

Op-16-B-7

February 20, 1943

MEMORANDUM FOR THE DIRECTOR

SUBJECT: Transfer of Investigative Jurisdiction to Op-30

1. When the functions of Op-16-B-6 were transferred to the Office of the Secretary, all personnel and files in Op-16 were likewise transferred. There is no residual personnel or equipment in the Naval Intelligence Service concerned primarily with plant or plant personnel security, except Op-16-B-4, charged with security of information and control of visitors to plants having Navy contracts or to the Naval Establishment.

2. The Naval Intelligence Service is one of the three Services in the Naval Establishment. The other two are the Naval Transportation Service and the Naval Communications Service. Each of the agencies provides service without regard to the reasons or purposes of the larger over-all activity participated in.

3. In the case of the Naval Intelligence Service the service performed is in accordance with the basic mission as set forth by the Naval Policy and the War Plans. That mission is to collect, evaluate and disseminate intelligence for the benefit of the Naval Establishment and all of its component parts. Such service is of vital necessity in all phases of naval activity from the determination of policy through planning, construction, supply and training to the ultimate naval battle.

4. By its mission the Naval Intelligence Service is not an action agency. The function of the Service is to provide information and intelligence to enable the action agencies and High Command to make adequate and proper estimates of the situation so that forceful and effective operating plans may be formulated to direct the necessary action.

5. By the character and requirements of the tasks imposed by the mission the Naval Intelligence Service must concentrate on the processing of information to obtain accurate and timely intelligence of value before the fact. Functions - such as Security - requiring action would result in a dispersion of effective force and create a tendency toward acquiring information to justify action as distinguished from intelligence that is impartial and which accurately depicts conditions as they actually exist.

6. Successful fulfillment of the basic mission of Security requires action to positively protect the Naval Establishment and plants engaged in production for the Navy. Such action if undertaken by the Naval Intelligence Service would result in the above indicated dispersion of force to the detriment of the basic mission.

7. Under orders of the President the Naval Intelligence Service, the Military Intelligence Service and the Federal Bureau of Investigation were designated as the agencies of exclusive investigative jurisdiction in all matters involving espionage, counter-espionage, sabotage and subversion. These agencies have effected a Delimitation Agreement to increase effectiveness through elimination of duplication of effort. As a result thereof the Naval Intelligence Service has exclusive jurisdiction in the four designated categories when such activities occur within the Naval Establishment. This perforce requires the maintenance of adequate investigative force by the Naval Intelligence Service to carry out the assigned task.

8. By agreement between the Secretary of the Navy and the Secretary of War all security in private plants producing munitions was assumed by the Army, effective in May 1942. Due to certain legal aspects it was determined by the two secretaries that Navy has the obligation of seeing that Army adequately performs its task in plants having Navy contracts. That task has been assigned to Op-30.

9. In view of the basic mission and the assignment of special jurisdiction made pursuant to orders of the President, the Naval Intelligence Service must retain its investigative staff.

10. By the basic mission the Naval Intelligence Service must supply all Naval Activities with intelligence necessary for each activity carrying out its own tasks. That service is available at all times.

11. Establishment of a second investigative agency within the Naval Establishment would create untold confusion and conflict, because investigation of cases may reveal at any time characteristics outlined in the four categories specified in Paragraph 7. Transfer of an operation as delicate as an investigation from one agency to another is most dangerous.

12. If Op-30 establishes an investigative unit the Naval Intelligence Service will be forced to withdraw from all Shore Establishments of the Navy, which will require the Security Officers assuming the intelligence functions now performed by the Intelligence Officers stationed in the Navy Yards, Stations and other activities ashore. Such

withdrawal would adversely affect the effective operation of the Naval Intelligence Service.

13. Utilization of the facilities of the Naval Intelligence Service within its proper sphere by Op-30 would obviate the deleterious results following the establishment of another investigative agency within the Naval Establishment.

Respectfully,

Signature of J. B. W. Waller

From the Director of Operations, J. B. W. Waller, to the Director of Naval Intelligence, all personnel and staff in Op-30 and other departments, should be advised that the personnel and equipment of the Naval Intelligence Service are being used for the purpose of other operational activities, except the limited, assigned staff activity of investigation and control of activities in which they are engaged in the Naval Establishment.

The Naval Intelligence Service is one of the three services of the Naval Establishment. The other two are the Royal Air Force and the Royal Canadian Mounted Police. The Naval Intelligence Service, as one of the three services, should be advised that the personnel and equipment of the Naval Intelligence Service are being used for the purpose of other operational activities, except the limited, assigned staff activity of investigation and control of activities in which they are engaged in the Naval Establishment.

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