

(SC)A8-5/EN3-10

NAVY DEPARTMENT

Finished-Ref-File

Op-16-B

A16-1/H1-1

Office of the Chief of Naval Operations

Serial No. 0603416

CONFIDENTIAL

WASHINGTON

March 9, 1942.

From: The Chief of Naval Operations.
To : Commandants, All Naval Districts (except Fifteenth and Sixteenth).
Commandant, Potomac River Naval Command.
Commandant, Severn River Naval Command.

SUBJECT: Protection of vessels, harbors, ports and waterfront facilities,--Intelligence activities in connection therewith.

Enclosures: (A) Copy of Executive Order No. 9074, dated Feb. 25, 1942.
(B) Copy of SECNAV letter to CNO dated Feb. 28, 1942.
(C) Copy of CNO ltr. Op-32/SC-661, Serial 10132, dated Feb. 28, 1942, to Comdt., U.S. Coast Guard; Comdts. of all Naval Districts; Comdts. Potomac River and Severn River Naval Commands.
(D) Copy of CNO conf. ltr. to District Comdts. and Comdts. Potomac River and Severn River Naval Commands, (SC)P14-2/EN3-10, L4-3/A8-4/EN3-10, LL/ND, Serial 076916, dated Feb. 12, 1942 (with Chapt. V added).

1. The enforcement of adequate waterfront security measures, pursuant to Enclosure (A) will require effective Intelligence activities, conducted in part by agents or special employees. It is desired that such personnel (referred to hereinafter as "agents") be procured by District Intelligence Officers.

2. The agents will be assigned by District Intelligence Officers to duty under Captains of the Port.

3. Agents selected for waterfront Intelligence duties should have certain essential qualifications which are not required in Naval Intelligence agents assigned to other duties. They should have, in addition to other necessary qualifications and unquestioned loyalty:

(a) Occupational experience qualifying them for the type of Intelligence activities involved, and enabling them to form close contacts with water-front workers;

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(b) Ability to perform under-cover investigative activities among water-front workers.

4. The primary task of the agents will be to discover and report plans of sabotage. They will not be responsible for conducting security surveys of waterfront properties, but they will be expected to be sufficiently familiar with security requirements to detect deficiencies in physical security measures during the performance of their duties.

5. The agents will work under the direct supervision of Captains of the Port who will be responsible for: (a) directing their activities; (b) receiving their reports; (c) seeing that the reports are evaluated; and (d) taking appropriate action indicated by the intelligence gained.

6. From the foregoing it will be seen that the agents are to be procured by the Naval Intelligence Service, that their expenses will be paid by the Naval Intelligence Service, and that their duties will be to furnish information to Captains of the Port to enable those officers to carry out the duties prescribed in Enclosure (A).

7. It will be evident that close cooperation between District Intelligence Officers and Captains of the Port will be necessary to determine the number of agents required, obtain and indoctrinate properly qualified agents, and to provide the means of assuring a continuing exchange of information between District Intelligence Officers and Captains of the Port. It is desired that a Naval Intelligence Officer, thoroughly informed concerning the organization and activities of the District Intelligence Office, be designated as liaison officer between the District Intelligence Officer and the Captain of the Port to insure that: (a) information in the District Intelligence Office having a bearing on reports submitted by agents or to other aspects of water-front security shall be readily available to the Captain of the Port for purposes of evaluation; and (b) information obtained by agents which is of interest to one or more sections of the District Intelligence Office shall be readily available to that office. Similar arrangements are desired in ports where zone offices of District Intelligence Offices are the logical means of effecting this liaison.

8. An estimate of the number of agents required by all Captains of the Port in each naval district is desired as soon as possible, in order that the total requirement of personnel may be known in the Navy Department.

9. Steps to procure agents are to be instituted immediately, in advance of approval of the estimate of personnel requirements, in order that the requisite number of agents may be obtained as soon as possible. Captains of the Port are to be given an opportunity to make nominations. Agents shall be employed in accordance with the procedure for employment of civilian Naval Intelligence Service operatives, as prescribed in Enclosure (D). Attention is invited to the establishment of a new class of Agents (excepted status), in Chapter V of Enclosure (D).

10. To further expedite procurement of personnel, District Intelligence Officers may employ such personnel as they consider immediately necessary, as special employees, without contract and full investigative report. Such special employees may later, after appropriate investigation, be employed as agents or agents (excepted status.) Special employees should not be hired until reasonable certainty that they are loyal and trustworthy has been established.

11. In determining compensation of agents and special employees, consideration will be given to: (a) whether the operative derives income from other occupation; (b) his normal earning capacity; and (c) the degree of importance and nature of the duties for which he is selected.

12. The success of Intelligence activities conducted in connection with the water-front security program will depend, to a large degree, upon the secrecy of those activities and of all matters relating to them, including the procurement, training, and assignment to duty of agents.

/s/ F. J. HORNE
Acting

Copy to:

Op-30 (2)
Op-32 (2)

EXECUTIVE ORDER

9074

DIRECTING THE SECRETARY OF THE NAVY TO TAKE ACTION
NECESSARY TO PROTECT VESSELS, HARBORS, PORTS, AND
WATERFRONT FACILITIES

By virtue of the authority vested in me as President of the United States and as Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. The Secretary of the Navy shall be primarily responsible for, and shall take such steps, institute such measures, and issue such regulations and orders as shall be necessary for, the safeguarding against destruction, loss or injury from sabotage or other subversive acts, accident, or other causes of a similar nature, of vessels, harbors, ports, and waterfront facilities in the United States and in Alaska, the Territory of Hawaii, Puerto Rico, and the Virgin Islands, except such waterfront facilities as may be directly operated by the War Department. Executive Order No. 8972 of December 12, 1941, authorizing the Secretary of War and the Secretary of the Navy to protect certain national-defense material, premises, and utilities from injury or destruction, is modified accordingly.

2. All agencies and authorities of the Government of the United States shall conform to all regulations and orders issued by the Secretary of the Navy pursuant to Section 1 hereof, and shall give such assistance and support to the Secretary of the Navy as their available facilities and personnel will permit.

3. All state and local authorities and all persons are urged to assist and support the Secretary of the Navy at all times in the enforcement of this order, and to conform to all regulations issued hereunder.

4. Except as provided by Section 1 hereof, nothing herein contained shall be construed as relieving any agency or authority of the United States from the performance of any duties now imposed by law upon it; and nothing herein shall limit or modify the duty and responsibility of the Federal Bureau of Investigation, Department of Justice, with respect to the investigation of alleged acts of sabotage, espionage, or other types of subversive activities, or require it to furnish facilities or personnel under Section 2 of this order.

5. The Secretary of the Navy may delegate to such officers under his direction as he may deem necessary any of the powers and duties conferred upon him by any of the provisions of this order.

/s/ FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

February 25, 1942

ENCLOSURE (A) to Serial 0603416

DECLASSIFIED
Authority NND803073

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THE SECRETARY OF THE NAVY
Washington

28 February, 1942

From: Secretary of the Navy.
To: Chief of Naval Operations.

Subject: Protection of vessels, harbors, ports and water-
front facilities.

Reference: (a) Executive Order No. 9074 of February 25, 1942.
(b) Executive Order No. 8972 of December 12, 1941
(6 F.R. 6420).
(c) Regulations issued under section 1, Title II,
Espionage Act of June 15, 1917, 40 Stat. 220
(50 U.S.C., 1940 ed., 191), as amended by the
Act of November 15, 1941 (Public Law 292 -
77th Congress).

Inclosure: (A) Copy of reference (a).

1. Reference (a) provides, among other things, that the Secretary of the Navy shall be responsible for, and shall take such steps, institute such measures, and issue such regulations and orders as shall be necessary for the safeguarding against destruction, loss or injury from sabotage or other subversive acts, accidents, or other causes of a similar nature, of vessels, harbors, ports, and waterfront facilities in the United States and in Alaska, the Territory of Hawaii, Puerto Rico, and the Virgin Islands, except such waterfront facilities as may be directly operated by the War Department.

2. Pursuant to the authority vested in me by paragraph 5 of reference (a), the powers and duties enumerated in paragraph 1 hercof are hereby delegated to the Chief of Naval Operations and, under his supervision and direction and subject to such limitations as he may impose, to the Commandant of the Coast Guard, to the Commandants of the Naval Districts, to the Commandants, Severn River Naval Command and Potomac River Naval Command, and to captains of the port. The Chief of Naval Operations, acting through the Commandant of the Coast Guard, shall exercise general supervision and issue such regulations and orders as may be necessary to effectuate the purposes of reference (a). The Commandants of

ENCLOSURE (B) to Serial 0603 **CONFIDENTIAL**

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Naval Districts and the Commandants of the Severn River and Potomac River Naval Commands will be responsible for compliance with such regulations and orders and, in addition, will initiate and place into effect such measures, not inconsistent with such regulations and orders, as they may deem necessary within their Districts or Commands for the safeguarding of vessels, harbors, ports and waterfront facilities as contemplated by the Executive Order. In the performance of these functions, captains of the port shall act as the representatives or agents of, and will be responsible directly to, the Commandants of their Naval Districts or to the Commandants of the Severn River and Potomac River Naval Commands, respectively, as the case may be. However, nothing contained herein shall be construed as preventing the Commandant of the Naval District or Naval Command from utilizing such other additional facilities under his command as he may deem necessary for this purpose.

3. All previous regulations, orders and instructions which may be inconsistent with the provisions of this letter are amended accordingly.

FRANK KNOX

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Authority NND803073

NAVY DEPARTMENT

~~Office of the Chief of Naval Operations~~

WASHINGTON

Op-32/SC-661
Serial No. 10132

28 February, 1942

From: Chief of Naval Operations.
 To: Commandant, U. S. Coast Guard; Commandants of all Naval Districts; Commandant, Severn River Naval Command, Naval Academy; Commandant, Potomac River Naval Command, Washington Navy Yard.

Subject: Protection of vessels, harbors, ports and waterfront facilities.

Reference: (a) Executive Order No. 9074 of February 25, 1942.
 (b) Executive Order No. 8972 of December 12, 1941 (6 F.R. 6420).
 (c) Regulations issued under section 1, Title II, Espionage Act of June 15, 1917, 40 Stat. 220 (50 U.S.C., 1940 ed., 191), as amended by the Act of November 15, 1941 (Public Law 292 - 77th Congress).
 (d) Letter of Secretary of the Navy to the Chief of Naval Operations dated February 28, 1942.

Inclosure: (A) Copy of reference (a).
 (B) Copy of reference (d).

1. The attention of the addresses is invited to reference (a), which imposes upon the Secretary of the Navy primary responsibility for the safeguarding against destruction, loss or injury from sabotage or other subversive acts, accident, or other causes of a similar nature, of vessels, harbors, ports and waterfront facilities in the United States and in Alaska, the Territory of Hawaii, Puerto Rico, and the Virgin Islands, except such waterfront facilities as may be directly operated by the War Department.

2. Reference (d) delegated the powers and duties conferred upon the Secretary of the Navy by the Executive Order to the Chief of Naval Operations and, under his supervision and direction and subject to such limitations as he may impose, to the Commandant of the Coast Guard; to the Commandants of the Naval Districts; to the Commandants, Severn River Naval Command and Potomac River Naval Command; and to captains of

ENCLOSURE (C)

to Serial 0603416

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Authority *NND803073*

the port. It further provides that the Chief of Naval Operations, acting through the Commandant of the Coast Guard, shall exercise general supervision and issue such regulations and orders as may be necessary to effectuate the purposes of reference (a). It is desired to emphasize the responsibility of Commandants of the Naval Districts and the Naval Commands referred to in complying with such regulations and orders, and for initiating and placing into effect other action not inconsistent with such regulations and orders considered necessary to assure that adequate safeguard measures are taken to provide the protection contemplated. In the performance of these functions, captains of the port are designated as the representatives or agents of, and made responsible directly to, the Commandant of the Naval District or Naval Command, as the case may be.

3. In view of the close relationship of the program contemplated by reference (a) to the protection of vessels, harbors and territorial waters for which reference (c) is designed to accomplish, the Commandant of the Naval District or other Naval Command referred to will utilize to the fullest extent practicable existing Coast Guard captain-of-the-port organizations within his District or Command, and coordinate efforts in carrying out the provisions of both references (a) and (c), whenever feasible. However, this directive is not intended to restrict the Commandant of the Naval District or Naval Command to the utilization of the captain-of-the-port organizations exclusively, and he may, as occasion warrants, employ any additional facilities under his command as may be deemed necessary in the fulfillment of his responsibility.

4. The present practice of designating the Senior Coast Guard Officer of the Naval District, Captain of the Port for the entire District will be discontinued, and the Commandant of the Coast Guard will designate the incumbent Assistant Captain of the Port, or such other member of the Coast Guard as may be selected as Captain of the Port for the particular port or area within the District or Command as the exigencies of the situation may warrant.

5. The addressees of this letter will make an immediate study of reference (a), as well as the other references listed, with a view to ascertaining ways and means that could best carry out and assure the success of the program. Considerable latitude will be afforded the Commandants of the Naval Districts and Naval Commands involved. The Commandant of the District or Command will submit promptly to the Chief of Naval Operations his recommendations with respect to the foregoing and an estimate of the need for additional personnel, suitable boats, and housing facilities for personnel to augment the existing captain-of-the-port organizations, and for such

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additional facilities as he may deem necessary. He shall also submit recommendations for the designation of additional ports or areas to which captains of the port should be assigned, together with a description of the jurisdictional limits of such ports or areas.

H. R. STARK

Copy to:

COMINCH
CINCLANT
CINCPAC
OP 11
OP 12
OP 13
OP 30

Department of State

War Department

Commissioner of Customs

Bureau of Marine Inspection & Navigation

Department of Commerce

Maritime Commission

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