

Federal Communications
Commission, 1940-7-1-43

[PSF: FCC]

September 11, 1940

My dear Mr. President

I requested an engagement for Friday of this week in regard to the proposed National Defense communications work. I know you appreciate the urgency and great importance of this project and are wholly in accord with the government's effort to get it started promptly. I have requested at least thirty minutes of your valuable time. You may be assured that I have made this request with full regard for all pertinent considerations.

Sincerely yours
JAMES LAWRENCE FLY

James Lawrence Fly

The President
The White House

JLF.ak

September 5, 1940

MEMORANDUM FOR HONORABLE STEPHEN EARLY:

In re: Executive Order creating Defense
Communications Board

This is in response to your memorandum of yesterday. The substance of the memorandum is that there should be further delay in the issuance of the proposed Executive Order because some persons in the broadcasting industry have indicated to you that they have objections to certain phases of the Order.

Further delay in the issuance of the proposed Executive Order would seem entirely unwarranted for three reasons:

1. As indicated more fully in my memorandum of August 26, the problem involves the entire range of communications industries rather than merely radiobroadcasting. I need hardly repeat that the work of the proposed Defense Communications Board in the field of cables, international communication, telephone and telegraph will be far more important in the development of the national defense than will the relationship of this Board to domestic broadcasting.

2. It is impossible in a matter of this character, where time and national defense are of the essence, to wait to take action until unanimity of opinion among all members of all the industries involved can be obtained.

*Delivered
by hand
15:20 pm*

3. As a matter of fact, there is surprising unanimity within the communications industries as to the desirability of the proposed Executive Order. I have personally discussed the matter not only with the various government departments involved but also with the representatives of various labor groups and with a large number of executives of the companies in the industries. These have included persons prominent in broadcasting. I am attaching a list of some of the people with whom I discussed this matter. In addition, the subject matter of the proposed Executive Order has been repeatedly and rather fully discussed in the general public press and in the industry press. I should like to make it perfectly clear that no objection to the proposed plan has ever been expressed to me, despite the fact that there have been long and repeated opportunities to do so. So far as there has been any definite expression of opinion, all of the concerns consulted have affirmatively offered their cooperation.

In view of these facts, I find it surprising that, after complete approval of all government departments concerned, objections were made to you causing a two months' delay in this significant and urgent defense measure. I find it all the more surprising that these objections were not made known to me directly and immediately.

Since you have made mention again of Neville Miller's letter, I think it should be pointed out that Miller did not offer any objection to the organization of the Defense Communications Board. He did

make the suggestion that some broadcaster should be placed upon the already created National Defense Commission. Weeks ago, on July 27, 1960, in a conference with the President, I mentioned this suggestion that a broadcaster should be placed in a dominant position in the defense communications field and the President agreed that such a move was not feasible. You will recall that you and I discussed Miller's letter some days ago.

I will confess that I cannot perceive any lack of clarity in the entire record in this matter except as to why such an important and urgent measure has been so long delayed along the road to final promulgation. It was submitted to the White House ready for issuance two months ago. I think it imperative that we do everything possible to expedite the issuance of the Executive Order in order that the coordinating work on the defense plan may proceed. All the government departments concerned have approved the plan and are in accord with the desire to move forward expeditiously.

At the same time, I want to assure you that if any other question has been raised by any one interested in communications, I shall be only too happy to sit down across the table, explain the plan in detail, and iron out any possible differences. The broadcasters, through the public press and the industry press, as you know, have been assured and reassured regarding their position in this work, including representation on appropriate committees. I should hope that no person would have any question outstanding at

-4-

this time. It is surely a situation that deserves the heartiest co-
operation on the part of all parties concerned, and I want you and
the industry to know that I am prepared promptly to do anything and
everything which may be appropriate to that end.

Sincerely yours

JAMES LAURENCE FLY

James Laurence Fly
Chairman

**Attachment to memorandum of September 6, 1941 to Honorable
Stephen Early from James Lawrence Fly, Chairman, Federal
Communications Commission**

**Harry Datcher, Vice President, Columbia Broadcasting
Company**

Edvin Ghindlund, President, Postal Telegraph

**John Goldhammer, Vice President, Commercial Cable
Company**

Mr. Hanley, Tropical Radio Telegraph Company

**Edward Klumber, Executive Vice President, Columbia
Broadcasting Company**

Jack Knuffman, President, Globe Wireless

**Albert J. McGeaker, President, Mutual Broadcasting
System**

**Keith S. McHugh, Vice President, American Telephone
and Telegraph Company**

**Admiral McNamee, President, Mackay Radio Telegraph
Company**

**Frank Phelan, President, All America Cables and
Radio, Inc.**

**Frank Russell, Vice President, National Broadcasting
Company**

David Sarnoff, President, Radio Corporation of America

R. B. White, President, Western Union

THE WHITE HOUSE
WASHINGTON

September 5, 1940

MEMORANDUM FOR HONORABLE JAMES LAWRENCE FLY:

I have received your memorandum of August twenty-sixth together with a suggested press release.

It is my opinion that certain differences exist which should be cleared up before final action is taken by the President on the issuance of the Executive Order you have submitted.

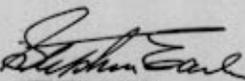
For example, you say in your memorandum of August twenty-sixth, addressed to me, that:

"I have canvassed this matter with all interested government departments and the leading executives of the different phases of the industry. No objection has been raised in any quarter, and all hands have offered to cooperate fully".

It is my information that "the leading executives of the different phases of the industry" have very decided objections to certain phases of the Order.

Moreover, I have a copy of a letter which was addressed to you on July 2, 1940, by Mr. Neville Miller as President of the National Association of Broadcasters. In this letter Mr. Miller makes certain suggestions which have not been given attention so far as my reading of the Executive Order, the memorandum and the press release reveals. My files do not show that you have yet acknowledged this letter from Mr. Miller.

May I, therefore, respectfully suggest that steps be taken to adjust the differences in the statements you give me, particularly in their relation to the statements I have received from some of "the leading executives" of the industry.


STEPHEN EARLY
Secretary to the President

August 26, 1940

MEMORANDUM FOR HONORABLE STEPHEN EARLY:

In re: Executive Order creating Defense
Communications Board

This is to supplement our conversation of the other day covering, generally, the proposed Executive Order creating a Defense Communications Board and, more specifically, the problem of participation by the domestic broadcasting industry in the planning to be carried forward by the Board.

In this connection I should like to make the following points:

1. The members of the Defense Communications Board are to be: Chairman, Federal Communications Commission; the Chief Signal Officer of the Army; Director of Naval Communications; an Assistant Secretary of State; and an Assistant Secretary of the Treasury.

2. This is not primarily, or even in greater part, a broadcasting matter. The proposed executive order provides basically for the vital function of the planning of our communications and their utilization and control for purposes of national defense and national security. Domestic and international radio, cable, telephone and telegraph communications facilities of all types are to be comprehensively considered.

3. The board is a planning agency for defense purposes. It is not an operating agency or a procurement agency.

4. There is no ground for anticipating any dislocation of the broadcasting industry from its normal functioning--either now or in the future. Moreover, apart from an actual emergency, we do not anticipate important concrete action affecting the conduct or facilities of that industry, as distinguished from the drafting of plans against any probable eventuality.

5. All plans involving ultimately the utilization of private facilities, or requiring industry cooperation, will be adopted only after consultation with industry representatives, and the particular private companies whose properties may later be involved.

6. To this end the Board, with industry and labor cooperation, will appoint committees to advise upon all phases of the communications industry, e.g., telephone, telegraph, cables, international radio, international broadcasting, domestic broadcasting, labor, etc. Enumeration of a complete list of particular committees is impossible until organization meetings of the board are held. It can be stated, however, that subcommittees under these committees will be formed to consider and advise upon particular problems. In

the broadcasting field, for example, questions of domestic foreign language broadcasts, international broadcasting, propaganda, etc. will be treated. In the common carrier field, specific problems falling under the general headings of the adequacy and flexibility of facilities and dislocation of the normal functioning of communications systems will be given study in this manner. The great variety of important problems which will undoubtedly present themselves makes it impossible to attempt to name at this time all the advisory groups which will be considered necessary. It should be added that where the activities of the Board impinge upon any functions of government departments, representatives of such departments will be placed upon appropriate committees.

7. Caution must be exercised not to place any particular member of the communications industry above the various other interests. In this connection, warnings have been given by governmental departments, members of the industry, and labor organizations. I have no doubt that the better procedure is to have comprehensive industry representation on the various committees.

I have canvassed this matter with all interested government departments and the leading executives of the different phases of the industry. No objection has been raised in any quarter, and

-4-

all hands have offered to cooperate fully. Through speeches, the press, and trade publications the broadcasting industry has been assured and reassured that it has no cause for concern in this matter. I am confident that no material question remains outstanding. The entire matter is of such vital importance that it is hoped the executive order may issue without further delay.

Sincerely yours

James Lawrence Fly
Chairman

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

PSF →

Retain
Chairman's copies of articles
confidential memoranda that you have
and to what House or creation of the
Bill (P.C.W.) -

COMMISSIONERS

JAMES LAWRENCE FLY, CHAIRMAN
RAY C. WAKEFIELD
PAUL A. WALKER
NORMAN S. CASE
GEORGE HENRY PAYNE
T. A. M. CRAVEN
FREDERICK I. THOMPSON

PSF
↓
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.

May 5, 1941

ADDRESS ALL COMMUNICATIONS
TO THE SECRETARY

T. J. SLOWIE, SECRETARY

Fib personal

Dear Mr. President

The attached memorandum gives the high lights of the measure dealing with the problem of monopoly in broadcasting.

I should hope that you might read the entire Report. Knowing, however, the limitations upon your time, I would suggest if possible you read the following brief portions which I have marked in the Table of Contents and also at the appropriate pages.

- II (c) Summary of RCA's scope of operations, pages 18-20, is, I think a very challenging one.
- VII The discussion of Network-Affiliate Relations on Competition, pages 46-51, convincingly, I think, grounds this Report in great measure on the anti-trust laws.
- IX The Conclusion, pages 88, 89, will be of interest. The Regulations, themselves, are set forth at page 91.

With great respect and my kindest regards,

Sincerely yours

James Lawrence Fly
James Lawrence Fly
Chairman

The President
The White House

RE: BROADCASTING MONOPOLY

Two men (Sarnoff and Paley) can say what more than half of the people may or may not hear. NBC and Columbia networks control 86% of the total night-time radio power in the country. With their close affiliation with the newspapers they can measurably influence what the people may read. Democracy cannot rest upon so frail a reed.

Restraints of competition foreclosing any possible new network were effectuated by the big networks imposing restrictions upon the freedom of the station licensees. These restraints are being lifted. Freedom of action by the station and the opportunity for network competition are being restored by the following means:

Exclusivity no longer to be imposed. Network will make contract for regular affiliation and station will hold itself out as the regular affiliate. But station remains free to take preferable programs from other sources.

Elimination of Option time. (I.e., network tying up the station's time without commitment to use it.) This time is opened up to all program sources on an equal basis; it also affords opportunity for local or regional public interest programs.

Length of affiliation contract. Reduced from a maximum of five years to one year. Other networks may now bid for the affiliation without being excluded for a five-year period. Contract may be discussed indefinitely in advance, and affiliation contracts may be signed sixty days in advance of the year. (No advertising contract runs for more than a year; one year affiliation contract is practicable.)

NBC to divest Blue Network. NBC now has two big networks of about 214 stations, having over 50% of the total night-time power wattage. (Mutual cannot take Blue Network over under our rules.) Even Commissioners Craven and Case, who dissented, favor a separation of the Red and the Blue.

Network ownership of stations forbidden. No network is to own a station where this ownership prevents network competition; e.g., in Cleveland where there are only three full-time stations.

The Communications Act makes the prohibitions of the Sherman Act specifically applicable to broadcasting. The Supreme Court said in a recent decision that the Communications Act "recognizes that the field of broadcasting is one of free competition." And that "Congress intended to leave competition in the business of broadcasting where it found it."

In the light of the foregoing, it is contrary to the public interest to permit the use of licenses as a means of monopolizing this vital public facility. Moreover, the statute specifically authorizes the Commission to make special regulations for stations engaged in chain broadcasting.

2 enclosure: Report on Chain Broadcasting,
F. C. C., Comm. Order No. 37, Docket
No. 5060, May, 1941.

File Library

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

August 11, 1941

JAMES LAWRENCE FLY
CHAIRMAN

*PSF F.C.C. Files
file
personal 2-41*

Miss Grace Tully
Secretary to the President
The White House

Dear Miss Tully

Herewith special summary of the Axis radio propaganda regarding the President. I want to keep him fully informed on significant phases of Axis propaganda, but I think you will know better than I whether it would be well for him to see this particular memorandum. I am sure it will be in order for him to see the memorandum entitled "Hoover Inspires the Axis Radio" which is also enclosed herewith.

Sincerely yours

James Lawrence Fly
James Lawrence Fly
Chairman

Enclosures

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.

(COPY)
August 11, 1941

Miss Grace Tully
Secretary to the President
The White House

Dear Miss Tully

Herewith special summary of the Axis radio propaganda regarding the President. I want to keep him fully informed on significant phases of Axis propaganda, but I think you will know better than I whether it would be well for him to see this particular memorandum. I am sure it will be in order for him to see the memorandum entitled "Hoover Inspires the Axis Radio" which is also enclosed herewith.

Sincerely yours

James Lawrence Fly
Chairman

FEDERAL COMMUNICATIONS COMMISSION

FOREIGN BROADCAST MONITORING SERVICE

August 5, 1941

THE AXIS RADIO: PORTRAIT OF PRESIDENT ROOSEVELT

THE BERLIN RADIO

The personal maneuvering of President Roosevelt and his set, according to Berlin, determines American policy. Such has been Berlin's tune during July, a continuation of long-standing policy.

"Who is entirely responsible for the foreign policy of the United States? The Free Mason President of the U. S."

Through the device of placing responsibility for American actions on the shoulders of the President, Berlin has been able to simplify its attack upon the United States while attempting to alienate the American people from their leader.

Comments on the President follow two patterns: attacks on him as a man, and attacks on the "interests" allegedly behind him.

Roosevelt the man. The "cynicism," "hypocrisy," and "ruthless ambition" of the President are constantly stressed by Berlin.

"The President of the United States... does not hesitate to sacrifice the interest of his own country on the altar of his personal ambition.

"Roosevelt's so-called defense of threatened people is nothing more or less than a grandiose swindle.

"...To top the climax, this wild man whom some people still dare to consider a head of democracy... runs after every war that is taking place in any part of the earth."

The President's policies reveal his true colors, in Berlin's view.

"There has rarely been a shabbier foreign policy than that of President Roosevelt with its undisguised and brutal imperialism."

America's relations with Russia are also being determined by Presidential scheming, according to the Axis.

"... Roosevelt is now preparing his last miserable trick; merely to guide his own people into the war shoulder to shoulder with Bolshevism. He is doing this after having sabotaged the possibility of collective bargaining among the European peoples, and after having shot one country after another into the war for the sake of plutocratic greed."

Such actions, charges Berlin, have made the American people distrustful of their President.

"Since he is well acquainted with the sentiments of the American people, he has concealed his plans... and gone on step by step... placing before them only the fait accompli."

Those Around the President. Incompetent, scheming, and sinister advisers surround the President.

Their stupidity is such, according to the German radio, "that in their native cities they would not even do as dog catchers."

First in viciousness among those around the President, according to Berlin, are the Jews.

"He has disregarded the American people in order to hitch the United States to the wagon of Jewish interests."

How closely the President supposedly is connected with this group appeared in an "expose" of July 23.

"A hideous plan for the extermination of the entire German people is presented in a book which has just been published in New York under the title, 'Germany Must Be Destroyed.' Peculiar is the fact, however, that the author of this book should be the Jew, Theodore N. Kaufman,Kaufman is one of

the closest associates of Samuel Rosenman, intimate consultant to President Roosevelt. In the Jewish literary circles of New York, one brags that Roosevelt inspired the greater portion of the work and personally dictated large portions of the book. This book clearly indicates that the plan supposedly formulated by Kaufman is nothing more than a presentation of Roosevelt's political ideas."

Russian Bolshevism is also highlighted by Berlin as a force behind the President's actions.

"Roosevelt is the first Communist of the White House All types of Communists enter the White House as guests of Mrs. Roosevelt."

The President, "and a small clique of war-monger shareholders in armaments plants," Berlin likes to imply, are giving first consideration to Britain.

"Obviously, the British War Lords expected more and the President of the United States promised more than the people of the United States are prepared to risk for the salvation of England's royal clique."

All signs point to Roosevelt's corrupt connections. The conclusion is obvious.

He is "the most irresponsible and incapable politician who has ever headed the Government of the United States."

THE ROME RADIO

Rome's treatment of the President is almost identical with Berlin's. The picture of Roosevelt the man follows the usual lines: "irresponsibility," "arrogance," "mad ambition," "an inferior dictator." As in German transmissions, he is charged with "neglect" of American public opinion in favor of "Anglo-Jewish, North American plutocrats" and "world Bolshevism." American policy is, pure and simple, the personal doing of the President.

"Roosevelt is a typically self-willed man who will continue on his way in the face of Congress and the North American people ... Roosevelt is the ... President of gold and he believes firmly in the superiority of the dollar over all other values ..."

More bombastic and exaggerated than German transmissions, Rome's charges against the President are frequently quite colorful. He has been called "the stuffed shirt of the White House," his advisers charged with being "Jewish fugitive immigrants." His ambitions are endless, states Radio Roma.

"The whole Roosevelt family is united like a dynasty. His pet scheme is to found a dynasty ... of North American Presidents. Now there are no longer any doubts about the President's intentions."

Like Berlin, the Rome radio features the charge that Roosevelt is controlled by the Jews.

"He has Israel in his home and Israel in his blood."

And as for Russia, "his secret pact" with Stalin is "another sign of his bad faith and insincerity."

So far as Roosevelt is concerned, the Italian and German short-wave broadcasts are well integrated.

THE TOKYO RADIO

Tokyo's comments on Roosevelt are somewhat out of joint with those of her Axis 'cousins. Rarely is American policy spoken of as the one-man show of Roosevelt, and rarely is the President treated in any other role than a public figure. When comments about the villainous actions of the President are made, they tend to be put into the mouth of the third party. An example is the following charge which Tokyo attributes to the Italians:

"Rome reports that President Roosevelt is preparing an attack against the liberty of Europe by his seizure of Iceland."

Tokyo's broadcasting tone, being primarily reportorial, does not lend itself to violent attacks against the President. On the whole, what comments appear are very pallid copies of the portraits of Roosevelt emitted by the other Axis transmitters. Such mildness may be in line with Tokyo's consistent policy of keeping the door open for conciliation with the U.S.

The President

CONFIDENTIAL

FEDERAL COMMUNICATIONS COMMISSION

Foreign Broadcast Monitoring Service

Special Analysis #1

August 5, 1941

HOOVER INSPIRES THE AXIS RADIO

Today America herself supplies much of the ammunition for Axis short-wave propaganda to this country. The Berlin and Rome broadcasters continually exploit incidents in the United States favorable to the Axis cause. They select and quote anti-Roosevelt items from American newspapers and radio commentaries, and ransack the speeches of prominent American isolationists for ideas. A recent address by Herbert Hoover, for example, inspired a sudden shift in the propaganda line of the Rome radio.

During the week preceding June 30, the appeals sent by Italian Short-Wave to North America had been typically Italian and European in character, referring to the "International Jewish Clique" behind the "Plutocracies" and Russia, the "Bolshevik Menace" to Christian European civilization, "British Perfidy," the struggle of "Labor versus Gold," etc.

Shift to "American" Appeals. On June 30, however, Radio Roma began sending out a series of appeals that had a strangely American ring. They were appeals that an American isolationist might make to his fellow-countrymen, such as the following:

The Communist International has continually carried on a world conspiracy against Democracy.

American churchgoers should oppose any governmental aid to a regime whose slogan is: "Religion is the opiate of the people."

Opposition to entry into the war on the part of the American people has grown stronger.

The American Congress should have responsibility for determining peace or war; further "centralization of authority" should be avoided.

The source of this new development in Italian propaganda can be readily found. On June 29, Herbert Hoover gave a nation-wide radio address opposing American intervention in the war and American aid to Russia. Radio Roma promptly took up the leads from this address and sent Hoover's arguments and symbols back to America repeatedly for the next five days.

Use of Hoover's Arguments. The extent of the Italian use of Hoover's ideas can be seen from the following data. If we take the total number of arguments disseminated by Radio Roma from June 24 to July 4, and consider what proportion of them resembled Hoover's arguments, we find that prior to the speech, there was very little resemblance, but immediately after the speech, the vast majority of the arguments used by the Italians were the same as or very similar to the arguments advanced by Hoover. The following table shows on a day-to-day basis the percentage of appeals coming over the Italian radio which resembled Hoover's arguments.

<u>DATE</u>	<u>PERCENTAGE OF ITALIAN APPEALS SIMILAR TO HOOVER ARGUMENTS</u>
June 24	0 %
June 25	0 %
June 26	0 %
June 27	4 %
June 28	0 %
June 29	3 %
June 30	78 %
July 1	64 %
July 2	82 %
July 3	22 %

After July 3, the percentage of Hoover's contributions to the Rome Radio declined somewhat, and his arguments became integrated with more typical Italian arguments to form a stock feature of Italian propaganda.

FCC. Folder.
2-11

THE WHITE HOUSE
WASHINGTON

PSF

PRIVATE AND CONFIDENTIAL
October 10, 1941.

MEMORANDUM FOR

HON. JAMES LAWRENCE FLY

What do you think I should
say to Jim Cox?

F. D. R.

Telegram from James M. Cox, Dayton, Ohio, 10/9/41 to the President marked "Personal". States that regulations, apparently in re net work system in radio, have been submitted to the Commission and that final action will ensue today. Says the plan destroys the net work system in radio, that will in due time destroy radio as we know it, and pass it into control of five or six advertising agencies.

DECLASSIFIED
By Deputy Archivist of the U.S.
By W. J. Stewart Date JAN 31 1973

F.C.C. folder
2-43

THE WHITE HOUSE
WASHINGTON

February 15, 1943

PSF
MEMORANDUM FOR

HON. JAMES LAWRENCE FLY

That is a mighty interesting story about the illegally operated radio station, and I am glad our detectors or detectives are so good!

F. D. R.

COMMISSIONERS

JAMES LAWRENCE FLY, CHAIRMAN
PAUL A. WALKER
NORMAN S. CASE
GEORGE HENRY PAYNE
T. A. M. CRAVEN
RAY C. WAKEFIELD
C. J. DURR

~~SECRET~~

ADDRESS ALL COMMUNICATIONS
TO THE SECRETARY

T. J. BLOWIE, SECRETARY

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.

FEB 11 1943

~~SECRET~~

MEMORANDUM TO THE PRESIDENT:

I wish to give you this brief report regarding the detection by our engineers of an illegally operated radio station which was promptly reported to FBI. It is an excellent example of the effectiveness of our monitoring operations and gives me added assurance that the enemy could not operate radio stations in this country without being detected.

On December 23, 1942 our monitoring station at Fargo, North Dakota picked up a suspicious signal which, upon investigation by our primary monitoring stations, proved to be a signal coming from the general vicinity of New York City. (Chart No. 1 shows the long-range radio bearings from seven of our direction-finding stations and the resulting "fix" in the general vicinity of New York City.)

The station was heard transmitting for a brief period on January 3 and thereafter remained silent until January 20. During all this period our mobile units patrolled the general area around New York City and began picking up signals on

FOR DEFENSE



BUY
UNITED STATES
SAVINGS
BONDS
AND STAMPS

DECLASSIFIED

E. O. 11652, Sec. 5(E) and 5(D) or (2)

NND 760111

By FILE

APR 22 1976

SECRET

~~SECRET~~

- 2

January 20. However, the clandestine station did not stay on the air long enough during this period for our engineers to obtain positive information with respect to the exact location of the transmitter. They were also confronted with other difficulties due to shielding and reflection from high buildings in New York City.

The station was next heard and positively identified on February 3, 1943. You will note on Chart No. 2 that the station is located at the Soviet Consulate, 5-7 East 61st Street, New York City.

After reporting this to the Federal Bureau of Investigation, our next task was to locate a station with which the New York station was endeavoring to establish communication. Chart No. 3 shows the result; i.e., a station somewhere near Moscow.

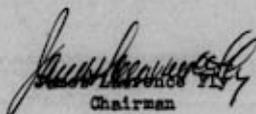
Thus far the stations have not exchanged message traffic but appear to be getting lined up for regular schedules. This is not the first case of illegal radio operation. A station at the German Embassy was located by our monitors within a few days after Pearl Harbor, and other clandestine stations have been traced to South America, Africa and Europe.

We have carefully guarded this information to make sure that the people operating the Soviet station are not aware of our

~~SECRET~~

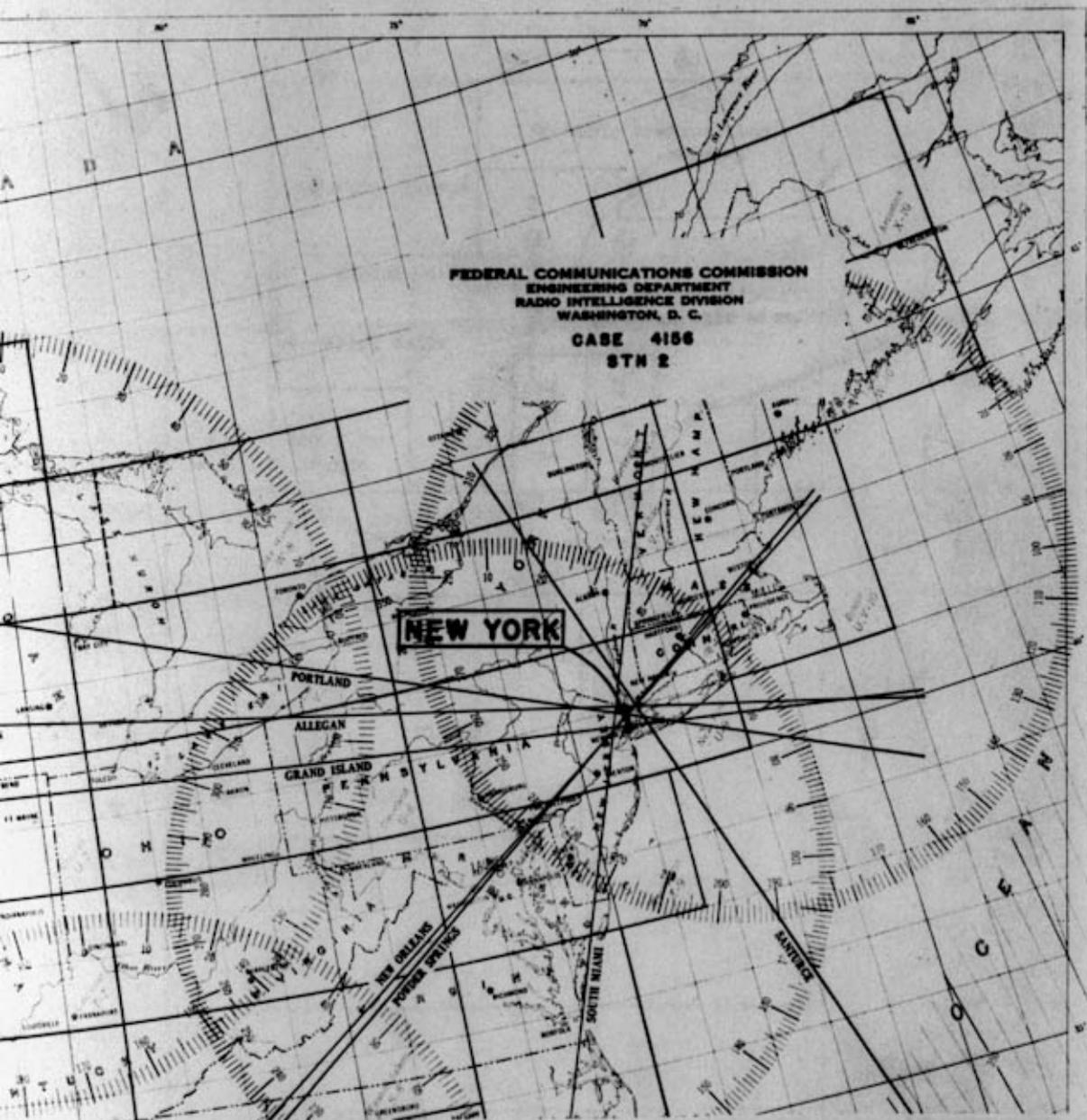
- 3

discovery. As stated above, this case is now in the hands of the Federal Bureau of Investigation and, I believe, that agency has discussed the matter with the Department of State.


James Lawrence Fly
Chairman

Attachments

CHART No. 1



Radio Bearings obtained from seven of our direction finding stations produce a fix in the vicinity of New York City as indicated.

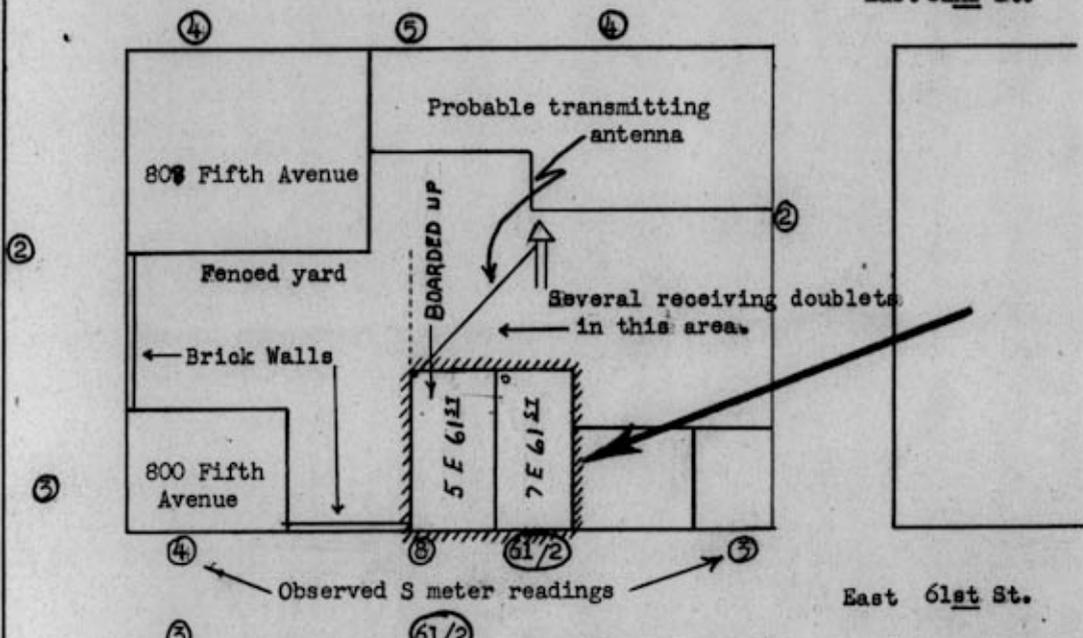
STREET SKETCH FOR WACA 4156

Chart No. 2.

MANHATTAN



East 62nd St.

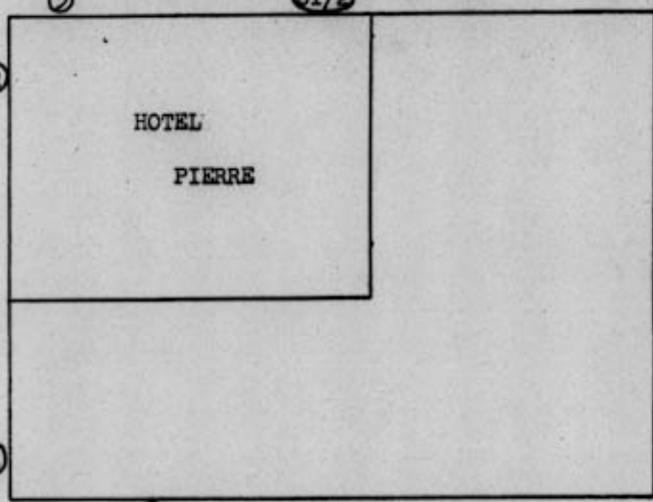


C E N T R A L P A R K

FIFTH AVENUE

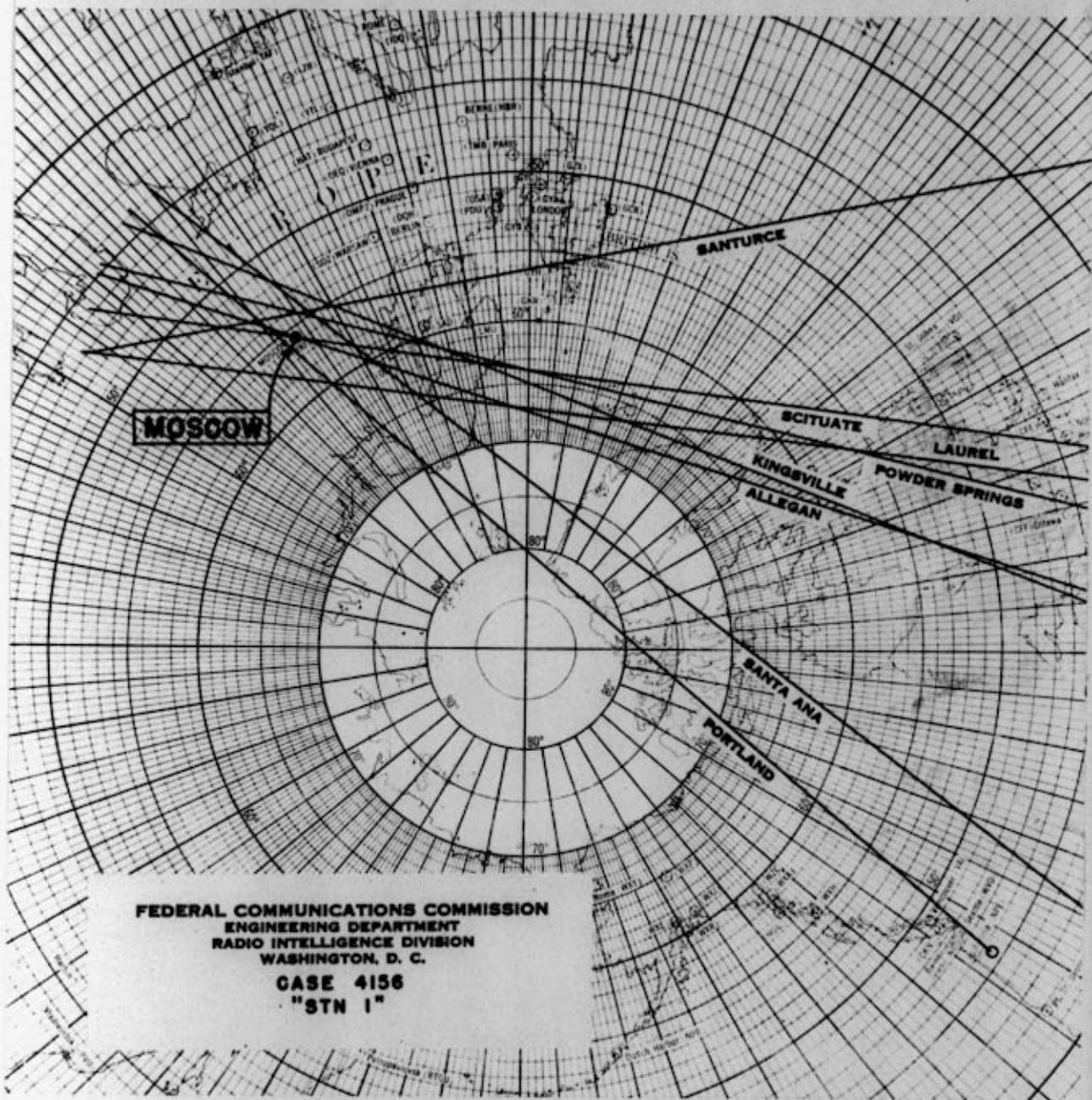
MADISON AVENUE

East 61st St.



East 60th St.

NOTE: 7 East 61st Street has a placque indicating this building is USSR Consulate. S meter readings with approx. 6" of antenna on SX-28.



FEDERAL COMMUNICATIONS COMMISSION
ENGINEERING DEPARTMENT
RADIO INTELLIGENCE DIVISION
WASHINGTON, D. C.
CASE 4156
"STN 1"

Radio Bearings obtained from eight of our direction finding stations produce a fix in the vicinity of Moscow as indicated.

file

THE WHITE HOUSE
WASHINGTON

*Line to the fly
Pres. when fly
comes in*

March 17, 1943.

MEMORANDUM FOR

GENERAL WATSON:

I want to see Larry Fly.

F.D.R.

F. C. C. folder
PSF

GREENBAUM, WOLFF & ERNST
285 MADISON AVENUE
NEW YORK
TELEPHONE CALEDONIA 8-1882

LAWRENCE S. GREENBAUM
EDWARD S. GREENBAUM
HERBERT A. WOLFF
MORRIS L. ERNST
JONAS J. SHAPIRO
SAMUEL J. SCHUR
ALEXANDER LINDEY
JEROME HANDLER
IRVING MINTZ
THEODORE S. JAFFIN
BENJAMIN KARLAN
LEO ROSEN
JOSEPH M. GOLDBERG
HAROLD H. STERN
HARRIET F. PILPEL

THE WHITE HOUSE
MAR 17 8 43 AM '43
RECEIVED

March 16, 1943.

Hon. Franklin D. Roosevelt
The White House
Washington, D.C.

Tidbits

Dear Governor:

1. When John O'Donnell cracked down on Elmer Davis for going on the air because it would cut down the income of other commentators, I took the matter up with the Commentators Association. That Association, headed by Kaltenborn, refused to go on record commending Elmer for going on the air. I know as a fact that Kaltenborn opposed any such public declaration but that Quincy Howland and a few of my personal friends sent letters to Elmer. In view of Taft's further crack at Elmer on this score, have you any suggestions for me to move further?

2. In connection with the investigation of deferments from the draft, somebody ought to take a look at deferments obtained by Sarnoff and Paley in comparison to the deferment by government agencies using radios, etc.

3. Whenever you get around to your first meeting of the representatives of the United Nations, it might be well to have the meeting held in Constitution Hall in Philadelphia, if for no other reason than to indicate that the first motion passed in the Convention of 1787 was the motion which saved the Convention. This provided for secrecy as to the opinion of delegates at the Convention. If the conferences do not have some such rule, the isolationist press will proceed to try to wreck the Convention. I am enclosing a copy of the brief discussion on this subject of Monday, May 28th, 1787, at the Constitutional Convention in Philadelphia.

Handwritten marks:
M
N

4. As you know, I have been following Jim Fly and the FCC with quite some care:

(a) I think Jim should launch into Congressman Cox, who is Chairman of the Committee set up to try to wreck

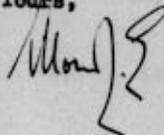
GREENBAUM.WOLFF & ERNST

-2-

the FCC. Cox is under real suspicion, as you know, and my guess is you will find in the Department of Justice a report indicating that Cox should be prosecuted for practicing before the FCC. I have suggested that Jim should see you because he can steal the show away from Cox.

- (b) I urge that you do not allow the Army to take over those portions of the FCC which they are now trying to grab. There is nothing but greed of certain officers that makes the Army obtain broadcasting stations of its own without permission of FCC and in conflict with OWI.

Yours,



Enc (1)

Excerpt from Minutes of Constitutional
Convention, Philadelphia, May 28, 1787.

"Mr. King (33 years old) [Mass.] objected to one of the rules in the Report authorizing any member to call for the yeas and nays and have them entered on the minutes. He urged that as the acts of the Convention were not to bind the Constituents, it was unnecessary to exhibit this evidence of the votes; and improper as changes of opinion would be frequent in the course of the business & would fill the minutes with contradictions.

"Col. Mason (60 years old) [Va.] seconded the objection; adding that such a record of the opinions of members would be an obstacle to a change of them on conviction; and in case of its being hereafter promulgated must furnish handles to the adversaries of the Result of the Meeting.

"The proposed rule was rejected nem. contrad certe."

PSF *F.C.C. folder*
2-43
file
personal

THE WHITE HOUSE
WASHINGTON

May 31, 1943.

MEMORANDUM FOR MAC:

Will you call up Larry Fly and say I hear there is a rumor that the McCormick-Patterson crowd have offered \$10,000,000 for the Blue Networks?

I think this ought to be stopped without any question. It is bad enough to have them on Mutual. Will you let me know?

F.D.R.



San Francisco Overland Limited

Chicago and North Western Ry.
Union Pacific Railroad
Southern Pacific

May 25, 1943

Dear Mrs Roosevelt,
I heard in Chicago day before yesterday, that the Mc Cormick-Patterson interests have offered \$10,000,000 for the BLUE NETWORK, which I understand is being held for \$17,000,000. It was told me that a Detroit syndicate, a Wall St group, and the Warner Bros in LA had also made offers.

Could'n't the Administration either form a group to purchase it, or outlaw its sale for the moment?

I am Nevada-bound to secure my Army Retirement tomorrow morning. Expect to remain on my ranch out here a few weeks and can be reached care of the RIVERSIDE HOTEL, Reno. With every good wish,

Yours respectfully,

Neil Vanderbilt

COMMISSIONERS

JAMES LAWRENCE FLY, CHAIRMAN
PAUL A. WALKER
NORMAN S. CASE
GEORGE HENRY PAYNE
T. A. M. CRAVEN
RAY C. WAKEFIELD
C. J. DURR

file Personal

Discussed with Admiral King Redman & Leahy June 9/10

ADDRESS ALL COMMUNICATIONS TO THE SECRETARY

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.

PSK
T. J. SLOWIE, SECRETARY
7 C. C. folder 2-43

June 7, 1943

File WS

Dear Miss Tully

Since my conversation with you on Saturday, I have learned that Admiral Redman recently spent three hours before the Cox Committee in executive session - no word to me before or after the event. This tends to confirm the rumors, and the statements of Cox that Army and Navy officials are feeding him the "dope." Before seeing McCormack's letter to Marvin McIntire, I had heard that the Cox people had the secret correspondence with the President on the jurisdictional grab. The McCormack letter makes it clear that they do have it. False statements in those secret letters - particularly the one written the President in the name of the Joint Chiefs are highly damaging.

The whole thing fits into a frame of political pressure from our political enemies - even the Budget is softening a bit under this threat. This is all a softening up process whereby the Army and Navy hope to force the surrender of our very efficient radio intelligence operations; that in turn will so impair our standing that they can then make the complete kill and take over control of all communications via their proposed National Communications Board.

This all sounds fantastic - but all the basic facts are there and all indicators point in the same direction. On the Commander-in-Chief only can we rely. I venture to hope that the enclosed draft or something comparable will go forward to the Secretary of the Navy with a copy to the Secretary of War for his information and guidance.

Very sincerely

Enclosure

Miss Grace Tully
Secretary to the President

James Lawrence Fly
Chairman



DRAFT

The Honorable
The Secretary of the Navy

Dear Mr. Secretary

I understand that Rear Admiral Joseph R. Redman, Director of Naval Communications, recently appeared in executive session before representatives of the Congressional Committee investigating the Federal Communications Commission and gave testimony regarding the radio intelligence facilities and functions of the Commission. I also understand that no notice was given to the Commission as to the contemplated appearance and that no report has been given the Commission as to the testimony given.

As you and Admiral Redman know, the Secretaries of War and Navy have proposed to me the transfer of the Commission's radio intelligence facilities and personnel to the War Department. This proposal has received the careful study of the executive office and the matter is now pending and will soon be determined by me. The action taken by Admiral Redman under these known circumstances cannot meet with my approval.

For the future guidance of the Navy Department, it should be borne in mind that the investigation of the Federal Communications Commission is being carried on by a group hostile to the Administration and the Commission. Much testimony has been taken in executive session before a Committee member or a lawyer employed by the Committee. The Commission has not been permitted to have any representative present at these sessions or to purchase a copy of any transcript of testimony. I would request that the appropriate officers of the Department be instructed to endeavor to avoid any action which will further burden the Commission in the course of this investigation. In order that the Commission may have some idea of the testimony which it will be requested to meet, please direct Admiral Redman and any other officers who may have testified or furnished information to the Committee to get in touch with Chairman Fly and promptly furnish him with a complete statement of the testimony or information given.

THE WHITE HOUSE
WASHINGTON

June 9, 1943.

MEMORANDUM FOR MAC:

You might tell John McCormack that literally nothing has been done in regard to the recommendation of the Joint Chiefs of Staff on February first, except that the matter is in the process of study by the Bureau of the Budget and the Attorney General.

The President does not quite understand how a political issue can be made out of something that is a very complicated subject now under study.

F.D.R.

[Handwritten signature]

File
confidential
file

PSF
F.C.C.

EXECUTIVE OFFICE OF THE PRESIDENT
BUREAU OF THE BUDGET
WASHINGTON, D. C.

MAY 28 1943

Colonel Marvin A. Mallory
The White House
Washington, D. C.

MEMORANDUM FOR THE PRESIDENT

Subject: Transfer of Radio Intelligence

The Executive order on the above subject, to which Majority Leader McCormack refers in his attached letter, was forwarded to the Department of Justice on May 21. We also forwarded a revised draft embodying the recommendations of the Bureau of the Budget. The problem is a rather troublesome one, and we devoted a lot of time to it. We were not wholly satisfied even with our own recommendation; we can only say that our recommendation seemed to be the least objectionable alternative disposition, in terms of the aggregate views of all concerned and the broad issues involved.

From conversation with a representative of the Department of Justice last night I gather that the Department is studying the policy side of the Executive order, since the Department, and particularly the FBI, is a consumer of services now furnished by the Federal Communications Commission. I would assume that the position of the Department of Justice will be resolved shortly and that the Attorney General will then promptly forward the documents to you.

The recommendation incorporated in the Bureau of the Budget revision of the draft of Executive order still stands.

Wayne Coy
Acting Director

Enclosure

Office of the Majority Leader
House of Representatives U. S.
Washington, D. C.

May 24, 1943

Colonel Marvin H. McIntye
The White House
Washington, D. C.

CONFIDENTIAL

Dear Marvin:

Confirming my telephone talk with you I understand that under date of February 1, 1942 Admiral William D. Leahy, acting for the Joint Chiefs of Staff in a strong recommendation recommended that certain activities of the Federal Communications Commission to wit: "All functions, powers, and duties of the Federal Communications Commission in the field of radio, intelligence and, particularly; in the conduct of direction-finding activities; the location of enemy radio transmission abroad and at sea; the interception of radio traffic of foreign countries (excluding voice broadcasting); the detecting, location and suppression of clandestine or illegal stations both abroad and within the limits of the United States, its territories and possessions and the area occupied by its armed forces; the giving of radio and direction-finding navigational aids of vessels and aircraft; the monitoring of United States Army and Navy communications circuits and the maintenance of distress frequency watches" be transferred to the "Department of War and Navy in accordance with the distribution of function established between them."

I also understand that under date of February 8 Secretary Stimson and Secretary Knox joined with the U. S. Chiefs of Staff in recommending that the President promulgate an Executive Order which would accomplish the above results.

JOHN W. McCORMACK
12TH DIST. MASSACHUSETTS

EUGENE T. KINNALLY
SECRETARY

Office of the Majority Leader
House of Representatives U. S.
Washington, D. C.

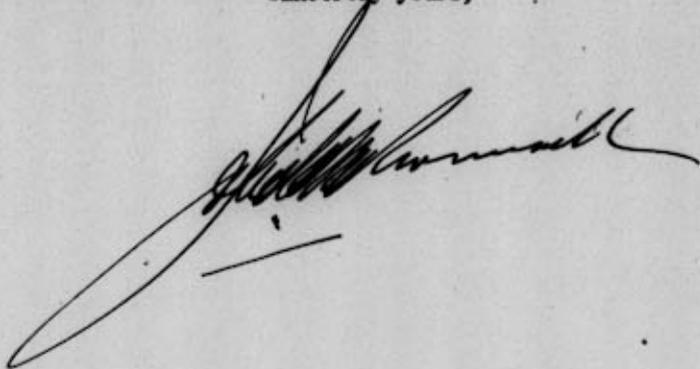
-2-

on this matter -

I told you over the telephone the reliable source this information came from--a friendly source--persons who called to see the Speaker and myself, and that this information had been obtained by a Republican Member of Congress, and they understood he had discussed it with other Republicans and that at a later date they intended to make a political issue of it. The Speaker and I felt this information was so important that it should be submitted to the President, with the suggestion that if the President intended to sign the Executive Order which is before him that early action, prior to it being made a political issue, would prevent such an issue of division being made by any Republican Member or Members of Congress who might undertake to make it an issue.

With kind regards, I am

Sincerely yours,



PSF
F.C.C.
THE WHITE HOUSE
WASHINGTON

June 19, 1943

MEMORANDUM FOR GRACE TULLY:

x1059
Mr. James Lawrence Fly called
this morning in regard to the letter
to the Secretary of the Navy con-
cerning the appearance of a Naval
Officer before the Cox Committee.

x C.F. War

PSF 7 C.C. folder 2-43

Department of Justice
Washington

JAMES ROWE, Jr.
THE ASSISTANT TO THE ATTORNEY GENERAL

June 20, 1943

CONFIDENTIAL

MEMORANDUM FOR THE PRESIDENT.

FCC Order

In the absence of the Attorney General two points should be emphasized:

(1) The very serious question of whether the Army should continue to take over civilian functions which are being capably and thoroughly handled by civilian agencies. It is a matter of common gossip that the Army and Navy have been lobbying on the hill to bring pressure to bear to get this order signed by you. No one seems to be able to name the officers. However the only way certain politicians could have found out about it was from FCC, the Army or the Navy. I am inclined to the belief that the FCC would not inform Congressman Cox.

(2) The other consideration, aside from the merits, is whether such a drastic slash in the powers of Larry Fly should be taken at this time when he is under attack from certain elements in the Congress. The mere fact that Eugene Garey is counsel shows that the motives are primarily political when one remembers Garey's past association with the Liberty League and other such organizations.

Incidentally the Cox Committee, through Garey, are trying to get hold of this file. Garey has written the Budget demanding the file. I suggested to the Budget they ask for an opinion from the Attorney General indicating the Committee cannot have the file for the perfectly obvious reason that all papers from the Budget and the Departments concerned are for the purpose of rendering confidential advice to the President. I would think even Garey would know that much law!

JHR

James Rowe, Jr.



*File
Confidential*

*PSF 7.C.C. folder
2-43*

THE WHITE HOUSE
WASHINGTON

June 26, 1943.

MEMO FOR GRACE:

Chairman Fly called to say he understands that the President requested from the Navy Department a statement of whatever information or testimony that Admiral Redman gave before the Cox Committee two weeks ago. He would like to have a copy of that report.

djb

PSF; F.C.C. folder

THE WHITE HOUSE
WASHINGTON

2-43
file
personal

██████████
June 26, 1943.

MEMORANDUM FOR

THE ATTORNEY GENERAL
THE DIRECTOR OF THE BUDGET

In view of the fact that all papers relating to the proposal and Executive Order redistributing certain radio functions from FCC to Army and Navy are highly confidential, you are hereby directed not to give to the Cox Committee, or to its Counsel, Mr. Garby, any file on this subject. The papers relate to the purpose of rendering confidential service to the President.

If you so desire, you may return all files to the President.

No action has been taken in this matter by me.

F. D. R.

DECLASSIFIED

By Deputy Archivist of the U.S.

By W. J. Stewart Date JAN 31 1973

file under 7.C.C folder 2-43
THE WHITE HOUSE
WASHINGTON

July 1, 1943. *PSF*

CONFIDENTIAL

MEMORANDUM FOR

The President:

Returned for your files.

The attached report refers specifically to a routine inspection by the Joint Communication Board of the cryptographic security, i.e. stowage, use, and types of codes and ciphers, in the Federal Communications Commission.

As a wartime measure, the services of the Joint Communication Board were made available by the Joint Chiefs of Staff on a voluntary basis to all government agencies using cryptographic facilities, for inspection and advice regarding such matters, and to insure that no information of value should reach the enemy.

Favorable responses and excellent cooperation from all agencies has resulted.

William D. Leahy

DECLASSIFIED
By Deputy Archivist of the U.S.
By W. J. Stewart Date JAN 31 1973

COMMISSIONERS

JAMES LAWRENCE FLY, CHAIRMAN
PAUL A. WALKER
NORMAN S. CASE
GEORGE HENRY PAYNE
T. A. M. CRAVEN
RAY C. WAKEFIELD
C. J. DURR

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.

ADDRESS ALL COMMUNICATIONS
TO THE SECRETARY

T. J. SLOWIE, SECRETARY

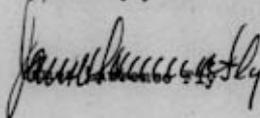
June 26, 1943

RE: WAR DEPARTMENT'S SCHEME TO TAKE OVER
FCC RADIO MONITORING FACILITIES

Dear Mr. President

Some time ago the Joint Chiefs of Staff made a comprehensive study of the security methods of the governmental agencies handling communications and information. The survey of the Commission was made by the Signal Corps on behalf of the Joint Chiefs. The attached copy of the Signal Corps' report to the Joint Chiefs under date of April 6 removes completely any semblance of validity in the War Department's charges of insecurity as a reason for taking over our facilities, personnel and functions.

Faithfully yours



Attachment

The President
The White House

FOR DEFENSE



BUY
UNITED
STATES
SAVINGS
BONDS
AND STAMPS

*F.C.C. folder
2-43*

THE WHITE HOUSE
WASHINGTON

June 29, 1943.

MEMORANDUM FOR
ADMIRAL LEAHY

Will you take this up with
the Joint Chiefs of Staff and
send it back for my files?

F. D. R.

~~CONFIDENTIAL~~
CO P Y

C
O
P
Y

SPSIS 461 Codes

SPSIS-3
April 6, 1943

Security of Ciphers

Secretary, Joint Chiefs of Staff, Washington, D. C.

Thru: Commander G. E. Myers

1. In compliance with J.C.S. 138/3 dated December 1, 1942, subject: "Security of ciphers" and in accordance with the allocation of government agencies made to the Army and Navy Security Sections respectively, the following summary of findings at the Federal Communications Commission is submitted:

- a. Cryptographic security - excellent.
- b. Physical security (cryptographic systems) - excellent.
- c. Documentary and information security - excellent.
- d. Qualification of personnel - excellent.
- e. Cooperation was given fully and willingly.

2. In view of the above, it is considered that no concern need be felt over communications originating or passed in the Federal Communications Commission organization at this time.

3. The established contact between Signal Security Service and the Federal Communications Commission will be continued.

For the Chief Signal Officer:

Earle F. Cook,
Lt. Col., Signal Corps

CO P Y

DECLASSIFIED

E.O. 11652, Sec. 502 and 503 or 50

~~CONFIDENTIAL~~

OSD letter, May 3, 1972

Fr ~~AWO~~ ... WATS Date

JAN 31 1973

7 C.C. *John*
2-43
7/1/43

GRACE:

PSF

The President wants this at
11 o'clock when he sees Chairman Fly.

TOI

IT O, CLOCK WHEN HE SEES CHIVILLED BY.
THE B-2700000 AVIATION CITY'S W.
CHANCE:

729

17/1/43

THE WHITE HOUSE
WASHINGTON

July 1, 1943

MEMORANDUM FOR

THE SECRETARY OF THE NAVY

I have read the testimony of Admiral Joseph R. Redman before the Special Committee of the House under the Chairmanship of Representative Cox, which is an organization for the purpose of "getting" the FGC and its Chairman, Mr. Fly, in bad.

I wish you would read it carefully. This whole arrangement of the work of Army Intelligence, Navy Intelligence and FGC was approved by the President. Here we find an officer of the Navy (see pages 34 on) who deliberately criticizes and gives his opinions about the set-up made by the President. It is an act of insubordination in that he did not obtain permission beforehand from you or the President and secondly because he refers to matters of extreme secrecy in communications.

Please read this and bring it back and talk to me about it.

F. D. R.

MEMORANDUM FOR THE SECRETARY OF THE NAVY
FROM: [illegible]
SUBJECT: [illegible]

2074 J. 1042
WASHINGTON
THE WHITE HOUSE

THE WHITE HOUSE
WASHINGTON

July 1, 1943

MEMORANDUM FOR
THE SECRETARY OF THE NAVY

I have read the testimony of Admiral Joseph R. Redman before the Special Committee of the House under the Chairmanship of Representative Cox, which is an organization for the purpose of "getting" the FOC and its Chairman, Mr. Fly, in bad.

I wish you would read it carefully. This whole arrangement of the work of Army Intelligence, Navy Intelligence and FOC was approved by the President. Here we find an officer of the Navy (see pages 34 on) who deliberately criticizes and gives his opinions about the set-up made by the President. It is an act of insubordination in that he did not obtain permission beforehand from you or the President and secondly because he refers to matters of extreme secrecy in communications.

Please read this and bring it back and talk to me about it.

F. D. R.

Carbon Copy

BR 102

HOUSE OF REPRESENTATIVES U.S.
SELECT COMMITTEE TO INVESTIGATE
FEDERAL COMMUNICATIONS COMMISSION

STATEMENT

OF

ADMIRAL JOSEPH R. HEDMAN

Taken at Washington, D. C.

June 4, 1943.

ALTHEA ARGENEALX
SHORTHAND REPORTER

1033 NATIONAL PRESS BUILDING
WASHINGTON, D. C.

HOUSE OF REPRESENTATIVES U.S.
SELECT COMMITTEE TO INVESTIGATE
FEDERAL COMMUNICATIONS COMMISSION

- - -

S T A T E M E N T

O F

ADMIRAL JOSEPH R. REDMAN

Taken at Washington, D. C.

June 4, 1943.

- - -

STATEMENT of ADMIRAL JOSEPH R. REDMAN taken be-
ginning at the hour of 10:30 in the forenoon on Friday,
June 4, 1943, at Room 537, Hotel Mayflower, Washington, D. C.

PRESENT:

EUGENE L. GAREY, Esq., General Counsel to
the Select Committee to Investigate the
Federal Communications Commission;

HARRY S. BARGER, Chief Investigator for
the Select Committee to Investigate the
Federal Communications Commission.

ADMIRAL JOSEPH R. REDMAN,

produced as a witness, was interrogated and testified as follows:

BY-MR. GAREY:

Q Admiral, will you be good enough to give us your full name?

A Joseph R. Redman.

Q And you are an officer of the United States Navy?

A Yes.

Q Holding what rank?

A At the present time, Rear Admiral.

Q And you are assigned to what post at this time?

A Director of Naval Communications.

Q You are a graduate of Annapolis?

A Yes.

Q When were you graduated?

A 1914.

Q Would you review briefly your naval career since the date of your graduation from Annapolis?

A In the early days, as an Ensign, I served as a Watch^{and} Division Officer, and just before the declaration of war in 1917 I was ^{ordered to} ~~taken in~~ the submarine ^{school} ~~section~~, and during the last war was in the submarine service.

After the war I attended a post graduate course in electrical engineering, and later served as Electrical Officer,

Engineer Officer, of battleships; Navigator of ^acruiser;
 Executive Officer of ^acruiser; ~~Captain~~ Captain of ^asubmarine
 tender ~~and transport~~ *cruiser*

During the intervals on shore duty I have served in the Radio Division of the Bureau of Engineering, one tour; and three tours of duty in the Navy Department under Operations. I also have been Battleship Division Radio Officer and Fleet Radio Officer.

Q You have just shortly returned from a tour of duty at sea?

A Yes.

Q What was the nature of that?

A I ~~was on~~ *commanded* a cruiser on the Southwest Pacific.

~~Q In what capacity?~~

~~A As Fleet Radio Officer.~~

Q What are the duties of ~~that position~~ *Fleet Radio Officer*, generally?

A They are more or less operational. We handle all of the general administration of the fleet communications. The Commander in Chief is responsible for the communications within his force, and he must set up the necessary tasks ^{force} to carry out the work. He is also charged with the administration of communications from an operational point of view *also from* and a security point of view. On the technical side, you make recommendations for improvement to the Navy Department.

Q In connection with your tour of duty in the Communi-

communications Division of the Navy, what has been the nature of your assignment?

A In the Bureau of Engineering I had the Ship's Desk, which took care of all radio communications on the ships in the fleet. Then when I came to duty in the Communications Division, I was working on the Technical Desk, which had to do with the setting up of frequency spectrum for the Navy needs, both ashore and afloat. I carried on that work in two tours of duty and attended three international conferences in connection with that work.

Q About how many years of your service have you devoted to radio and radio communications?

A I would say offhand about half of it.

Q About twenty years?

A I should say about sixteen years; fifteen or sixteen years.

Q In connection with these operations that you have engaged in, have you had any contact with the Federal Radio Commission and its successor, the present Federal Communications Commission?

A I have had considerable contact, because when I was in charge of the Technical Desk I served as a member of the *Department Radio* Inter-Governmental Advisory Committee, which Committee has an F.C.C. representative on it, and the work of that Committee is closely associated with the licensing function of the F.C.C.

Q The member of the Federal Communications Commission on that Committee is Commander Craven, is it not?

A At the present time, yes.

Q When was that Committee first created?

A That is not exactly within my knowledge, but I would say back in the early twenties.

Q Do you know how it was created?

A Not within my own knowledge. It grew up through the need for some organization to get together and settle these frequency allocation problems. Just exactly how it developed, I have no idea.

Q How is its membership constituted today?

A Basically the membership is constituted of representatives of Government departments that carry on radio services.

Q Are you a member of that Committee today?

A No.

Q Does the Navy have a representative on that Committee?

A Yes, Commander Miles from my Division.

Q Do you know what departments are represented on that Committee?

A I can only say from offhand knowledge: The Army, Navy, Coast Guard, Interior, Agriculture, Labor used to be but I am not sure they are now, and the F.C.C. has representation on it. The F.C.C. is not a user of radio, and yet they

have membership to represent the commercial interests.

BY MR. BARGER:

Q How about Civil Aeronautics?

A Civil Aeronautics, yes.

BY MR. GAREY:

Q This is a purely voluntary Committee?

A Well, I suppose it has some quasi legal set-up in that the President, in an Executive Order, recognizes its existence, but I don't think it has a charter.

Q It has not in itself been created?

A No.

Q And it has no powers, I take it, except advisory powers?

A That is correct.

Q What can you tell us about its functions and duties?

A Its functions were really to be a technical adviser to the President in regard to the allocation of frequencies to Government services. The various users of radio in the Government would make application, and the Committee would make a study, primarily from a technical background.

There really has never been a policy group which would decide whether a Government department should enter into the radio field. It has never been a function of I.R.A.C. to determine whether a Government agency should operate or not.

It was merely an endeavor to satisfy their requests for channels. It has come to be a controversial subject at times as to who was going to give up to let another party in. Recently we had such a case arise in regard to F.B.I., which has entered into the communication field.

Since the Defense Communications Board was created the I.R.A.C. was made a part of that organization, and the B.W.C. has now endeavored to take over the role of determining policy.

Q What is the B.W.C.?

A Board of War Communications. However, under the charter of B.W.C. they only have a wartime life.

Q So if I understand you correctly there is no organization in the Government today that is entrusted with the power of policy-making to determine whether any particular agency of the Government shall or shall not have any part of the radio spectrum for communication purposes?

A I would say that is essentially correct, and there never was such an organization in time of peace. The B.W.C. in time of war has really more authority than any other agency, but it is primarily set up to take care of civil radio activities. *in their relation to the war effort.*

Q So that any agency of the Government that determines it wants a part of the radio spectrum gets in touch with this Committee?

A With I.R.A.C., yes.

Q And asks for an allocation of frequency?

A Yes. They don't even go through B.W.C.

Q They go direct to I.R.A.C.?

A Yes, but recently I.R.A.C. has passed its recommendations to B.W.C. for approval.

Q So that the recommendations of I.R.A.C. in wartime go to B.W.C.?

A That is right.

Q On a peacetime basis, how are the recommendations of I.R.A.C. made effective?

A They are made effective by recommendation to the White House, and they are promulgated by Executive Order.

Q That is in peacetime?

A Yes, but has to do only with Government stations.

Q I.R.A.C. deals only with Government frequencies?

A That is right.

Q Does the White House then allocate frequencies based on these recommendations, or is allocation done by the Federal Communications Commission?

A No, that is by Executive Order.

Q Issued by the President?

A Yes.

Q In wartime where do the recommendations of I.R.A.C. go?

A They accumulate, and eventually what they do is

revise the previous or standing Executive Order, bringing it up to date with the supplemental action taken.

Q What recommendations of I.R.A.C. go to B.W.C. in wartime?

A They are channeled through the B.W.C. to the White House.

Q What is the Board of War Communications?

A You mean how it is constituted?

Q Yes.

A The Chairman is Mr. Fly, who also holds the chairmanship of the Federal Communications Commission, and he is the direct contact with the White House; the Director of Naval Communications represents the Navy; the Chief Signal Officer represents the Army; Mr. Gaston represents the Treasury; and Mr. Long represents the State Department.

Q And Captain Webster represents the Coast Guard?

A Yes, but the Coast Guard doesn't have membership on the Board. He is an alternate member to Mr. Gaston, and was such when the Coast Guard was under Treasury. When the Coast Guard was transferred to the Navy, the then alternate was Captain Farley, and I raised the point whether he should remain on the Board. Captain Farley remained, but theoretically the Navy enjoys double representation when Captain Webster acts as a representative of the ~~Coast Guard~~ ^{Treasury}.

Q The membership on the B.W.C., I take it, is based on

an ex officio standard rather than what I might refer to as a nominal standard?

A Yes.

Q The Chairman of the Federal Communications Commission is ex officio a member of B.W.C. and also its Chairman?

A I don't believe ex officio he is Chairman. ~~He got the chairmanship because the Federal Communications Commission addressed a letter to the White House at the time of the creation of the Board, which was then known as the Defense Communications Board, expressing the desire that Mr. Fly be the Chairman of it; and Mr. Fly came back with a letter addressed to him as Chairman, but I don't believe the record will indicate he was ever appointed Chairman. He more or less assumed the chairmanship.~~

Actually wrong

Q Let me direct your attention to paragraph 3 of the Executive Order of September 24, 1940, entitled "Executive Order Creating the Defense Communications Board and Defining its Functions and Duties", which paragraph provides that:

"The Chairman of the Federal Communications Commission shall be the Chairman of the Board. In the absence of the designated Chairman, the temporary chairmanship shall devolve upon the remaining members of the Board in the following order:"

stating the order.

A What I am talking about is before this Executive

Order was issued, how he got to be the Chairman.

Q You are talking about the evolution of the system that brought about the issuance of that Executive Order of September 24, 1940, creating the Defense Communications Board?

A Yes.

Q And by subsequent Executive Orders the Board now known as the Board of War Communications was created?

A I wasn't here at the time, so without reviewing it I wouldn't know about that. I know it was a controversial subject ^{at the} ~~all~~ the time.

Q Admiral, you have referred to certain letters that passed between the White House and the Board of War Communications or its predecessor organization. Do you have copies of those letters?

A I imagine there are copies in our files, but there are copies in the B.W.C.'s files.

Q Would those letters be in the possession of Mr. Gaston as Secretary?

A They should be. There was one letter I mentioned which was from the Commission, and that undoubtedly is in the Commission's files.

BY MR. BARGER:

Q You mean the letter from the Commission to the ~~President~~ ^{Secretary of Navy}

A Yes.

BY MR. GAREY:

Q That Executive Order of September 24, 1940, was subsequently modified by an Order dated December 6, 1941?

A Yes. You have it there.

Q And subsequently amended by an Executive Order dated December 10, 1941, and then subsequently amended by an Executive Order dated March 6, 1942, and finally by an Executive Order dated June 15, 1942, changing the name of the Defense Communications Board to Board of War Communications.

Is there anything about the Board of War Communications and its working functions that you can tell me for the benefit of the Committee that will aid it in the performance of the task that has been assigned to it by the House?

A I don't know what the task that has been assigned to it by the House is.

Q Can you discuss the work of the Board and the manner in which it performs its work, particularly from a Navy standpoint; and the question of the problems in communication that arise from a military standpoint, and the method and manner in which such questions and problems have been treated and handled by the Board of War Communications; and discuss generally the powers and efficiency of that Board and the effect of its actions, if any, upon the national security and national defense efforts, as well as upon the work of the military services.

A I would say basically the functions of the Board were to regulate and control the commercial communications activities so that they would contribute more efficiently to the war effort; and the work of the Board has been almost entirely along those lines.

Q Now, its primary function, if I read the Executive Orders correctly, is to study and recommend, is it not?

A That is correct.

Q The Executive Order of September 24, 1940, to which I have referred, states that "The Board shall take no cognizance of matters pertaining to censorship". Has the Board attempted to exercise such powers?

A No.

Q In your opinion, should the Board have that power, or should it be exercised by the Board of Censorship, where that power now resides?

A I think it works satisfactorily where it is.

Q Paragraph 4 of the same Executive Order states that: "The Board shall study the physical aspects of domestic standard broadcasting and shall recommend such precautions, supplementary facilities and reallocations as it shall deem desirable under foreseeable military conditions."

A I would say the Board hasn't really made much of a study of the standards of broadcasting. We issued an order

that there would be no more new stations licensed. That was on the basis that critical materials were involved that should not be diverted for that purpose, but should be utilized to further the war effort.

Q Did the Board have power to issue such an order?

A Well, I really would have to check the record. What the action of the Board was, it instructed the F.C.C. to stop licensing stations.

Q Instructed them or requested them?

A I would have to check that, but the effect was there were no new stations licensed. Whether they were instructed or requested, I don't know.

Q Was that instruction issued on a temporary or permanent basis?

A It would have to be temporary, because the Board ceases to function at the end of the war.

BY MR. BARGER:

Q Did that request by the Board have anything to do with the issuance by the Commission of any temporary licenses?

A No, this action of the Board had no influence at all.

BY MR. GAREY:

Q This was to stop the granting of any licenses, on a temporary or permanent basis, for the duration?

A New licenses, yes.

Q And that was based upon the needs of the military services for the critical materials used in connection with the construction of new stations?

A That is right.

Q And that was the sole reason back of that request and policy of the Board?

A As far as I know, yes.

Q Another power or duty that was entrusted to the Defense Communications Board was to "make plans for the speedy and efficacious use of all necessary facilities in time of military emergency". So far as you know, has the Board performed that function?

A "Plans" is a broad term. The efforts of the Board have been to see that facilities were not unduly allocated to non-essential users, and were so regulated that they would contribute to the needs of the military services in the war effort. I refer to things like trying to reduce the toll service on telephones in congested areas, and getting the telephone companies to put on a campaign to educate the public in this regard. We have checked up to see where all these Government lines ran, and whether the plants were under proper supervision for purposes of security.

Q What kind of a staff is maintained by the Board for that purpose?

A None.

Q How does it perform that service, through the armed services?

A Armed services and F.C.C. facilities.

Q And also the F.B.I.?

A Yes, the F.B.I. has been asked to cooperate.

BY MR. BARGER:

Q Did that involve checking on telephones used by various Government telephone systems?

A Yes.

Q Like PBX and private telephones?

A Yes; the plant equipment.

BY MR. GAREY:

Q Just the physical facilities, plants?

A Yes.

Q By Executive Order dated December 10, 1941, the President modified the powers of the Defense Communications Board by granting it the power and authority vested in the President by Section 606 of the Communications Act of 1934 pursuant to and under certain regulations. I will discuss each one of the regulations separately:

"1. The Board shall determine and prepare plans for the allocation of such portions of governmental and non-governmental radio facilities as may be required to meet the needs of the armed forces, due

consideration being given to the needs of other governmental agencies, of industry, and of other civilian activities."

Will you tell us what, if anything, the Board has done in that respect?

A Yes. On request of the Navy Department the ship stations on merchant ships were transferred under the jurisdiction of the Navy Department. The commercial coastal stations that were desired by the Navy Department were also turned over to the jurisdiction of the Navy Department; others have gone into an inoperative status.

Q What considerations of policy dictated the advisability of making that transfer?

A Primarily for purposes of security. When I say "security" I mean message security; to see that Government messages were not unduly delayed along the line, and that no subversive activity could throw a message out.

Q Or distort the messages?

A Yes.

Q Or use those channels for activities inconsistent with the war effort?

A Yes.

Q So that all those activities are now under the jurisdiction of the Navy?

A Yes, except that point-to-point and cable activities were put under the Army.

Q For the same reasons?

A Yes.

Q That was merely a transfer from one branch to another of the armed services?

A Yes.

Q The second paragraph provides:

"2. The Board shall, if the national security and defense and the successful conduct of the war so demand, designate specific radio stations and facilities or portions thereof for the use, control, supervision, inspection or closure by the Department of War, Department of Navy or other agency of the United States Government."

To what extent, if any, has that power been exercised by the Board?

A Of course you ask me a question which I can't answer factually, because I have been abroad during some sessions of the Board.

Q As far as you know?

A As far as I know we have never exercised closure on any station, and nearly all of this has been carried out in a voluntary way except in cases where we have gotten jurisdiction where we asked for it.

Q Have you had difficulty with the Federal Communications Commission in the exercise of any of these powers conferred in the Board?

A No, I can't say that we have.

Q The third paragraph reads:

"3. The Board shall, if the national security and defense and the successful conduct of the war so demand, prescribe classes and types of radio stations and facilities or portions thereof which shall be subject to use, control, supervision, inspection or closure, in accordance with such prescription, by the Department of War, Department of Navy or other agency of the United States Government designated by the Board."

To what extent, if any, so far as you know, has the Board exercised any of the powers embodied or embraced within that paragraph?

A I don't believe there have been any cases to come up that involved the use of those powers.

Q And consequently it follows you had no difficulty with the Federal Communications Commission so far as the powers conferred on your Board under paragraph 3 are concerned?

A That is right.

Q Let us take paragraph 4, which reads:

"4. Every department and independent agency of the government shall submit to the Defense Communications

Board, at such time and in such manner as the Board may prescribe, full information with respect to all use made or proposed to be made of any radio station or facility and of any supervision, control, inspection or closure which has been or is proposed to be effected pursuant to paragraph 3 hereof."

Have the various agencies of the Government referred to in that paragraph, and particularly the Federal Communications Commission, cooperated fully with the Defense Communications Board, or, as it is now known, the Board of War Communications?

A I would say yes.

BY MR. BARGER:

Q Was it under that provision that the F.B.I. made application to enter the work?

A I don't believe they invoked that. They made a regular request on I.R.A.C. for frequencies.

Q How long and to what extent has the F.B.I. been engaged in radio work?

A I can't answer that.

Q Approximately?

A Well, it was before the war.

Q Before the war?

A Yes.

Q Generally, what does their radio work consist of?

A They consider this to be very secret.

Q Generally?

A Generally it is supposed to be what they call "hot" communications from their agents.

Q They don't call that monitoring?

A To some extent they do some monitoring in South America, at the request of the President; that is, monitoring for clandestine stations.

(Discussion off the record.)

BY MR. GAREY:

Q Paragraphs 5 and 6 and 7 I pass at this time, Admiral, because they don't seem to have any relevancy to the matters in which the Committee is interested; but paragraph 8 reads as follows:

"8. By subsequent order of the Board, the use, control, or supervision of any radio station or facility or class or type thereof assumed under the provisions of this Order may be relinquished in whole or in part to the owners thereof and any restrictions placed on any radio station or facility pursuant hereto may be removed in whole or in part."

To what extent, if any, has the Board exercised the powers under paragraph 8 which I have just read to you, so far as you know?

A None.

Q Paragraph 9 reads as follows:

"9. The Board is hereby designated, in accordance with the provisions of Section 606(a) of the Communications Act of 1934, to make such arrangements as may be necessary in order to insure that communications essential to the national defense and security shall have preference or priority with any carrier subject to the Communications Act of 1934. The Board may issue any regulations which may be necessary to accomplish this purpose."

To what extent have the powers conferred upon the Board under that paragraph been exercised?

A They established a system of precedence designators for Government use with the carriers, and any traffic carried carries those designators.

Q Have you had any difficulty with the Federal Communications Commission in connection with the exercise of those powers?

A No.

BY MR. BARGER:

Q Have you heard of any abuses of priorities in those matters?

A Yes. There was one fellow, Brophy, who used a Government designator to get service to a friend. I sent the report to the F.C.C. for investigation. That was recently. I don't know what happened to Brophy. I understand he is pretty sick. I wouldn't say there haven't been abuses,

because it is natural for Government officials to evaluate their own importance as above that of their neighbors. That is human nature. That goes on continuously within our own service.

BY MR. GAREY:

Q The Executive Order dated March 6, 1942, that I have already made reference to, confers upon the Board--and by the "Board" I always mean, Admiral, the Defense Communications Board, under that name, and the Board of War Communications subsequent to June 15, 1942--these further powers:

"1. The Board shall determine and prepare plans for the allocation of such portions of governmental and non-governmental wire facilities as may be required to meet the needs of the armed forces, due consideration being given to the needs of other governmental agencies, of industry, and of other civilian activities."

To what extent, if any, has the Board engaged in such activities?

A Primarily in connection with the allocation of copper, we have reviewed plans of the commercial carriers and made recommendation to the W.P.B. organization as to what we considered were the urgent demands, and asked for priorities accordingly.

Q Have you received cooperation from the Federal Communications Commission in so far as its cooperation was

necessary in the performance of the powers and duties of the Board in the paragraph I have just read to you?

A Yes.

Q You have had no difficulties?

A No.

Q Paragraph 2 reads:

"2. The Board shall, if the national security and defense and the successful conduct of the war so demand, designate specific facilities for wire communication or portions thereof for the use, control, supervision, inspection or closure by the Department of War, Department of Navy or other agency of the United States Government."

A We have never exercised any of those powers.

Q Not to any extent whatsoever?

A No.

Q And consequently it follows you have had no difficulty with the F.C.C. in that respect?

A That is right.

Q Paragraph 3 reads:

"3. The Board shall, if the national security and defense and the successful conduct of the war so demand, prescribe classes and types of facilities for wire communication or portions thereof which shall be subject to use, control, supervision, inspection or closure, in

accordance with such prescription, by the Department of War, Department of Navy or other agency of the United States Government designated by the Board."

A There is only one thing along that line as to which we have ever exercised jurisdiction, and that was to request the F.C.C. to advise us of cases where little independents have asked to be closed; we have asked to be informed, and that has been done. That was on the ground we might not desire that they be closed.

Q Has the Army or Navy ever come before this Board seeking its assistance to get something deemed vital to the military forces, and been denied approval, to your knowledge?

A The War Department, as a matter of morale, wants to do some broadcasting in Alaska. The Board has not objected and the I.R.A.C. has made available the frequencies and approved the action. Mr. Fly, as Chairman of the F.C.C., has objected to the Army's getting into the broadcasting game. That is an F.C.C. discussion with the War Department now as to whether the Army should be permitted to get into the broadcasting game.

Q Did the Army make this request to B.W.C.?

A To I.R.A.C.

Q And I.R.A.C. recommended to B.W.C. that the Army be given these frequencies?

A Yes.

Q And the matter came before B.W.C. on the recommendation of I.R.A.C. that the Army be given those facilities?

A Yes.

Q What did B.W.C. do?

A Gave its stamp of approval.

Q That request was then transmitted to the Federal Communications Commission?

A No, it wasn't, but Mr. Fly, sitting in a dual position, took exception on behalf of the F.C.C.

Q Was a vote taken?

A No. He questioned the right, as a matter of policy, of the War Department to do it. It was brought to the President's attention, and he told them to work it out.

BY MR. BARGER:

Q In making the objection, did Mr. Fly also object to the Army's broadcasting from North Africa and other parts of the world?

A No.

BY MR. GAREY:

Q What was the basis given by the F.C.C. for objecting?

A It was a matter of policy, that the O.W.I. should do the broadcasting rather than the Army.

Q Was it Fly who raised that objection?

A Yes.

Q What was the reason of the War Department for wanting to do that?

A Purely a matter of morale.

Q And purely a matter that ought to be within the discretion of the Army?

A That is the position the Army takes on it.

Q How did the Army communicate its position to the President, through Fly?

A No, I think through the Secretary of War. I don't know of my own knowledge.

Q Do you know from whom that information could be obtained?

A I think it could be obtained from Colonel Guest.

Q Of the Signal Corps?

A Yes.

Q And so far as you know the facilities the Army sought in Alaska have not yet been awarded to it?

A Yes. There has been no stoppage of it, but there has been a discussion of the matter of policy.

Q But the F.C.C. made available to the Army the frequencies?

A The F.C.C. has nothing to do with those frequencies. When the I.R.A.C. makes a recommendation and we approve it, it comes within the stamp of approval of the White House. It doesn't go to the F.C.C.

Q It doesn't go to the F.C.C.?

A No.

BY MR. BARGER:

Q It goes to the White House for approval?

A Yes. The F.C.C. has nothing to do with the allocation of frequencies to Government stations except they have representation on I.R.A.C.

BY MR. GAREY:

Q The frequencies, I take it, were frequencies allocated to the War Department?

A Yes.

Q And they were not standard broadcasting frequencies?

A Yes, they were.

Q They were standard broadcasting frequencies?

A Yes.

Q But there was no problem of interference involved?

A No.

Q It was simply Fly's position that the matter of ^{broadcasting} morale should be left to the O.W.I. rather than to the armed forces?

A You are drawing conclusions.

Q Do you disagree with my conclusions?

A No, not necessarily, but I am not trying to say what Mr. Fly had in mind.

Q What other difficulties, if any, have the armed services had with the Federal Communications Commission?

A I believe that is the only controversial matter.

Q Have all facilities for wire communication that the

Navy desired been immediately made available to it?

A In so far as they were available. We have never had any opposition from anyone about making facilities available. There never has been any opposition based on policy.

Q During the course of an interview with Admiral Hooper, he advised me that one of the difficulties he had with the Defense Communications Board was that the committees of the Board would have a number of meetings and would keep putting off decisions on matters. He stated, in substance, that the members on the committees of the Defense Communications Board representing the F.C.C. apparently never were prepared, when they came in a meeting, to vote on anything, and apparently did not have power or authority to vote without referring the matter back to Fly to get his permission to vote on a Navy request; and that the result was that the Navy was continually hampered by having a decision on a matter it deemed vital to its operation postponed and postponed and postponed for a protracted period of time. Do you know anything about that?

A No. In the first place, I wasn't here in the early stages of the Board's activities. What he says may have been true, but I don't think that obtains today. The Navy has no problems with B.W.C. that have not been ironed out and straightened out long ago.

The most important work done by B.W.C., so far as the

Navy was concerned, was setting up these commercial facilities as possible alternate military facilities in time of war, which required obtaining from all companies characteristics of the equipment they had, its location, the establishment of crystals grounded to the Navy's own assigned frequencies, and things of that kind. It was all worked out satisfactorily in due time, and it was a very thorough and orderly job. The Army did a similar thing in its committee work, and it was worked out between the Army and Navy as to which facilities were allocated to the Army and which to the Navy, and when war broke it was all thoroughly understood and there was no conflict about it. I think that was the most important piece of war planning that was done over there.

Q Have you had any difficulty with respect to having the position of the Army and Navy on questions coming before the Board of War Communications properly transmitted to the President?

A No, because they have gone officially. Procedures that have been adopted by the Board have been transmitted by routine to the White House. There was some difficulty in the formative periods in that matters of policy have come up and we have been confronted with a vague or nebulous position that the White House wanted to take, being transmitted through Mr. Fly.

Q And you had no way of checking with the White House

to see what position Fly took to the White House, did you?

A No.

Q You were estopped by what Fly said the White House wanted?

A Yes.

Q And if some member of the Army or Navy had the chairmanship and access to the White House, you would have direct contact with the Commander-in-Chief of the Army and Navy?

A Yes.

Q And in your opinion would that be a preferable situation to exist?

A I would consider it more desirable.

Q So far as you know the Army and Navy are in accord with that?

A Yes, as far as I know.

Q Have you taken any steps or action to bring that about?

A Recommendations to that end have been made by the Joint Chiefs of Staff after a study. Such recommendations have been made via the State Department and via the Secretaries of War and Navy to the White House.

Q Do you know when that was done, Admiral?

A I think the papers were sent over in February or March.

Q Are you referring to a letter addressed to the Secretary of the Navy, dated February 1, 1943, and signed by Admiral William D. Leahy as Commander in Chief of the Army and Navy?

A Yes, and subsequent papers signed by the Army and Navy.

Q Are you now referring to a letter dated February 8, 1943, addressed to the President, and signed by the Secretary of the Navy and the Secretary of War jointly?

A There has been a subsequent letter.

Q Do you have a copy of that letter?

A It is in the files.

Q Can you tell me a little bit more about the difficulties created, from the standpoint of the armed services, in having the Chairman of the Federal Communications Commission Chairman of the Board of War Communications?

A Well, that goes back a long time ago in peacetime, when the I.R.A.C. was what you might call a quasi official organization. Its existence was recognized--

Q But it had no legal existence?

A But it had no legal existence. We objected then to having the F.C.C. forward over to the White House the *recommendations* ~~deliverations~~. It was always a bone of contention as to why the recommendations should be forwarded over by the F.C.C., but it was maneuvered so that the White House asked for that

procedure. There has always been the F.C.C.'s interference in representing the Government agencies to the Executive.

Q And I take it that applies to all Government agencies and not just the Army and Navy?

A That is right.

Q What they wanted was the right to transmit recommendations to the President and present their views and position in their own language, so that their views and position might be thoroughly understood by the President, and on which he could base his action?

A That is right. The F.C.C. was primarily charged with the function of allocating frequencies and licensing commercial activities, and yet it was trying to regulate the entire radio field, both Government and civil.

Q Has that been particularly true since Fly became Chairman?

A It has always been true. I think it is more accentuated since Fly has been there, but it has always been true that the Chairman of the F.C.C. dominated the field.

Q How has that situation been brought about in the face of opposition of all Government departments, and particularly the Army and Navy, and more particularly the opposition of the Army and Navy in wartime?

A I think it grows out of the F.R.C., and subsequently the F.C.C., having a large staff doing nothing but working on

that type of work. In times of peace the military people didn't have the funds to carry on their part of it, and the offices and facilities have all been made available at the F.C.C., and they have naturally grown in power, and they have also taken the lead in international conferences.

Those international matters have been handled in that agency when we have endeavored a number of times to have them handled by the State Department, because they were international matters. We have never been able to get the State Department to assume the strong executive hold that we believe they should exert.

I can cite a case in the International Conference in Madrid, in which Judge Sykes, who was a Commissioner, headed up the American delegation, and he took a decided position against the Army and the Navy, and it became necessary for the Army and Navy representatives in Madrid to cable back to Washington to get the delegation properly instructed.

The Navy Department and the War Department were instrumental in having a combined letter, signed by six secretaries, addressed to the State Department, requesting the State Department to properly instruct that delegation over there in their functions, and they were so instructed that they had to get the concurrence of the technical Army and Navy committees before they could make recommendations.

Q I suppose the answer is that the F.C.C. has been

composed of better politicians than the Army and Navy?

A I think when it comes to certain things like that the Navy gets scant attention for things that are not purely naval, that is, on the ocean, because the layman doesn't seem to understand why the Navy must be backed up by shore activities.

Q And these things are of vital interest to the Navy?

A Yes. For example, we were limited to \$200,000 on our toll work for a year, while an organization like the C.A.A. or the F.C.C. gets considerably more money, which, looking at it on a percentage basis, would be, you might say, enormous compared to what the Navy gets. The Congress doesn't seem to understand why the Navy should be on shore. This is particularly true as between the Army and the Navy. The Army doesn't have very much trouble getting money with which to get leased lines, but the Congress doesn't understand why the Navy should have them.

Q Yet the Navy must operate from shore?

A Yes, but the layman doesn't seem to understand that.

Q Admiral, the Federal Communications Commission has two primary activities connected with its so-called wartime effort, and those are its R.I.D. Division and its F.B.I.S. Both the Army and Navy are engaged in radio intelligence and related activities, are they not?

A Yes. With reference to the use of the letters R.I.D.,

which I assume mean Radio Intelligence Division, I think we should understand the definition of terms. What we call radio intelligence is really an entirely different function. Ours is gaining through the radio spectrum intelligence of the enemy. What they are talking about is merely the listening, primarily, to the enemy's transmissions *and taking direction finder bearings there of.*

BY MR. BARGER:

Q Rather than the subject matter of them?

A Rather than the subject matter or any analysis you might make of the transmissions.

For instance, the frequencies employed indicate distances the time of day contributes something to the value of the messages, and so forth, and it is known to the enemy that we are analyzing that.

BY MR. GAREY:

Q Is the F.C.C. attempting to analyze that?

A I would say not. After all, I have never seen any results of it. That requires a staff of expert people who know something about military operations.

Q Does the F.C.C. have such a staff?

A It does not. You must know where your own forces are, and by reconnaissance and other means you must know where the enemy forces are, and I am sure the F.C.C. doesn't have that information.

Q What do you know about the F.C.C.'s Radio Intelli-

gence Division?

A I know the F.C.C. has had stations to locate clandestine stations, and since war has endeavored to establish new stations, to which we have objected. They have indicated they wanted to establish ^{for operations} stations overseas, which, so far as the Navy is concerned, is a Navy function.

Q Is it an essential Navy function?

A Absolutely.

Q Will you tell us why?

A You must know where the enemy is if he makes a transmission. That requires coordination and triangulation. No single station, operating as they do--

Q By "they" you mean the F.C.C.?

A Yes. They can't give you a triangulation. The F.C.C. stations are confined to the territorial United States, and therefore the transmissions which are on the ocean must have stations to the north, south, east and west, and they must be tied up with the network of communications so that they all observe the same frequencies.

Q And that triangulation must take place simultaneously by all units?

A That is right.

Q Does the F.C.C. have facilities that permit them to triangulate simultaneously?

A Not over the water.

Q Are they trying, even over the land, to triangulate

simultaneously?

A I don't know what they are trying to do over land, but they have tried over water, and they have stated they have located enemy aircraft and submarines and have assisted in the location of lost aircraft over the ocean.

Q Have they been effective in that respect?

A In my knowledge, which I have from naval sources, no.

Q As a matter of fact, Admiral, I understand that the F.C.C.'s work in this respect creates additional burdens on the Navy Department, because of reports you get from time to time which you feel duty-bound to check. Is that true?

A That is true. These reports--and when I say reports I would say I can count them on my hands--have come hours late and from very vague sources. Usually the bearing is very indefinite and the frequency is not known, and there is no substantiating background as to where they came from. Some we have investigated have indicated they were bearings of fixed stations in foreign countries.

Q In certain instances, hasn't the Navy been given information which, on checking, it has been found that stations supposed to be on enemy ships have been fixed stations in Japan?

A I have seen such reports.

Q So that so far as the F.C.C.'s R.I.D. work is con-

cerned, all it has done is to create an additional burden on the Navy?

A It certainly has not rendered any assistance. In the first place, if you are going to work on enemy traffic, you must know ~~the~~ ^{it is - transmissions} enemy's ^{code}. That requires specially trained operators. ^{to read Kana code.}

Q Does the F.C.C. have such specially trained operators?

A Not to my knowledge. Furthermore, you must be familiar with the traffic handled, because all the messages are in code and it is not like peacetime traffic. ^{as the calls are everywhere} It must be handled by people familiar with military operations.

Q And I suppose the codes used by the armed forces of the United States and the Allies are also unknown to the F.C.C.?

A Absolutely. So when they take a bearing of a transmission they can't identify it. They don't know where it is coming from or anything about it.

Q What activities of the F.C.C.'s Radio Intelligence Division have been of any value or service to the Navy whatsoever?

A Speaking of radio intelligence as I have previously defined it, their activities have been of absolutely no value. I can say their assistance has been zero so far as the Navy is concerned.

Q And so far as you know is the same situation true with respect to the Army?

A I would say offhand it is true, but I think you should get that from the Army. They have a different situation in the Army and I am not ^{fully informed on} familiar with what they are doing.

Q But you do know what the Navy is doing?

A Yes.

Q I take it one of the purposes of the radio intelligence activities of the Navy is the location of enemy units at sea and abroad?

A Yes.

Q And the Navy has ample facilities to do that work?

A Yes.

Q And it is your position that the F.C.C. has not?

A Absolutely.

Q And nothing that the F.C.C. does contributes effectively to the location of enemy units at sea and abroad?

A That is right.

Q The Navy is also engaged in the interception of enemy Army, Navy and diplomatic traffic?

A In regard to the Navy's participation in intelligence work, they confine their work to naval and diplomatic traffic.

Q And they have ample facilities, based on existing conditions at least, to do that work?

A Yes. Of course we are not able to get all the

traffic, but we get all that can be reasonably expected.

Q Does the F.C.C., through any of its operations, particularly through R.I.D., assist the Navy in connection with the performance of that work?

A Not that I know anything about.

BY MR. BARGER:

Q Are they doing anything the Navy can't do?

A No.

BY MR. GAREY:

Q Has anything they have done contributed to the Navy's work in that respect?

A No.

Q And as far as you know, are they able to contribute to the Navy's work in that respect?

A No. In the first place they would have to have some Eana operators and some intercept stations in the Pacific.

Q And they have none at the present time?

A They have intermittent stations in the United States, but the work that those stations do is duplication.

BY MR. BARGER:

Q All they can get is shortwave, isn't it?

A Yes, unless they have intercept stations abroad. I don't know about that.

BY MR. GAREY:

Q I would like to have you thoroughly exhaust the subject of the aid or assistance, if any, that the Navy, and so

far as you know the Army, if you do have knowledge on that subject, gets from the Radio Intelligence Division of the Federal Communications Commission.

A In the early days of this Defense Communications Board, Fly proposed to have on the East and West Coasts a centralized intelligence service, and wanted the Army and the Navy to participate in that. In other words, all intelligence was to flow through those centers.

Army corp area
 Since the ~~coronary~~ commanders have responsibility within their theaters, and are able to take over whatever facilities *they may find desirable they made* and funds there ~~may be~~ available, as I understand in San Francisco the ~~Army~~ ^{to} put up \$70,000. That is hearsay. The Navy refused because I said I would have no part of it.

But they established those centers, and the Navy had a *season officer for a time* commandant detailed there. I circularized all commandants to find out the status of this activity, because we refused to put any money in it, and efforts were being made to get money ~~for~~ from the F.C.C.

The commandants in almost every instance said that the service amounted to nothing. ~~You can get those letters by subpoena if you are interested.~~ The intelligence center in San Francisco went on record that this place had no part in the military picture. The one in New York I am not clear about, because I wasn't here. How much ~~money~~ *if any* they got from the Army, I don't know.

Fly made quite a case about how they had run down some enemy activities in Hawaii, and how we had assisted them. We assisted them in this way: We agreed it was F.C.C.'s business to look for clandestine stations in the Islands. It was supposedly brought out that the stations were working on ultra high frequency, and you could make your observations better from water than over the hills. So we assisted the F.C.C. by making a boat available so that one of their engineers could go around the coast. But this was not for the purpose of locating enemy submarines.

Q It was not for the purpose Fly publicized?

A No. It was to assist them to locate clandestine stations inland; it was not to run down enemy submarines.

Q Would you say the radio intelligence activities of the Federal Communications Commission are a detriment to the security standards of the Navy and the Navy's work in its defense efforts?

A Yes, even so far as security is concerned, because we never like to let the enemy know what measure of success we have, because if he knows this he modifies his method of operation, changes his frequency, or indulges in radio silence.

Q Then you don't want personnel selected as the F.C.C. selects its R.I.D. personnel, monitoring your own communications either at sea or abroad, do you?

A They have no right to be monitoring any Government station.

Q But as a matter of fact they are, are they not?

A I don't know.

Q They have the facilities whereby their personnel could do it?

A Yes, but I don't take the position their monitoring jeopardizes our security. When they monitor enemy communications and give it publicity, that is where the danger lies.

Q The F.C.C. gives great publicity to anything and everything they do?

A Yes, and they publish in Congress, for the purposes of appropriations, what they do in those fields.

Q And that is information the Navy doesn't want anyone to secure?

A That is correct.

Q And I take it the Army shares in that view?

A I imagine they do.

Q Will you discuss the view of the Navy with respect to the personnel engaged in the R.I.D. activities of the F.C.C. having the ability and facilities to check all communications from the Navy to the fleet and its armed forces, and thereby obtain some knowledge or information of possible moves which the Navy is engaged in.

A I think you must recognize that the enemy is probably able to listen to the transmissions with equal facility as the F.C.C. However, if the forces you allude to might be beyond

the range of enemy intercept, any F.C.C. operator may pick it up and publicize it and make it known to the enemy, and thereby aid the enemy. We depend more on our security by observing radio silence, and it is only in an emergency that a ship of our force ever uses radio.

Q And then when the radio is used your message is sent in cryptograms?

A Then we depend on cryptographic messages.

BY MR. BARGER:

Q That is changed from time to time?

A Some change daily and some change with each message.

That is a very complex thing.

BY MR. GAREY:

Q And the F.C.C. has neither facilities nor ability--

A (Interposing) The F.C.C. has no knowledge of our cryptographic systems.

BY MR. BARGER:

Q Isn't that true also of the enemy's cryptographic systems?

A Absolutely.

BY MR. GAREY:

Q While you have a division in the Navy which makes a study of that?

A Yes. The F.C.C. is a very amateurish outfit.

Q That is pretending to be engaged in the defense effort?

A Yes, and accomplishing nothing. They are not fooling us. All they are doing is annoying us.

Q What benefits, if any, do you get from the Foreign Broadcast Intelligence Service that is maintained by the Federal Communications Commission?

A In so far as radio intelligence is concerned, according to my definition of radio intelligence, none. This R.I.D. that you referred to is one facet in the general scheme of radio intelligence.

Q Can you tell us what the other schemes are, Admiral?

A Yes. The radio direction finder service, or the R.I.D., merely locates the enemy.

Q That you have told us the F.C.C. cannot effectively do?

A That is right. You must know the transmission level from any given station; the hours of operation; the character of the message, the way it is built up, because messages reflect the type of service. A diplomatic message is usually a long affair. When you get down to combat you get to something very brief. If you want security, time is an essential element.

The various types of traffic are analyzed and catalogued, and to do that properly you must have operators familiar with the systems that are used. And you must know where your forces are, where the enemy forces are, when they are engaged, when they are on reconnaissance, and so forth.

Q And in none of those fields can the F.C.C. function?

A That is right. This one little thing they are monkeying in, it is silly for them to engage in.

Q Is it your opinion that all radio intelligence activities ought to be transferred to the jurisdiction of the armed forces?

A Absolutely.

(Discussion off the record.)

Q Going back to this Foreign Broadcast Intelligence Service, you will recall I asked you to what extent, if any, you derived any benefit from that service of the F.C.C., and you stated none whatsoever in so far as radio intelligence was concerned?

A That is right. There is this other angle to the Foreign Broadcast Intelligence Service: Whether the O.N.I., the Office of Naval Intelligence, makes use of it, I would have to find out. You must realize that is put on for a purpose.

Q You mean whatever the enemy puts out is done for a purpose?

A Yes.

Q And that is not done for any purpose except that for purposes of its own it wants us to have those broadcasts?

A Yes. So it is of no importance to us.

Q And you don't use it at all in connection with your work?

A No.

Q Who is Director of Naval Intelligence?

A Admiral Train.

Q So far as you know, does he use it at all?

A I don't know. I know the sheets used to come to us and we had them stopped. We didn't want them.

Q Do you know whether the Navy uses those sheets that come over there?

A Not as far as I know.

Q As far as you know they don't use them?

A As far as I know they don't use them.

Q I wish you would tell us a little more about the broadcasts by enemy stations, the nature and character of the broadcasts, and the conclusion that necessarily they would not contain any information of value to you.

A I have been in the Southwest Pacific, and have listened locally here and in the Hawaiian Islands to Italian, Japanese and German broadcasts, and they are usually colored, and the coloring is usually to the disadvantage of the allied nations, because I have had information from other sources as to the exact truth. So you can't rely on that information.

Q In the first place, it is not accurate?

A It is not intended to be accurate.

Q It is not intended to be accurate, and it is put out for the purpose of deceiving the allies?

A Yes.

Q And not for the purpose of putting out any accurate information?

A No. If it were, they would put it out in their own language and not in the language of the allies.

BY MR. BARGER:

Q Does your office have the F.B.I.S. teletype wire?

A No.

Q Have you ever seen any of the material that comes over that wire?

A I don't think so.

Q Does your office receive the daily and weekly analyses put out by the F.B.I.S.?

A No.

Q Have you ever seen any of those?

A Yes. They used to come over there, and we got tired having them clutter up the place and we stopped it. I don't see them any more.

Q In other words, if that material sent out to you in the form of these analyses is received at all, you would prefer to receive it as raw material and put your own construction on it and make your own analysis?

A That is right.

BY MR. GAREY:

Q I assume that the Navy is fully familiar with and promptly advised of the sinking of all ships in which it has any interest?

A That is correct.

Q And it does not rely upon any news of ship sinkings put out by F.B.I.S. for its knowledge and information respecting such sinkings?

A No. I would say in nearly every instance the ship sinking is reported through Navy channels, and the press does not get it until it is released or it becomes local knowledge in some port.

Q Is it true that F.B.I.S. sometimes makes reports of ship sinkings that are not in accord with information in the possession of the Navy?

A I know this, that Germany every night tells how many ships they sank, and gives the names of them. Whether the F.C.C. has publicized those, I don't know.

Q But in any event the Navy doesn't rely on what publicity the F.C.C. gives out in such instances?

A No.

Q It has its own sources for such information?

A Yes.

Q And these sources, I take it, are perfectly accurate?

A I am sure the ^{personnel} fellow who makes the official messages

re
be sure of the facts.

Q F.C.C. picks it up on the ether, no matter what source it comes from?

A Yes. You see, we have a complete list of all allied ships, and we know something about their movements. We know where they are.

Q Admiral Hooper told us about a meeting that he caused to be brought about while he was still on duty in the Navy, between Army and Navy officers and broadcasters in Hawaii, with reference to stopping, on a voluntary basis, the broadcasting of Japanese messages in Hawaii before Pearl Harbor. Are you familiar with that at all?

A No. That happened at a time when I was not there.

BY MR. BARGER:

Q I show you a mimeographed copy of a speech delivered by Mr. Fly at Atlanta, Georgia, April 13, 1942, to the National Convention of the American Communications Association, CIO, and I would like to ask you if you will make any comments on any of the parts that are underscored or emphasized?

A (Examining speech) It just doesn't occur to me on the surface that anything was done in the commercial field in anticipation of the war.

Q Or by any regulatory body of the commercial field?

A Or by any regulatory body of the commercial field.

We were building up, in the Navy and in the Army, increased

services; there is no doubt about that; and, as I say, when we brought this question to the Defense Communications Board at that time they studied with the commercial people alternate facilities as a piece of war planning, but it wasn't an F.C.C. planning, it was a military planning, on how we could best utilize commercial facilities in time of war.

Q Do you think the F.C.C. contributed the amount of communications preparedness that Mr. Fly indicates in this speech?

A I think that assumes a little bit of platitude for the F.C.C. that I don't think is warranted.

Q Do you think this particular speech had any connection with Mr. Fly's anxiety to see that the CIO was constantly represented in matters of this kind?

A As far as the labor people were concerned, they didn't participate in that work. Their primary interest was to get the union people properly represented to strengthen their organization, as far as I am concerned.

Q Have you at any time heard anything about Mr. Fly having been solicitous to see that labor was represented on those boards, particularly the Board of War Communications?

A No. I think you have to give the devil his due. I think he was pushed into this by labor.

BY MR. GAREY:

Q But he did insist that labor be represented?

A My information is more or less second-hand. I wasn't here at that time.

BY MR. BARGER:

Q Do you know anything about the Army or Navy having to do with the shipment under Lease-Lend of radio materials to England?

A I know as the Navy representative I objected to that material going to England on Lend-Lease. The British wanted four telegraph transmitters over there to, in case of the failure of the cables, establish a radio link across the Atlantic. I took the position if the British were going to be bombed out in London we had better seek channels elsewhere rather than bottle up everything through London.

Q What, if any, part or connection with the matter of shipping those transmitters did the F.C.C. have?

A None that I know of, other than that they were represented on the Board.

BY MR. GAREY:

Q Did they favor or oppose the shipment of those transmitters?

A There was no disagreement on that. We all agreed to the same thing.

BY MR. BARGER:

Q The office of Lend-Lease have advised this Committee that the transmitters were wanted to increase the propaganda

facilities of England.

A That is something else. I don't know anything about that. Those are broadcasting transmitters.

Q Have you at any time heard of the shipment of 40-odd thousand radio receivers to India for propaganda purposes?

A Not to India. I heard that Mr. Rockefeller's group wanted to send some to South America. I was away for six months on this last command job, and a lot of things I haven't heard about.

BY MR. GAREY:

Q Have you observed that the fact there were certain labor representatives on the various committees of the Board of War Communications contributed any to the efficiency of the Board of War Communications or its committees in functioning as it was contemplated they should?

A If I am not mistaken, the labor representation was only on committees which had what you might call problems involving labor.

BY MR. BARGER:

Q Didn't they have a representative on the Board itself?

A No. And I don't think they had extensive representation on the committees. I think it was only on two or three committees that they participated, and in so far as my knowledge goes I think they tried to be helpful, but what they wanted

was really more for themselves than seeking ways and means to improve the communications system.

Q Or to further the war effort?

A Yes. However, they would challenge my statements and say they were interested in better operators, etc.

(Discussion off the record.)

BY MR. GAREY:

Q Mr. Barger has touched on a subject I would like to have your views on, and that is the question of what jurisdiction the Navy should have over merchant ships at all times, and the radio personnel and other personnel on merchant ships, in order to have them function as an effective part of the Merchant Marine in time of war.

A Well, if you take the commercial operator, his background and experience is primarily in connection with commercial procedure. He has probably little appreciation of the security of military information, because he is uninformed on the subject; and therefore I don't think he has the proper appreciation in time of war of the dangers that are ever present by disclosure of unauthorized transmissions, or improper procedure, or violation of traffic arrangements.

It has come to my attention that the commercial operators must all be given some training in military proceedings in connection with convoy operations, which is a matter entirely foreign to their peacetime operation. They haven't had very

such experience with codes and things of that kind. Therefore, if these operators were part of our reserve force, when we took over war operations we would pass from the peace to the war set-up, and the transition would be smooth.

Also, we would not have the situation we have at present wherein the radio equipment was purchased for commercial units and is not compatible with a military operation, which requires more power, more reliability, a wider frequency band, and so forth. Under commercial practice they are only required to go to ~~100~~ ¹⁰⁰ kilocycles.

BY MR. BARGER:

Q Your views would be in line with the policy of the Congress as expressed in the Merchant Marine Act, which requires vessels to be so built as to be adaptable to conversion for use by the armed forces?

A Absolutely. We are not fully equipped on merchant ships to carry on our convoy routing.

Q To that extent, then, the Maritime Commission is not equipping its vessels to meet war needs?

A It is not only the Maritime ships. You don't route only Maritime ships. You have foreign ships in this picture also. It is a very complex affair, but if you could do it before war it would simplify matters.

Q Congress has provided for the taking over for war purposes of vessels constructed by the Maritime Commission,

and it has provided that in constructing vessels, the Maritime Commission will construct them so that they will lend themselves to ready conversion for war purposes. Why shouldn't the same thing be done in radio?

A It should be done, and in the past certain ships have been built along that line and have been provided with equipment that should meet our needs in wartime.

Q Is the Maritime Commission doing that on the vessels it is now constructing?

A On certain types.

Q But not all?

A No. There is one class that we have to get the receivers changed.

Q What class is that?

A The "C" class.

Q C-2?

A Which are the big ones?

Q C-2 and C-3 are the better vessels.

A It is something not quite so good that has not had the proper equipment put on.

BY MR. GAREY:

Q How would you handle the radio personnel on our merchant ships?

A It would be very desirable that these people be in the Naval Reserve in time of peace and be subject to military training.

Q And military discipline, I take it?

A Yes.

Q Should the Navy have anything to do with the selection of this personnel?

A Certainly.

Q And in your opinion only members of the Naval Reserve should be licensed radio operators on these ships?

A That would be very desirable.

Q You have a situation where radio operators on ships in convoy, not being in the service, are not subject to the control of the Master?

A That is right.

Q Does that cause difficulty in wartime?

A It is obvious that it could. I have no specific instances to cite, but we don't know anything about these operators. They have been probably investigated by some agency.

Q They are not investigated with the care with which the Navy investigates its personnel?

A No. And they have in their hands the security not only of the ship but of the convoy, and the Master, I don't believe can keep himself informed of what these operators are doing.

BY MR. BARGER:

Q It would be impossible for him to do it, wouldn't it?

A Yes. He has a job of his own to do.

(Discussion off the record.)

BY MR. GAREY:

Q What can you tell me about the situations that would be improved in the Merchant Marine if these radio operators were under the control of the Navy and in the Naval Reserve?

A Well, in the first place, during peacetime there would be periodic training of them. And in the second place, before they were accepted in the Naval Reserve they would be investigated, so that we would know something about their integrity. They would be familiar with codes and identification systems, and so forth. You can't pass those things all over at once.

Furthermore, they would be trained in Navy procedure, which is not the same as commercial procedure, and when they get into a naval operation they are not familiar with our methods, so it would be very desirable that they have that training.

Q It would add to the efficiency in times of war?

A Yes.

Q As well as the security?

A As well as the security.

One of the ridiculous things, as far as I am concerned, is that we of the Navy have authority over the equipment on board these ships, but we have no authority over the men who operate that equipment, and we have no control over the codes

and ciphers turned over by the Master to the operator.

Q Are the Masters from the Naval Reserve?

A It is not required.

Q Is there any difficulty in putting guns on ships in peacetime due to the fact they are not part of the armed guard?

A I don't think the friction comes in between the armed guard and the radio operators. It is where you have commercial operators and military operators together that you get friction.

Q What is the basis of that friction?

A The civilian operator expects to be classed as an officer, and he gets more money than the military operator, yet the military operator is required to do the same work right in the same place.

Q On the whole, the military operators are at least as competent as the commercial operators?

A I think they are better trained in military operation, because they have had basic training before they come aboard ships.

Q Then the matter of friction between military operators and commercial operators on board ship would be eliminated if the commercial operators were members of the Naval Reserve?

A Absolutely. Where we have had mixed crews I have heard of instances where the commercial men set watch lists

that have not been satisfactory to the military men. Then it is just human nature that there will be friction when one man gets five or six times what another man gets for doing the same work.

Q If the radio operators on board ships were members of the Naval Reserve it would give the Master a control over the ship that he does not now have?

A Absolutely.

Q And that would add to the national security?

A That would add to the national security.

Q Is a radio operator in a position where his activities, if he chose to be subversive, could be very detrimental to the national security?

A Absolutely. He could disclose the location of a convoy, if in convoy, or else he could jeopardize his own ship.

(Recess for lunch.)

BY MR. GAREY:

Q Admiral, tell me, if you will, what is there about this whole F.C.C. set-up, particularly in so far as it relates to the national defense set-up, that I should ask you about that we have not discussed?

A First, interference of the R.I.D.; second, contentious attitude they have taken as to the radio spectrum; they have set themselves up as the superior body of the Government to control communications; third, unsatisfactory arrange-

ment of having had in the past the F.C.C. process the I.R.A.C.'s action to the President, yet the I.R.A.C.'s actions were in relation to Government stations, and F.C.C.'s actions are in relation to commercial stations. Since the war it is processed through the Board of War Communications to the President, yet the F.C.C. has chairmanship of the Board and is the liaison officer between the Board and the President.

This question of overseas communications into a theater of operations has a military background to it, because the theater commander is controlling the information that comes in and out of that area, and he is the one who says how many channels he wants.

That has raised a conflict in our administration, because having three competing companies, and each wanting to have his place in the sun, the Board has passed on the commander's desires, and the licensing agent is the F.C.C., and it has been up to the F.C.C. to determine which of the three companies should get the license.

Good or bad, you must agree that the F.C.C. is in a very untenable position. The military say, on the one hand, "you can only have one circuit". There has always been this competition between private enterprise, and who will decide who gets the channels of communications? I don't know.

Q How do you think that should be handled, Admiral?

A The only way to handle it is to have an international

merger in which the United States has one overseas communication company.

Q From the Navy standpoint, I take it it is interested in only one communication company, although the Navy favors alternate means, so that if one channel of communications is destroyed they can have another?

A Yes. They want only one administration.

Q That is on the same theory that you have several alternate means of communication aboard battleships?

A Yes. We tried to get alternate channels into Australia so that if one was bombed there would be another one available on the continent for military use. But when you have three administrations operating into one theater, you have to ship food, supplies and equipment for three competing organizations, and it does not make for efficiency.

Q What else have you found that Fly has been doing that, from a Navy standpoint at least, is detrimental to the national interest?

A I mentioned this business about his testifying before these committees in justification of appropriations, when he has indicated what kind of business the F.C.C. is engaged in, which, as far as we are concerned, the less that is said about it the better off we are. We don't want to bring to the attention of the enemy what functions we are engaged in.

Q Did you read Admiral Hooper's memorandum to the Secretary of the Navy dated May 14, 1942, regarding the undesirability of the chairmanship of the Defense Communications Board being vested ex officio in the Chairman of the Federal Communications Commission, especially during wartime?

A Yes.

Q You will recall that Point 1 in that memorandum was:

'1. The Defense Communications Board has failed to take any action on the written recommendation of the Secretary of the Navy that certain committee members were believed to be disloyal to the United States.'

Are you familiar with that subject?

A I know something about it, yes.

Q What can you tell us about it?

A There were certain people whose integrity Admiral Hooper had challenged. I don't think his statement is correct except as a matter of time. He was a little impatient at the delay that occurred. But I will say this: every member on that Board was investigated.

Q You mean finally?

A Yes.

Q But that was probably due to Admiral Hooper's insistence?

A That is probably true. I can't say. But the question

was raised by the Secretary of the Navy and it was done.

Q Finally?

A Yes.

Q It wasn't done promptly?

A It was a matter of time. There was one thing that came up in which the F.C.C. did not want to cooperate. Whether their reason was considered valid or not, it has some merit. They wanted to take the fingerprint record cards of all the operators and investigate them from that angle with the F.B.I. The Commission member on the committee objected on the basis they had obtained those fingerprints for the purpose of issuing their licenses and not for purposes of investigation, and it was not exactly fair to take them and use them for purposes of investigation. However, I think they subsequently released them and made them available to the F.B.I.

Q That was in June after Pearl Harbor.

A I don't know when it was.

Q I have the record on that. Wasn't the reason for Fly's unwillingness to investigate certain committee members the fact that the committee members who were suspected were members of the CIO Union, Joe Selly's Union?

A They were the ones who had been indicated by Hooper's letter through the Secretary of the Navy should be investigated.

Q Fly is pretty close to Selly, is he not?

A Selly has called on all of us. He has come to my

office several times.

Q Isn't Fly pretty close to Selly?

A Commander Willenbacher can tell you that. He has had to do with the centralizing of all records of the B.W.C., and is on the Coordinating Committee, so he is more familiar with that than I am. He has been the go-between between the Board and the committees.

Q Admiral Hooper states in Point 3 of his memorandum to the Secretary:

"The Chairman of the Federal Communications Commission has frequently taken it upon himself to speak for national defense, thereby exposing his ignorance of the subject."

And Admiral Hooper has pointed out that the basis for that are statements that Mr. Fly has made before committees of Congress in which he took positions that were not in accordance with the judgment of either the Army or the Navy.

A I think that is reflected in the action of the Army and Navy in trying to get the F.C.C. to stop this R.I.D. activity, because he has testified he was engaged in this activity and how he was aiding the war effort, and that he was locating submarines and things of that kind. So I think the answer is yes, that we support Admiral Hooper's contention in that respect.

Q As a matter of fact, Fly has not been contributing anything to the war effort as Chairman of the F.C.C., has he?

A I don't see that he has.

Q The fourth point Admiral Hooper makes is this:

"4. The Chairman of the Defense Communications Board, by action and by public utterance, has shown that his primary interest is in keeping the support of the C.I.O. Communications Union, which has constantly opposed our interests, and not national defense."

"Our" interests there meaning the Navy's interests. Is there anything you can tell us about that particular point?

A Only in this respect: I would say the interest of the labor union was to establish civil operators on these ships.

Q And Fly has been in accordance with that policy of the Union?

A I don't know if that has been brought to Fly's attention. That has never been a matter before the Board.

Q Have you run into that situation generally, other than in the Board?

A Yes. This labor outfit, first they tried to force us to take over all the coastal radio stations so that we would retain them in their jobs. I refused to do that. We only took over the radio stations we needed. They brought it up on the plea that the distress communications of ships suffering enemy damage were not being heard. They came to see

the Secretary of the Navy, and I was there, and the Secretary of the Navy turned to me and I refused to back them up, because it wasn't so. We did take over the operation of three stations on this coast and two on the other coast, and I insisted that these people be inducted in the Coast Guard; and so in the stations we took over these people are all in the Coast Guard.

That is why I would like to see the other end of the picture straightened out. It is just as logical to have the operators on board ship in the military service as it is to have the operators in coastal stations in the military service. Then we would have complete security. Incidentally, two of the stations we took over were not labor-controlled.

Q The fifth point Admiral Hooper takes up is:

"5. The Chairman of the Federal Communications Commission and the Defense Communications Board has had no previous experience in the field of communications."

A That is, before he came into the chairmanship of the Federal Communications Commission?

Q Yes.

A Yes. Of course he had some experience from the time he became Chairman of the F.C.C. until he became Chairman of the Board.

Q Do you regard him today as being experienced in the field of communications?

A He doesn't have a technical background, and his experience has been limited to what he has learned as Chairman.

Q And that is true of all Commissioners of the F.C.C. with the exception of Commissioner Craven, is it not?

A As far as I know, yes.

Q I am going to skip points 6 and 7 and direct your attention to point 8 in Admiral Hooper's memorandum, which reads as follows:

"8. The Chairman of the Defense Communications Board opposed legislation permitting wire-tapping which would have permitted checking of the telephone to Japan before Pearl Harbor, and might have prevented the disaster."

Is there anything you can tell us on that point?

A I don't know anything about that. I know the subject was up. It was never handled in Communications.

Q The ninth point is:

"The Chairman of the Defense Communications Board opposed stopping Japanese language broadcasts in Hawaii, a factor which led to the disaster."

A That is a pretty broad statement, "a factor which led to the disaster". I don't know how he ties that in.

Q If you will read his testimony you will find it was based upon the hypothesis that through these Japanese language broadcasts, information was communicated to Japan that enabled

the Japanese to attack Pearl Harbor at the time and under the circumstances they did, with such disastrous results to us.

A I don't think that is an accurate statement. The Japanese language broadcasts were on local frequencies, and they can't be picked up in Japan. I saw his statement. As to how he concludes that that is so, I don't know. I do believe that it was a very bad thing to have these Japanese programs going on at a time they might communicate a lot of information to the potential enemy in the Island.

Q And you considered they should be stopped?

A I considered them undesirable, but I knew of no legal way to stop them.

Q Except by cooperation of the Army and Navy and cooperation of the station owners, and their doing it on a voluntary basis.

A Yes. But I don't see how Fly got in the picture in that.

Q Admiral Hooper's statement in that regard is briefly this: That recognizing the need for stopping these broadcasts, and being advised that Fly was unwilling--whether for legal or other reasons--to stop them, Hooper, through the naval officers, arranged a meeting between the broadcasters and officers of the Army and Navy, and they had about reached an agreement that they would be stopped when Fly issued a statement on the subject which terminated the voluntary arrangement

that had been worked out.

A All I know about that is some of the stuff I have read. I think they did go far enough to have those foreign broadcasts monitored, but I don't know enough about that to help you.

Q The tenth point Admiral Hooper makes is:

"10. The Chairman of the Defense Communications Board has consistently opposed any move to assure the loyalty of personnel in communications."

What can you tell us about that?

A I can't tell you anything about that. That is something that Admiral Hooper, as a member of that Board, had more direct knowledge of than I did.

Q The eleventh point he makes is:

"11. The Chairman of the Federal Communications Commission has consistently opposed the stand of the Armed Services on the question of mergers."

I take it from what you have already told us that you are in accord with that statement?

A Yes. That is in the record of Mr. Bulwinkle's Committee.

Q And the summarization that Admiral Hooper has made here is substantially accurate?

A Yes.

Q Because Fly's position on mergers was not in accord

with the position of the Army and Navy?

A That is absolutely right. He endeavored on every occasion to try to have written into the domestic merger bill a provision for effectuating an international merger.

Q The twelfth point which Admiral Hooper makes in this memorandum is:

"12. The Chairman of the Federal Communications Commission gives out too much publicity on defense matters. This should come from the War and Navy Departments."

I take it from the matters we have discussed here today that in general you are in accord with that criticism?

A Yes. Also, it had reached the point where we had decided in the Board that there would not be any releases made unless the Board sanctioned them.

BY MR. BARGER:

Q Was that in the form of a Board minute?

A Yes. We didn't say to him, "You are talking too much", but we just had it arranged that there wouldn't be any publicity except that which was authorized by the Board.

BY MR. GAREY:

Q And the reason that resolution was adopted was because of Fly's activity in that regard?

A There wasn't anybody else giving it out, so the conclusion is obvious.

Q Is there anything else you can tell the Committee, other than what you have told us, of matters you think the Committee should inquire into respecting the F.C.C.?

A It is like all things that have been criticized for a great many years. A lot I know has been what somebody else has said or what I have read in the paper.

Q I am willing to take that criticism, because you would be in a position to know if that criticism was well founded, while members of the Committee wouldn't have the ability to evaluate it that you have.

A From what has been going on for many years, I would say that the F.C.C., which is supposed to represent the commercial industry in radio, does not enjoy the confidence of the industry. I don't think the radio industry feels that the Commission properly and ably represents them; and I think the radio industry feels that many of the actions that have been taken by the Commission have been rather capricious.

Q And arbitrary?

A Yes, capricious and arbitrary.

Q And you believe, from your general knowledge of this field, that the industry lives in fear and terror of the Commission?

A Whether they are in fear and terror, I don't know, but they at least are in an unsettled state of mind, because the F.C.C. has the power of revoking their license, and if

the Commission revokes their license they must cease operating. They don't seem to have much redress, because all they can do is come back to the Commission.

Q If the power to revoke a license were taken away from the Commission, and the Commission were required to go into court like any other litigant and ask that the license be revoked, do you think that would help the situation?

A I certainly do, because as it is now, they have the whole thing in their hands.

Q That is where they are both jury and prosecutor?

A Yes. But I haven't gone into any phases of that, because it has never been a problem with us. We get our rights to operate by Executive Order of the President. The F.C.C. has no jurisdiction over Government stations.

Q Although the F.C.C. has sought from time to time, I believe you have said, to exercise supervision and control over Government stations?

A They have from the beginning tried to exercise supervision and control.

Q On the philosophy they are the sole ones to determine who shall use the ether waves?

A They think they are the controllers of the radio spectrum.

Q Is there anything else you can tell me?

A Not that comes to my mind at the moment.

BY MR. BARGER:

Q Some of the war agencies seem to lay great stress on the so-called and perhaps new form of warfare known as psychological warfare. What is your view on that?

A I don't have anything to do with that.

Q Does the Navy Department subscribe to that?

A You are asking me something that is outside of my field.

Q I thought you might have some idea on it.

A It is a nebulous subject, just as the value of propaganda is a nebulous subject. I do know this, that one fellow, a classmate of mine, who had been a diplomatic prisoner, came back and he said it finally gets on your nerves to listen to the broadcasts they put out for your benefit.

Q You mean that the enemy puts out?

A Yes. He says you never get any news from the outside world, and that there is just enough truth in the things they tell that you never know when you are there whether you are losing the war or not.

BY MR. GAREY:

Q In other words, it carries no conviction?

A That is right.

BY MR. BARGER:

Q Doesn't the same kind of propaganda from us do the same thing?

A I suppose so.

Q It is not like that psychological propaganda which it is claimed kept the Japanese from invading India?

A I don't think so. This warfare is controlled by Chiefs of Staff. They set up their plans. The plans are made long in advance and the propaganda has nothing to do with them.

Q Before or after?

A Before or after.

(Thereupon, at 2:50 p.m. on Friday, June 4, 1943, the statement of Admiral Redman was concluded.)