL

* * * * *

We have observed that the Communist Party in this country actually has a much larger program. With regard to matters affecting foreign countries, the Communist Party of the U.S.A. has urged, and is urging declaration of war against not only Spain, but Finland as well. It has demanded not only the freedom of India but the abolition of the colonial system of Government, which, of course, affects particularly the British Empire. All of these propositions are calculated to strengthen in the long run the world position of the Soviet Union.

The Communist Party in this country has been particularly active since the entry of the United States into the war in organizing and penetrating already organized foreign language groups, particularly among natives of Axis-occupied European countries. The current tactic of the Party within such mass organizations is aimed ultimately at discrediting the Governments-in-Exile representing the particular nationalist groups affected. The immediate goal is reported to be the creation of groups in opposition to those regularly recognized in this country as supporting such Governments-in-Exile. The organization of Communist-controlled foreign language groups in this country is expected by the Party to have an effect upon any postwar political or economic arrangements within those portions of Europe now occupied by the Axis.

In the same vein, the Communist Party of the U.S.A. is giving all possible support to Communist-dominated and controlled committees in the United States and in South and Central America, composed of Party refugees from Nazi Germany. Information has been received that these German Communists expect, upon the defeat of Nazi Germany, to set up a German Soviet and the representatives of the German Communists in the United States have reportedly stated that a provisional Government for the German Soviet has already been established in Moscow.

Despite noncommittal statements by such national leaders of the Communist Party as Earl Browder at the present time regarding revolutionary activity by the Party at the close of this war, the Party leaders in the various districts working day by day with the rank and file members of the Party are actively preaching revolution and are preparing for revolutionary activity as soon as the opportunity presents itself. Numerous examples can be cited of this activity:

In Wisconsin a Party leader stated that the Party must first overthrow Fascism in Europe and then the present United States Government and put in a Government in which the Communist Party will control. In Texas a national representative of the Party stated that after Russia is victorious

in the present war, a World Revolution will be accomplished in which Russia will liberate the "oppressed people" throughout the world. In Michigan a state official of the Party said that when Fascism in Europe is crushed, we will fight for the overthrow of the present form of Government in the United States in order to establish Socialism. A state Party official in Ohio claimed that after this war the masses will want a Socialist form of Government, but the Army and Navy will still be in the "old Government's" hands. The new form of Government will have to have its own Army and Navy and will operate as that of Russia. A national officer of the Party in California has stated that the time may come when "we" will have to turn "our" guns against Roosevelt and Churchill. In Indiana a state official of the Party claimed that victory will be won over Fascism this time and the next time over American Imperialism. In Louisiana an international representative of a labor union, who is also a leader of the Communist Party, said: "Just as the fleet played a large role during the Russian Revolution..., so will the United States Navy play an important part if a revolution takes place in this country after the war, and just how important a role will be played by the Navy will depend upon how strongly entrenched in the Navy are the members of our Party."

The Communist Party technique of penetrating the armed forces is one of the most vital to its revolutionary program. It is comparable to the infiltration of the basic industries and the labor unions representing the workers in such industries. You are undoubtedly aware that a high Party functionary can dictate Party instructions to an officer of a labor union who is merely a subordinate, as far as Party relationships are concerned. The same situation holds true among Communists in the armed forces. Instructions have been issued to Communists in the United States Army that they were to judge their fellow comrades in the service according to their standing in the Party and not according to their rank in the United States Army.

There are numerous instances of current contact and liaison maintained by the Party with its members in the armed forces, not only for the purpose of compiling current data on the armed forces of this country, but to assist Party members in spreading Communist ideology. Typical of this is the case of a Communist Party member from Ohio who has visited Communist Party headquarters in Cleveland on several occasions in the past nine months, reporting directly to the Ohio State Secretary of the Party. This individual prior to his induction was designated as the Party's undercover man from Ohio who was to report back to the Party information desired by it.

The Party's interest in obtaining data regarding this country's war effort is not limited to solicitation of information from members of the armed forces. Only recently it has been determined that a national committeeman of the Communist Party has solicited highly confidential information for transmittal to the Soviet Union from technicians employed upon highly secret experiments in connection with this country's war effort.

The Communist Party through its control of various research groups dealing with both industry and agriculture has been able to disseminate its propaganda and assist in recruiting members from mass groups. This same technique has been applied by the Party in connection with civilian defense activities. The Party, both on the East Coast and on the West Coast, has been particularly successful in placing Party members in positions of leadership in the so-called Civilian Defense Block Club movement. The Party has used such media as it always uses any mass organization, namely, as a recruiting ground for the Party and as fertile fields for the teaching of Communist economic and political ideology. As a corollary to these activities we have noted the increase in "Workers Schools" throughout the United States, although many of these Communist Party schools carefully conceal under an innocuous or patriotic title their connection with official Party activity.

We are well aware of the extent of Communist Party control over many of the labor organizations in this country. The Communist Party for the past year has been attempting to bring about an affiliation between the labor unions of the United States and the workers' groups of Soviet Russia, which are not more than agencies of the Soviet Government. Such an affiliation, if brought about, would be comparable to the situation which existed during the period of the Trade Union Unity League, which organization brought under the control of the Red International of Labor Unions in Moscow a portion of the workers in United States industry. At the present time the Communist Party, through its control of labor groups in the City of New York is in a position to dictate the economic policies of thousands of workers in that city. Its control over East Coast shipping and West Coast long-shore operations is stronger than at any time in the history of this country. On the West Coast a Communist in the maritime industry, in discussing the replacement of Navy gun crews on merchant vessels by members of his union, recently was reported to have stated that there would soon be bloodshed in the United States because his organization was not going to take orders from industrialists.

The Party is exerting every effort to obtain recruits in the basic industries of this country, in the transportation industry, in the distribution of food, in communications and in public utilities. Communist Party control of the workers in such industries would enable the Party to strike a paralyzing blow at this country's economy in the event of the revolutionary activity contemplated by many of its leaders at the close of this war.

According to a statement made by a member of the National Committee of the Communist Party, the Party is aware that the Federal Bureau of Investigation may be conducting an active investigation of known members of the Communist Party. That individual, however, remarked in substance that the Party members this Government really had to fear were the ones whose identities were unknown. Information has been developed indicating that there is an active Communist "underground" organization in existence in the United States and that every member of the Communist Party is a potential espionage agent for the Soviet Union.

* * * * *

J. Edgar Hoover (signed)
Director



*file
Personal*

*F. Biddle folder
2-43*

Office of the Attorney General
Washington, D.C.

May 20, 1943

Dear Miss Tully:

I thought the President might be interested in a letter I just received from Peter Pardue, the son of Dean Austin Pardue. He writes:

"I originally asked to come to Groton because the President came here. Since I arrived, I have not regretted it. I have enjoyed every moment that I have been here. Groton is a wonderful school.

"Contrary to the thought that most of us here are against President Roosevelt, in many studies and cubicles around the school, I have noticed pictures of the President."

Sincerely yours,

Francis Biddle

Miss Grace Tully

The White House

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him PSF Justice 7. Biddle folder 2-43

THE WHITE HOUSE
WASHINGTON

May 21, 1943.

PRIVATE AND CONFIDENTIAL

MEMORANDUM FOR

THE ATTORNEY GENERAL:

Just what are we doing about Eugene Cox? I see no reason why we should let Cox go free just because he has started to investigate his own case.

F.D.R.

DECLASSIFIED
By Deputy Archivist of the U.S.
By W. J. Stewart Date 2-25-77

2-6398

77

RADIO STATION W A L B No 178

ALBANY, GA. August 18 194 1

PAY TO THE ORDER OF W. E. Cox \$ 2500.00

Two thousand five hundred and no/100 DOLLARS

RADIO STATION W A L B

BY _____
PRESIDENT TREASURER

IF CORRECT DETACH BEFORE PRESENTING

THIS CHECK IN PAYMENT OF

INVOICE NO.	DATE	AMOUNT
		Legal expense

THIS CHECK IN PAYMENT OF

SALARY FROM	TO
TOTAL EARNINGS	\$ _____
DEDUCTIONS:	
OAS	\$ _____
INS	\$ _____
OTHER	\$ _____
TOTAL DEDUCTIONS	\$ _____
NET AMOUNT	\$ _____

From: Southwest Georgia's Voice of Progress, 1000 Watt Full Time, WALB, Albany, Ga.

RADIO STATION W A L B No 178

ALBANY, GA August 18 1947

PAY TO THE ORDER OF E. E. Cox \$2500.00

Two thousand five hundred and no/100 DOLLARS

THE CITY NATIONAL BANK
ALBANY, GEORGIA
64-1104

BY [Signature] TELLER



Docket No. 1298
Exhibit 76
Federal Communications Commission
Official Receipt

65602

Where's Biddle? Washington Post May 4, 1943

"Equal justice under law" is a motto that lies close to the heart of democracy. There are few abuses that more readily corrupt a government of the people than the granting of immunity to favored individuals when the laws are violated. It is bad enough when guardians of the law are lax in bringing violations to light. But when they fail to prosecute men in high office whose wrongdoing is well known to them, one of the cardinal principles on which our society rests begins to crumble.

The Department of Justice has been negligent in bringing higher-ups to book in a number of instances during recent years. We know of no case, however, suggesting such a flagrant breakdown in the administration of justice as that of Representative E. E. Cox. The Department of Justice has in its possession apparently unimpeachable evidence that Mr. Cox represented a Georgia broadcasting station before the Federal Communications Commission. Records of the FCC show that he communicated with that agency or its staff at least 25 times in the interest of securing a license for what is now station WALB. The license was granted in July, 1941. The following month Mr. Cox received a check for \$2500 from the owners of the station. To this check, now in the hands of Federal authorities, was attached a voucher bearing the words "legal expense."

The department also knows that in the files of the FCC there is a statement by C. D. Tounaley, manager of WALB, to the effect that Mr. Cox and his secretary performed no services for the station in Albany, Ga., where it is located. Then the statement says: "Radio station WALB has never at any time and does not now have any Washington representation other than that provided by E. E. Cox." Attorney General Biddle's department has been asked to measure this evidence against Section 113 of the Criminal Code, which provides:

Whoever, being elected or appointed a Senator, Member of or Delegate to Congress . . . shall . . . directly or indirectly receive, or agree to receive, any compensation whatever for any services rendered or to be rendered to any person, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party or directly or indirectly interested, before any department, court martial, bureau, officer, or any civil, military or naval commission whatever, shall be fined not more than \$10,000 and imprisoned not more than two years; and shall moreover thereafter be incapable of holding any office of honor, trust, or profit under the Government of the United States.

What could be plainer than this statute? It is said that the chief of the criminal division of the Department of Justice recommended that this statute be invoked in the case of Representative Cox many months ago. Why has the Attorney General side-stepped the issue? Does he wish to give the impression that the penalties for violation of the law are reserved for the meek and humble who hold no official position? Unless the Attorney General is ready to enforce the law impartially, letting the chips fall where they may, he will himself be guilty of gross misconduct in office. Surely mere delay or inefficiency cannot account for the department's long silence in this case. It is high time for Mr. Biddle to let this evidence go before the grand jury or acknowledge a policy of unequal justice before the law where politics are involved.

duplicate
DIVISION OF
PRESS INTELLIGENCE
1526-14th St., N. W.

NO. *Soldier 7/13*

SYMBOL *CC*

Gazette (ID)
Charleston, W. Va.

DATE ~~NOV~~ 9 - 1943
P.

Let's Investigate Congress

There is one condition under which congress invariably stands united. That condition arises whenever any one of its members is attacked, rightly or wrongly. Frequently that rallying to the support of the attacked member reaches a state of counter appraisals and revengeful actions not only to the detriment of orderly government but to the disgust of the people.

Now congress is staging an investigation of the Federal Communications Commission. That investigation is instigated for the reason that the commission voted unanimously to recommend criminal action against a member of congress. Now, instead of congress investigating the member, it moves to investigate the commission. And—did you ever hear of anything like it?—it places the accused congressman at the head of the investigating committee.

It is the old routine. If any department of government criticises a member of congress, the immediate reaction of congress is to investigate that department instead of investigating the accused in an effort to get at the truth. So greatly does congress fear what the Justice Department may find out, that it is at all times ready to investigate that department if it whispers a word against any congressman.

We do not believe that there is anything like the amount of dishonesty and downright skulduggery popularly charged against men in public life. We know that most of such charges are made for political effect. But it is common sense that all of congress cannot be as pure as the driven snow. As long as they are human beings there must exist at least a modicum of veniality.

No doubt the Federal Communications Commission has done a lot of useful things, and having been very busy doing things it must have made some mistakes. That is only human. Possibly self-interest has crept into its actions at times—we do not know about that. But we do not see why the usefulness of the commission must be destroyed solely because it accused a member of congress of wrongdoing.

If congress would raise itself to the high standard hoped for by the framers of our Constitution it could well investigate itself once in a while. Perhaps there is some way the people, who create congress, can investigate it.



Office of the Attorney General
Washington, D.C.

June 2 1943

THE WHITE HOUSE

JUN 3 11 09 AM '43

RECEIVED

MEMORANDUM FOR THE PRESIDENT

You telephoned me on May 27th, suggesting that I investigate GERALD L. K. SMITH, of Detroit, who is alleged to have been telling people not to pay their income taxes; and JOSEPH E. McWILLIAMS, now a resident of Chicago, as to the latter's draft status.

Smith, during recent months, has made speeches to gain support of his party, the America First Party, and has attacked the administration. He is careful to profess loyalty to the war effort at the same time. Since the early part of 1942 his activities have received continued investigative attention by the F. B. I. The Treasury Department is investigating his income tax returns from 1938 to 1940 inclusive; but nothing has been developed to suggest that Smith has attempted to counsel an evasion of the income tax laws.

On March 31, 1943, in answer to an inquiry from you, a summary memorandum was sent to you with respect to Smith's background and the results of the investigation. A copy of that memorandum is enclosed.

McWilliams has been under investigation for more than two years. I enclose a memorandum with respect to his background and activities. In 1939 and 1940 he was active as a speaker for the Christian Front; and later organized The Christian Mobilizers and the American Destiny Party.

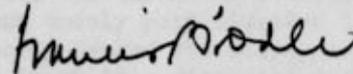
*F. Biddle folder
file personal 2-43
PSF
Justice*

Memorandum for the President

June 2, 1943

With respect to McWilliams' draft status, it has been ascertained that he registered for the draft on February 6, 1942. His application to be taken into the armed forces as a volunteer officer candidate was rejected by the Draft Board because he was over-age (more than 38). On May 19, 1943, he was reclassified as 1-A-H, as being more than 38 and not engaged in an essential industry. In June 1942, he was certified as delinquent by his Local Draft Board for failing to notify the Board of a change of address and failing to execute and return an occupational questionnaire. This delinquency was corrected voluntarily, and prosecution was dismissed.

Respectfully yours,



Francis Biddle
Attorney General

Encl.

GERALD L. K. SMITH

PERSONAL HISTORY AND BACKGROUND

Gerald Lyman Kenneth Smith, better known as Gerald L. K. Smith, was born during February, 1898, at Pardeeville, Wisconsin. He attended Butler Seminary at Indianapolis, Indiana, and later was graduated from Valparaiso University (Indiana) where he pursued a course in theology. Smith's antecedents and early life were in no way unusual and are of no particular interest.

After leaving college, Smith took up active duty as a minister and successively held pastorates at Footville, Wisconsin, at the Seventh Street Christian Church of Indianapolis and at the King's Highway Church of Shreveport, Louisiana.

Prior to assuming his ministerial duties at Shreveport, Smith's activities were rather conservative and of a type characteristically befitting one in the ministerial profession. However, while in Louisiana, he became interested in the late Huey Long's "Share the Wealth" movement and eventually extended this interest to the point of actively and openly participating in politics as an adherent of Long. Attendant publicity evoked the displeasure of the Elders of his church, eventually resulting in Smith's dismissal during 1934. Following Long's death, Smith attempted to identify himself with the remnants of the Long machine but being unsuccessful in this left Louisiana in 1937 and came to New York where he attempted to organize an association called "The Committee of One Million." This effort was unfruitful. During the following year he moved to Detroit where he has since been located.

At Detroit, Smith reorganized "The Committee of One Million" as an organization "founded for the purpose of combatting the menace of Communism." During 1939, Smith shifted his policy, advocating the isolationist viewpoint, and since the involvement of the United States in war he has busied himself principally in directing criticism to the Government's war effort and what he is pleased to characterize as the Government's efforts to enslave the United States as an entity in an International State dominated by Great Britain.

More detailed comments are set forth subsequently as to Smith's connection with Huey Long and his activities as the organizer of "The Committee of One Million," but it is of significance to observe that it appears that the turning point of Smith's life dates from his association with Huey Long. Prior to that time he was the usual type of minister concerned with problems incidental to his calling. However, it seems that his participation in the "Share the Wealth" movement fired his ambition to the extent of self visualization of himself as a dominant political figure. Being unsuccessful in associating himself with Long's

successors, he has apparently continued his dream of political prominence through his efforts in connection with his so-called "Committee of One Million." The fact that he still evaluates himself as an individual of at least potential political significance, is attested to by the fact that he has sometimes described himself in confidential conversations as being likely "Presidential timber." In an effort to further augment his political background and potentialities, Smith sought nomination as Republican candidate for United States Senator from the State of Michigan during the summer of 1942. This campaign was unsuccessful.

Smith's personal life appears to be normal. He is married, lives with his wife, and has one son, about twenty years of age. His wife is said to be a distant relative of a Mr. Sorensen, described as an official of the Ford Motor Company. From time to time stories have been circulated attributing improprieties to Smith in connection with his associations with women other than his wife. However, nothing factual is known to substantiate these stories.

ACTIVITIES PRIOR TO 1938

While serving as pastor at the King's Highway Church, Shreveport, Louisiana, Smith became interested in Huey Long's "Share the Wealth" plan. He eventually met Long and shortly thereafter there developed, according to Smith's description, "a close and fast friendship" between the two. It is definitely known that shortly thereafter, and lasting for a period of several years, Smith assumed the position of one of Long's chief lieutenants. Although Smith is prone to describe this relationship as a personal one, several persons who were close to Long at the time, state that Long had little personal regard for Smith and apparently evaluated him as being untrustworthy and dishonest. These persons state that Long was merely utilizing Smith's services, and in this connection it is known that Long, as well as others associated with him, regarded Smith as a very dynamic and powerful public speaker. It appears that Smith was widely used by the Long organization in the role of a public speaker for the "Share the Wealth" movement. It is said that Smith, at one time, received as much as \$650 per week from the Long organization as reimbursement for expenses and as salary.

Information has been received that while associated with the Long movement, Smith joined William Dudley Pelley's Silver Shirt organization. Nothing in the way of documentary evidence is available to prove this membership, but in recent years, Smith has, on several occasions, admitted membership in the Pelley movement. He states, however, that he joined Pelley's organization merely for the purpose of securing information in connection with his work in behalf of Huey Long.

Although during Huey Long's lifetime Smith was an outstanding personage in the Long machine, he rapidly lost his position after the death of Long. It appears that his services were continued for a short period of time by Long's

successors, but that he eventually was displaced due, allegedly, to his untoward efforts to attain personal power. By 1937, any influence which he previously had was completely dissipated and it was during that year that he left Louisiana for New York.

On arriving at New York Smith attempted to organize a group known as "The Committee of One Million." According to the self announced purposes of this organization its primary concern was that of combating the forces of Communism. However, Smith's efforts in New York met with little success, and reportedly he was disheartened to the extent of ceasing his activities and removing to Detroit, Michigan, early in 1938.

Toward the end of his stay in Louisiana, Smith's personal reputation apparently suffered to some extent. On November 3, 1936, he was arrested by the New Orleans Police Department on a charge of having disturbed the peace in the using of obscene language in a public place. Reportedly, this arrest resulted in his receiving a suspended sentence of \$10.00 and ten days.

During 1936 and 1937, Smith was also involved as a plaintiff in several libel and slander cases. These cases were apparently of minor importance, but the consensus of opinion appears to be that Smith's reputation suffered more than did the reputation of those whom he sought to sue.

CURRENT ACTIVITIES

On arriving in Detroit in 1938, Smith almost immediately set out to reorganize the defunct "Committee of One Million." In this connection he distributed a considerable amount of literature designating the purposes of "The Committee of One Million" as follows:

1. To rebuild the spirit of America.
2. To wipe out the last vestiges of Communism, Nazism and Fascism in all forms.
3. The redefinition of the American National character.
4. The installation of a new spirit in American youth, dedicated to the maintenance of American institutions.
5. To issue a call to farmers and laborers to resist what is now known as an international plot to involve them in a world revolution.
6. To rededicate the citizenry of America to the family altar and to the spirit of the church.
7. To secure the maintenance of a well defined standard of American living.

Other literature of "The Committee of One Million," sought particularly to stress the activities of this organization in combating Communist influences.

With the coming of the European war in 1939, Smith shifted the policy of "The Committee of One Million" to that of promoting the cause of isolationism. In various pieces of literature distributed during 1939, 1940 and 1941, he was especially critical of the Government's policy of rendering assistance to the allied Governments.

Since the involvement of the United States in the war, Smith has again shifted his policy as well as that of "The Committee of One Million" to the direction of criticism against the Government's efforts in prosecuting the war. He has not questioned the necessity of winning the war, but on the other hand, in various of his publications, as well as his public utterances, has been careful to lay stress on the necessity of the people's aiding and assisting in every way in defeating America's foes.

However, he has advanced contentions that the Government is using the war as an excuse for depriving the public of its just liberties. He has also freely voiced criticism against what he has been disposed to characterize as the Government's efforts to reduce the United States to a mere entity in a great international state dominated by Great Britain.

Smith carries on the work of "The Committee of One Million" through radio broadcasts over Station WJR at Detroit, the distribution of literature, and through the publication of a monthly magazine known as "The Cross and the Flag." Although Smith claims that "The Committee of One Million" has a following of three million persons, it appears that "The Committee of One Million" is really not an organization as such, and is merely a name used by Smith. Smith, of course, does have a rather large mailing list, and it seems that the persons who receive his literature and make occasional financial donations to him are considered by Smith as being members of the Committee. Available information indicates that Smith's claim of three million followers is grossly exaggerated.

Early in 1942, Smith sought to establish another organization known as "The Inner Circle." As suggested by its name, this group was described by Smith as consisting of the more prominent and trustworthy members of "The Committee of One Million." He announced the foundation of this group through the distribution of literature calling for the donation of additional funds, and it appears that its purposes were the same as those of "The Committee of One Million." According to information received, "The Inner Circle" is no more of a real organization than "The Committee of One Million" and was conceived and used by Smith merely for the purpose of collecting additional money from persons on his mailing list.

During the summer of 1942, Smith sought the Republican nomination for the position of United States Senator from the State of Michigan. He made a number of speeches and conducted quite an active campaign and in the primary

election received approximately 120,000 votes. Although this was not sufficient for nomination, political observers were of the opinion that Smith had made an unusually good showing. Even after this defeat, Smith continued his candidacy in the general election in November, 1942, when he projected himself as a write-in candidate. He was badly defeated in the general election, his following being less than that in the primary campaign.

Late in 1942, Smith publicly announced the intention of forming a third political party on a national scale. The proposed platform for this Party, as announced, was similar to that advanced by Smith in connection with his work as leader of "The Committee of One Million" and it is understood that Smith hopes to gain support from members of the now defunct "America First Committee." In recent months, Smith has toured the Middle West and has made a number of speeches in various cities, outlining his plan for a third political party. Recently, he has indicated that it may not be necessary to form this party if the Republican and Democratic Parties "present a real issue" for the 1944 Presidential Election.

At various times within recent years it has been reported that certain officials at the Ford Motor Company are interested in Smith and have collaborated with him to the extent of furnishing him information used in some of his speeches and his publication "The Cross and the Flag."

In connection with his various appearances as a public speaker Smith has attained the reputation of being a very effective and forceful speaker. Although he is somewhat bombastic, and at times given too freely to overemphasis, it does appear that he is an unusually good speaker and that he is effective in influencing audiences. Some persons have described him as among the foremost public speakers of the day.

It is of interest to note that Smith's publication "The Cross and the Flag" was named, along with a number of other publications, in indictments returned in the District of Columbia on July 21, 1942, and January 4, 1943, charging twenty-eight and thirty-four defendants respectively with having engaged in a conspiracy to violate the Sedition Statutes. These indictments have pertinence to the case popularly referred to as United States vs. Gerald B. Winrod, et al. Although Smith's publication was mentioned in the indictment, as being one of a number of publications throughout the country which has contributed to undermining the loyalty and morale of the Armed Forces, neither Smith nor the publication was named as a defendant.

JOSEPH E. McWILLIAMS

Joseph E. McWilliams was born on March 23, 1904, at the Cheyenne Arapahoe Indian Reservation, Hitchcock, Blaine County, Oklahoma. McWilliams' family later moved to Colorado and subsequently to Perryton, Texas, where his mother reportedly now resides.

According to sources in Oklahoma, McWilliams' family while living in Oklahoma bore the reputation of being radically inclined and a "hard bunch". Several persons who knew McWilliams stated that he was unusually rowdy and irresponsible during his youth and further advise that it is an accepted fact in the community of Hibbs Corner, Oklahoma, where McWilliams once lived, that he is the father of an illegitimate son by one Louise Troster. It is understood that McWilliams' reputed son is about twenty-three or twenty-four years of age and makes his home with his maternal grandfather.

During 1924 McWilliams left Oklahoma and went to California, where he was employed for a period of time as a laborer by a utilities company. The following year he came East to New York City, where he secured employment with a concern known as the Red Devil Tool Company. McWilliams apparently had considerable ingenuity and ability in connection with things mechanical and during 1928, 1929 and 1930 reportedly invented and sold several small mechanical gadgets. During this period of time he was employed successively by several small manufacturing concerns and eventually in 1938 he was able, as a result of the profits realized from his several small inventions, to enter as a partner in a firm known as McWilliams-Dennison Company of New York City. This concern was apparently engaged in the manufacture of several types of small novelties and gadgets and for a time reportedly did modestly well financially.

However, during 1939 McWilliams apparently lost interest in his business ventures which had theretofore engrossed his attention. Allegedly, he became very much interested in Communism and devoted himself to quite an extensive study of Communism. However, this interest was also short-lived and in May of 1939 McWilliams reportedly turned his attention and interest to Fascist theories of government and politics. He became an active speaker for the Christian Front and later in 1939 he and several former members of the Christian Front sought to establish an organization known as the Christian Mobilizers. According to statements made by McWilliams at the time, the Christian Front had been found to be too mild and in setting up the Christian Mobilizers the founders of the organization were seeking to establish an organization capable of promoting more aggressive policy. The membership and influence of the Christian Mobilizers were never very extensive, but during 1939 and 1940 McWilliams did achieve a good bit of notoriety as a result of his many appearances as a public speaker. During these appearances, he openly praised the Fascist form of government and on several occasions spoke before meetings of the German-American Bund.

During 1940 McWilliams unsuccessfully sought election to Congress. During the course of his campaign he sought to establish a political party known as the American Nationalist Party. This party never had any extensive influence and of course was primarily used in connection with McWilliams' personal campaign. However, its platform, as announced by McWilliams, advocated the adoption of a strong nationalist government in this country, similar in ideology and purpose to the Nazi form of government.

During the course of his campaign for election to Congress, McWilliams made many public speeches and as time went on became more and more belligerent and radical in his statements. He frequently gave expression to bitter anti-Semitic statements and often during the course of his speeches sought to incite race hatred and mob violence against the Jews. His statements in this regard became increasingly inflammatory until ultimately during the summer of 1940, once in July and again in September, he was arrested, fined and jailed by the New York City Police Department on charges involving disorderly conduct and attempting to incite mob violence.

After his defeat in his campaign for Congress, McWilliams' activities abated to some extent, but in the succeeding months he continued his tirades against the Government's program of aid to the Allies, as well as his statements against the Jews.

In the early part of 1942 McWilliams left New York and came to Chicago where he has since resided. Shortly after his arrival in Chicago, he became associated with an organization known as the Midwest Monetary Foundation. This organization was described as a lecture group and McWilliams was featured as a lecturer. During the course of these lectures, McWilliams continued to expound in somewhat of a modified vein his previous theories relative to international conditions and the state of the Government. Eventually the directors of the Midwest Monetary Foundation allegedly encountered difficulties with McWilliams, reportedly due to his insistence on expressing his opinionated doctrines and finally these difficulties led to McWilliams being disassociated with the Midwest Monetary Foundation.

During June of 1942 McWilliams failed to comply with Selective Service regulations and as a result was arrested. His local draft board in Chicago mailed an occupational questionnaire to him and on being unable to locate him, because he had failed to give advice as to his change of address, certified him as delinquent to the United States Attorney. McWilliams was located and taken into custody by the FBI on June 13, 1942. Subsequently the prosecution against him was dropped by the United States Attorney in Chicago when he corrected his delinquency by voluntarily executing his occupational questionnaire and forwarding it to his local draft board.

Until the early months of 1943 McWilliams remained rather inactive. However, during the intervening months he was successful in interesting a Mrs.

Alexis de Tarnowsky, a wealthy resident of Chicago, in a plan which he is now advocating for the benefit of servicemen. McWilliams calls his plan the "Servicemen's Reconstruction Plan". He advocates that at the conclusion of the war each member of the Armed Forces, who is given an honorable discharge, be awarded \$7,800.00 in Government Bonds. These bonds are not to be handed over directly to the servicemen but are to be administered by local boards similar to Selective Service Boards for the benefit of the recipients. Special occasions or undertakings, such as the building of a home or the purchase of a business, would justify the servicemen's receiving part of the cash value of the bonds, in the event the local board administering the bonds approved of the undertaking. McWilliams claims that the granting of these bonds to servicemen would forestall economic ruin after the war, by building up purchasing power and giving the servicemen who have been displaced from civilian life an opportunity to reinstall themselves as paying and earning members of society.

McWilliams has written and distributed a book, as well as other literature, outlining in detail the program of the Servicemen's Reconstruction Plan, and at the present time is active in Chicago in an endeavor to secure publicity and backing for the plan. Although McWilliams, according to his public statements, is interested solely in the welfare of returning servicemen, it is understood from sources close to him that he hopes through the appeal of this plan to build up a following which may serve to his advantage in the future in connection with his political aspirations.

Pertinent information concerning McWilliams' draft status is set forth as follows:

McWilliams registered for the draft with Local Board 142, 200 East Chestnut Street, Chicago, Illinois, on February 16, 1942. His Order Number is 1067 and his Serial Number is T-1599.

On August 25, 1942, he prepared and submitted his Selective Service questionnaire and on the same date indicated a desire to become a volunteer officer candidate. However, the Draft Board did not act favorably on this request and eventually, on September 17, 1942, classified McWilliams as 3-A.

On the same date McWilliams again prepared an application requesting that he be taken into the armed forces as a volunteer officer candidate and at the time attached to his application a waiver of dependency executed by his wife. This application, like the first, was rejected by the Draft Board because McWilliams was "over age."

On December 11, 1942, he was reclassified as 4-H because he was more than 38 years of age. Again on May 19, 1943, he was once more reclassified, this time as 1-A-H for the reason that he was more than 38 years of age and was not engaged in an essential industry.

In connection with McWilliams' age it will be noted that he was born March 23, 1904, and that he is now more than 39 years of age.



PSP Justice

7 Biddle folder
2-43

Office of the Attorney General
Washington, D.C.

file

June 10, 1943

MEMORANDUM FOR THE PRESIDENT

I have your memorandum of June ninth, suggesting that it is important to appoint a Pole for a Judgeship in Chicago.

There is now one vacancy on that Court and Judge Holly is going to resign in August. Scott Lucas has recommended Shaw for the vacancy. He has agreed with Kelly, however, that both names can be sent up after Holly's resignation; and in due course Kelly will submit the name of a Pole to us.

Frank Walker has talked to Lucas and approves the arrangement.

Francis Biddle

Francis Biddle
Attorney General

RECEIVED AND BY SUBJECTS
DATE OF DEPT

(195)
hm

THE WHITE HOUSE
WASHINGTON

June 9, 1943.

208 *E*

MEMORANDUM FOR
THE ATTORNEY GENERAL

x10

It is believed very im-
portant that we appoint a Pole to the
Judgeship in Chicago. ^{+463A} What do you
know about it?

F.D.R.

No papers accompanied the original of this
memorandum to the Attorney General.



BF Justice *Biddle folder 2-43*
file personal
Office of the Attorney General
Washington, D.C.

June 22, 1943

THE WHITE HOUSE
JUN 26 9 26 AM '43
RECEIVED

MEMORANDUM FOR THE PRESIDENT

rf
On May 28th, Henry Morgenthau sent you a summary of a report of the Internal Revenue with respect to John L. Lewis' activities.

The report indicated possible violation of the income tax law. It had not, however, been submitted either to Randolph Paul, General Counsel of the Treasury, to Guy Helvering, or to John Wenchel, Chief Counsel for Internal Revenue.

In accordance with your memorandum they took it up with me personally. I have had the matter carefully investigated and find no income tax violation. Messrs. Paul, Helvering and Wenchel have informed me that they are in agreement.

Francis Biddle
Francis Biddle
Attorney General

OFFICE OF
THE ASSISTANT TO THE
ATTORNEY GENERALTHE WHITE HOUSE
WASHINGTON

July 14, 1945.

~~CONFIDENTIAL~~

MEMORANDUM FOR

THE ATTORNEY GENERAL:

TO READ AND RETURN FOR
MY FILES.

F.D.R.

Letter, 6-23-43, to Mrs. Roosevelt from Mrs. Pauline Redmond Coggs, Exec. Secy., Wash. Urban League, Inc., 1538 N.J. Ave., N.W., Wash., D.C., who says that Judge Ellen K. Raedy of the Landlord and Tenants Court will be up for re-appt. Disapproves of reappt. of Judge Raedy and suggests someone like Judge Fay Bentley or Judge Claggett. Also gives consensus of opinion re federal action in racial strife at present - that Dept. of Justice investigate source of rumors and riots; that Pres. form definite steps with Army, Navy and Justice for action re incidents and conditions breeding them; that the Pres. make radio speech on subject of national unity.

WASHINGTON
THE WHITE HOUSE

OFFICE OF
THE ASSISTANT TO THE
ATTORNEY GENERAL



file

July 19, 1943

MEMORANDUM FOR GRACE TULLY.

Returned as requested.

J. H. P.
James Rowe, Jr.



UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

THE WHITE HOUSE
WASHINGTON

OFFICE OF THE RECEIVED
JUL 14 1943
Rowe
ATTORNEY GENERAL

July 14, 1943.

CONFIDENTIAL

MEMORANDUM FOR

THE ATTORNEY GENERAL:

TO READ AND RETURN FOR
MY FILES.

F.D.R.

noted

RECEIVED
OFFICE OF
THE ASSISTANT
ATTORNEY GENERAL
JUL 15 10 10 AM '43
TO THE
ATTORNEY GENERAL

WASHINGTON
AND BULL DOZER

THE WHITE HOUSE
WASHINGTON

For the President

R.R.

Washington Urban League, Inc.

BOARD OF DIRECTORS

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Second Vice-President
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Assistant Secretary

1538 New Jersey Avenue, N. W.

Washington, D. C.

Telephone: Michigan 3594
MRS. PAULINE REDMOND COGGS
Executive Secretary

JAMES C. ARNOLD
MRS. E. C. CLARK
JOHN
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MRS. GERHARD F. VANARDEL
MRS. V. E. WILLIAMS
ARTHUR D. WRIGHT

RECEIVED
OFFICE OF
THE ASSISTANT
ATTORNEY GENERAL
JUN 15 10 10 AM '43

Left had
June 6/30
June 23, 1943
Show from
the President

JUN 24 REC'D

Mrs. Eleanor Roosevelt
The White House
Washington, D. C.

My dear Mrs. Roosevelt:

I have seen Mr. George Weaver, Secretary of the CIO Anti-Discrimination Committee, and suggested that the next time Mr. Townsend, International President of the United Transport Service Workers and only Negro member of the Executive Committee of the CIO, comes to town that he call you for an appointment. This is a follow up of your suggestion that you would like to meet them.

Very soon Judge Ellen K. Raedy of the Landlord and Tenants Court will be up for re-appointment after having served for eight years. It is the general opinion of this community that Judge Raedy does not serve well the interest of justice and interracial understanding. Since municipal Judges in the District have considerable contact with many of the low-income groups who receive their first contact and impressions in the Landlord and Tenants Court with the agencies of justice, it is highly important that the Judges appointed be of exceedingly high caliber. Without listing the activities of Judge Raedy which most leaders of our community feel do not lend dignity to her position, I would like to ask that you use your influence to see that an appointment is made of someone of the caliber, social understanding, and objectivity of Judge Fay Bentley or Judge Claggett.

I have checked with responsible authorities and find that Mr. McCloy has in his possession a study on the efficiency of Negro troops in previous wars. It was not true that this study was withheld from Judge Hastie's office, but I feel that you will be very much interested in the approach and conclusions of the study.

We are all, of course, greatly concerned about the increasing incidence of racial conflict throughout the country. Already there are indications that Washington is about to be subjected to another racial rumor campaign which may grow in proportion to the one I described to you at our last meeting. We are taking steps locally to get Commissioner Young or Major Kelly of the Police Department to call together a group

of white and colored leaders for the purpose of discussing the situation and planning some definite steps for counteracting the brewing trouble. This may be helpful locally. However, most national leaders agree that the proportions of racial strife call for definite federal action. For your information this is the consensus of opinion:

- (1) That the Department of Justice thoroughly and officially investigate the source of rumors and riots and swiftly bring all persons, white or colored, guilty of inciting them to justice;
- (2) That the President first formulate definite steps with Army, Navy, Justice and other department chiefs concerned whereby direct action may be taken regarding incidents which arise and conditions breeding them;
- (3) That the President then make a radio speech on the subject of national unity explaining the effects of disunity on the war effort and citing the plans which have been made to deal with inciters of riots and conditions creating conflict.

Set of lead

It was most pleasing to see you again and have the opportunity of introducing Tee. My very best regards to Miss Thompson.

Very truly yours,

Pauline Redmond Coggs

(Mrs.) Pauline Redmond Coggs
Executive Secretary

PRC:eh



*file
personal*

PSF: Justice 7 Biddle folder 2-43

Office of the Attorney General
Washington, D.C.

*PSF
Justice*

August 19, 1943

My dear Mr. President:

You have spoken to me several times about your desire to bring Sam Rosenman down here permanently; and first suggested that he be designated as "Special Counsel to the President". I said at the time, and still feel strongly, that such a designation would seriously reflect on me and would be taken by the public as an expression of your lack of confidence in my work. Jimmy Byrnes shares this feeling, and I think Sam would not wish it.

An appropriate title should be used which would distinguish him from your administrative assistants and carry the appropriate sense of special work. I suggest "Adviser to the President."

Needless to say, I welcome the suggestion that Rosenman come here permanently to help you; he can be of great help in acting for you on many matters, such as Executive Orders, etc., about which I don't like to trouble you.

Respectfully yours,

Francis Biddle

Francis Biddle
Attorney General

The President

The White House

(7824)

COPY

Original of this memorandum sent to the Attorney General, 9/28/43

THE WHITE HOUSE

WASHINGTON

[Handwritten signature/initials in a circle]

September 27, 1943.

Justice

MEMORANDUM FOR THE PRESIDENT:

The Secretary of the Treasury ^{x21}
called to say that Phil Murray reports ^{x2546}
the case aga inst John L. Lewis is already ^{x290}
to go in the Department of Justice but
that Senator Lucas and some of his friends
^x
are trying to hold it up.

djb

"Privately
Atty - General
What about this?
FDR".

x10

F. Biddle folder 2-40



Office of the Attorney General
Washington, D.C. 25

file personal
PSF Justice

September 28, 1943

THE WHITE HOUSE

SEP 29 8 32 AM '43

RECEIVED

MEMORANDUM FOR THE PRESIDENT

I have just received your memorandum stating that the Secretary of the Treasury called you to say that Phil Murray had called him to say that the case against John L. Lewis is already to go in the Department of Justice but that Senator Lucas and some of his friends are trying to hold it up.

The case is not completed. We have a large number of agents and others working on it now. When you shoot at a king you have to hit him. There has been no attempt by Senator Lucas or his friends to hold the case up.

I shall report to you when the investigation is finished.

Respectfully yours,

Francis Biddle

Francis Biddle
Attorney General

25

September 28, 1943

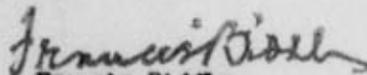
MEMORANDUM FOR THE PRESIDENT

I have just received your memorandum stating that the Secretary of the Treasury called you to say that Phil Murray had called him to say that the case against John L. Lewis is already to go in the Department of Justice but that Senator Lucas and some of his friends are trying to hold it up.

The case is not completed. We have a large number of agents and others working on it now. When you shoot at a king you have to hit him. There has been no attempt by Senator Lucas or his friends to hold the case up.

I shall report to you when the investigation is finished.

Respectfully yours,


Francis Biddle
Attorney General

(1883)

*PSF Justice 7 Biddle folder
2-43*

THE WHITE HOUSE
WASHINGTON

October 7, 1943.

MEMORANDUM FOR THE ATTORNEY GENERAL:

The District Attorney in Delaware is not acceptable to Senator Tunnell for reappointment, and he would undoubtedly object. Your choice for Marshal is O.K. with him.

Why not try to find a place in your office for the D.A. if you think so highly of him. Various allegations have been made against him, however. That would enable you to put in a new man as D.A.

F.D.R.

No papers accompanied the original of this memorandum to the Attorney General.

DECLASSIFIED
By Deputy Archivist of the U.S.
By W. J. Stewart Date 2-25-72

★ ★ ★ ★ ★ ★ ★ ★ ★ ★
FROM THE DESK OF Franklin D. Roosevelt

Atty. Gen.

D.C. in D.C. not acceptable
to Sen. ~~Turner~~'s things not
quite on the level.

Marshall is OK.

Why not bring the D.C. to Washington
a part in a new one.



★ BUY ★
DEFENSE
STAMPS

*7. Biddle folder
2-43*

THE WHITE HOUSE
WASHINGTON

*PSF
Justice*

file →
PRIVATE

November 1, 1943.

MEMORANDUM FOR

THE ATTORNEY GENERAL

This is an order to show
cause why Dean Wayne Morse should
not be appointed to the Judgeship
(Oregon vacancy).

F. D. R.



Office of the Attorney General
Washington, D.C. 25

November 4, 1943

F. Biddle folder 2-43

file
PSF
Justice

MEMORANDUM FOR THE PRESIDENT

On October third, you asked me to let you know what I thought of THOMAS E. MURRAY as Alien Property Custodian.

I have obtained the opinions of Charles C. Burlingham, Bob Patterson, Lamar Hardy, John T. Cahill, and Adolf Berle, all of whom know him or know about him.

Murray was appointed a receiver with Victor J. Dowling of the Interborough of New York by Judge Manton in 1932; continued by Judge Mack in 1934, who thought highly of his work; and by Bob Patterson in 1938. There is no doubt that he has great ability.

Bob Patterson says he is a first class man, conciliatory, gets along with the labor group, and is extremely competent. There can be no question about his business ability and integrity.

Burlingham says that he talked to Seabury and the two Hands, who think well of Murray. Burlingham also tells me that, although he considered Murray shrewd, competent and ambitious, he has some doubt whether he would be strong under pressures.

Murray is an engineer and inventor, and the son of an inventor. He is a rich man (\$5,000,000) and has a family of twelve children. He is in his middle fifties. He is a Roman Catholic and

Memorandum for the President

November 4, 1943

probably a Democrat, although no one seems to know. He is apparently not identified with politics.

Respectfully submitted,

Francis Biddle

Francis Biddle
Attorney General

(1991)

hmc

THE WHITE HOUSE
WASHINGTON

October 23, 1943.

MEMORANDUM FOR
THE ATTORNEY GENERAL

A friend of mine suggests that we consider Thomas E. Murray as Alien Property Custodian. He is a thoroughly good business man in New York and has, I think, an excellent record and reputation. What do you think?

F. D. R.

No papers accompanied the original of this memorandum to the Attorney General.

(Prev. copies on Murray filed - O'Connor folders 4-49)

(7113)

Line

PSF: 7 Biddle folder
Justice 2-43

November 10, 1943

MEMORANDUM FOR

THE ATTORNEY GENERAL

I have been advised of the serious disturbances which recently took place at the Tule Lake, California, Relocation Center of the War Relocation Authority.

I suggest that you make an immediate investigation of the disturbances with a view to taking any appropriate action.

FRANKLIN D. ROOSEVELT

(2118)

November 10, 1943

MEMORANDUM FOR
THE ATTORNEY GENERAL

I have been advised of the serious disturbances which recently took place at the Tule Lake, California, Relocation Center of the War Relocation Authority.

I suggest that you make an immediate investigation of the disturbances with a view to taking any appropriate action.

FRANKLIN D. ROOSEVELT



Office of the Attorney General
Washington, D.C.

THE WHITE HOUSE
Nov 10 11 57 AM '43
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November 10, 1943

MEMORANDUM FOR THE PRESIDENT

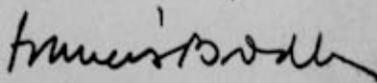
Serious disturbances have recently taken place at a relocation center of the War Relocation Authority at Tule Lake, California.

Five hundred Japanese internees armed with knives and clubs shot up Dillon Myer and some of his administrative officers in the administration building for several days. The Army moved in to restore order.

The feeling on the West Coast is bitter against the administration for what they think is its weak policy towards the Japanese. I believe that we should make an immediate FBI investigation, and indict if any crimes have been committed. These will probably be Federal since they were committed on property owned or leased by the United States. Hoover, however, hesitates to make the investigation on account of the presence of the Army, and because the War Relocation Authority has heretofore made it difficult for the FBI agents to get the facts.

I suggest that it would make for better cooperation if you direct that the investigation be made. I enclose a memorandum which you may wish to send to me.

Respectfully,


Attorney General

PROPOSED MEMORANDUM FOR THE SIGNATURE OF THE PRESIDENT

November 1943.

MEMORANDUM FOR THE ATTORNEY GENERAL

I have been advised of the serious disturbances which recently took place at the Tule Lake, California, Relocation Center of the War Relocation Authority.

I suggest that you make an immediate investigation of the disturbances with a view to taking any appropriate action.

(2216)

Amo

*F. Biddle folder
2-13*

THE WHITE HOUSE
WASHINGTON

*PSF
Justice*

December 27, 1943.

MEMORANDUM FOR

THE ATTORNEY GENERAL:

Will you please discuss this
with Frank Walker first and then talk
with me?

F.D.R.

Memorandum for the President from the Attorney General, 11/3/43, showing cause why Dean Wayne Morse should not be appointed to the Judgeship (Oregon vacancy) on the Ninth Circuit. Encloses copy of his memorandum of 9/30/43 to the President, regarding the matter.