

Op-16-B-3

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Serial 02213516

From: Director of Naval Intelligence.
To: District Intelligence Officer,
 Eleventh Naval District.
SUBJECT: Theodore Arndt, Private, USMC, alias Ernst Theodor Arndt.

1. Subject has been attached to the Marine Corps Guard Battalion, Navy Department, Washington, D. C., and has been under investigation by this office. He is suspected of being homo-sexual and a German Agent. Subject departed from Washington on September 22 via personally-owned automobile under orders to proceed to the United States Marine Corps Base, Motor Transport School, San Diego, California. The Adjutant of the Marine Corps Guard Battalion advised that Subject's orders did not state any specific date upon which he should report at San Diego, but it appeared that Subject would be allowed approximately nine days for the trip. The investigation being conducted by this office is not yet complete, and no report of investigation has been prepared. It was deemed advisable, however, to forward certain information to you in advance of the detailed report which will follow.

2. There is enclosed herewith a photograph of Subject taken since his enlistment in the Marine Corps.

3. Subject has been under investigation by the Federal Bureau of Investigation for several years and the following is a summary prepared by the Federal Bureau of Investigation dated January 6, 1942, which is included herein for the purpose of furnishing general background information concerning Subject:

"Ernst-Theodor Arndt was born on May 13, 1906, at Luebeck, Germany, the son of Karl Arndt who was the Protestant Vicar of St. Matthew's Lutheran Church in Luebeck, Germany, and Anna Arndt, nee Harbeck. Arndt has two brothers residing in Germany and his grandfather was prominent in the construction of the Kiel Canal.

"He received his preparatory education at Luebeck Humanistic Gymnasium, Luebeck, Germany, which he attended from 1912 to 1925. In 1925 he attended the Technological Univer-

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city of Berlin, graduating in 1928 with the degree of Bachelor of Science in Mechanical and Civil Engineering. He continued his studies in Engineering at the Technological University of Munich until 1930 when he transferred into the study of Law at the University of Hamburg Law School. There he specialized in patents, trade-marks, and unfair competition of laws. At the conclusion of his studies in 1932 he accepted employment as a Patent Translator in the law firm of Fritze & Stoepel, Hamburg, Germany. It should also be noted that during the course of the subject's schooling he was employed at various intervals between 1925 and 1931 as a machine shop worker by some of the larger industrial firms in Germany, this being in addition to his school work.

In 1932 Arndt studied patent law with the law firm of Cruikshank and Fairweather, London, England, remaining until the early part of 1933 when he severed his relationship with that firm. He entered the United States as a visitor in March, 1933 and toured the United States studying patent law in the offices of the better known patent attorneys. Admission to these offices was gained by means of letters of introduction which he secured from previous contacts. During this period he was allowed the use of the offices of Edward S. Rogers, Counselor at Law, 41 East 42nd Street, New York City, and 122 South Michigan Boulevard, Chicago, Illinois; Ernest F. Wendroth, Washington Loan and Trust Building, Washington, D. C.; Dyrenforth, Lee, Gritten and Wiles, Board of Trade Building, Chicago, Illinois; Lyon and Lyon, Los Angeles, California, and Flehr and Lathrop, San Francisco, California.

A confidential informant informed that Arndt seemed to have an unlimited supply of money while he was in Chicago, and that he took many trips around the country. One of his tours took him to Annapolis, and upon his return he was heard to remark that he had been aboard a battleship and a submarine. He personally knew both the New York and Chicago German Consuls and went out with them on different occasions. This information was substantiated by another informant who stated that Arndt entertained lavishly both in Chicago and in Washington, particularly in Washington where Arndt had many friends in the German Embassy. He was a very close friend of the German Ambassador's son-in-law. At this time Arndt was merely occupying desk space in an office, but in spite of the fact he received no compensation, he managed to spend a large proportion of his time at the Navy's Model Testing Base in Washington and at the Air Tunnel at Langley Field, Virginia. When asked about the money spent for cocktail parties and special functions, Arndt stated that he was getting the money out of Germany through a friend in Holland. This story was at var-

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ience with a story told another source of information to whom Arndt stated he had spent six months in England and while there had transferred his money from Germany in order that he might receive drafts from a London bank. Arndt was a close personal friend of Ernest Meyer, former first secretary of the German Embassy in Washington, D. C.

"At one time the German Consul in Chicago gave a dinner for Arndt in an Evanston Club which an informant attended. Information was also received from this source that Arndt frequently visited in Washington, and that he was on very close terms with Admiral Karl Whithoff, Naval Attaché of the German Embassy, Georgetown. Arndt was also well acquainted with the other members of the Embassy, particularly with former German Ambassador Luther. Arndt told this source of information that he was able to return to Germany and leave the day before being called for military training in a German Concentration Camp. While he was in Chicago he was also very friendly with Robert Mautz, a former officer in the German Army. Mautz' father was a general in the German Army during the World War.

"In August, 1934 Arndt apparently went to Vancouver, British Columbia, where he made application for an immigration visa as a quota immigrant to the United States. This visa was granted and he entered the United States by way of the United Air Lines at the Port of Seattle, Washington, on August 24, 1934. On September 21, 1934, he made application (No. 11-104124) for first naturalization papers to the District Director of Immigration and Naturalization, Chicago, Illinois. His petition for full citizenship was set to mature on August 24, 1939.

"Records of the Bureau of Immigration and Naturalization further disclose that Arndt submitted an application for a re-entry permit on October 2, 1934, at which time he advised that he proposed to depart from the United States in October for the purpose of visiting England, the Netherlands, and Germany in connection with patent law matters. His temporary address while abroad was given as Berlin, Germany. A re-entry permit was issued to Arndt on October 2, 1934, and he re-entered the United States at the Port of New York on May 13, 1935, on the SS BLACK-TERN. On May 24, 1935, he was admitted to the rolls of the U. S. Patent Office as a registered patent attorney.

"He then attempted to secure employment in Washington, D. C., and on October 23, 1935, he was appointed a translator with the World Power Conference, National Power Policy Committee, Public Works Administration. His duties were translating and editing technical materials from the original foreign documents. Information was then received that Arndt entertained extensively at the Mayflower Hotel,

it being noted that he lived far above the salary he received as a translator. This appointment as translator was terminated, without prejudice, on February 29, 1936, at which time he was transferred to the pay roll of the State Department. He was employed by the State Department as a translator at the Third World Power Conference from March 1, 1936, until September 13, 1936, when his services were terminated without prejudice. In October, 1936 he was temporarily employed in the Alien Property Bureau of the Department.

"On June 1, 1936, he was employed as a Special Attorney in the Department of Justice.

"On March 25, 1938, confidential information was received to the effect that the subject had been associating with officers of the Marine Corps attached to the Philadelphia Navy Yard. Another confidential source indicated that Arndt made numerous trips to the Philadelphia Navy Yard where he exhibited an intense interest in the ships there, as well as demonstrated a knowledge of fire control and naval gunnery. Information was also given that Arndt was particularly friendly with one Frank Redicker, a German-American residing at 410 Park Avenue, New York City. Redicker claimed to be an ex-officer of the Foreign Service and was reputedly reticent concerning his reasons for leaving the service. He spoke German fluently, was admitted without employment, but was amply supplied with funds. On one occasion Arndt undertook to arrange a meeting between Redicker and certain officers attached to the Philadelphia Navy Yard.

"On September 3, 1938, Arndt gave a party in Washington, D. C., which was attended by a number of men and women, as well as two midshipmen from Annapolis. After the party proceeded for a while, the women withdrew from the room for a few moments, at which time another person entered the room and transferred to Arndt a large, plain, paper envelope. This envelope was sealed and was accompanied by a sheet of typing paper which Arndt opened and read. One of the persons there glanced over Arndt's shoulder and found the paper to contain a list consisting of first column numbers and letters such as are used on Government pay rolls (i.e. S4e-t698). Opposite these numbers were German words, all of them long and beyond comprehension. There were a few English words appearing unevenly, the only words noticed being "Truck" and "Contractors." This paper was put away by Arndt and the envelope was taken from the room.

"On July 31, 1939, Arndt resigned his position as Special Attorney with the Department of Justice. This resignation was caused by the fact that Subject was an alien, and

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It was felt for the better interest of the Department that only citizens be employed in that capacity.

While records of the Immigration and Naturalization Service reflect that Naturalization Certificate (No. 4916478), dated December 5, 1935, was issued to Arndt, "on October 16, 1939, Arndt accepted employment at Duncan, Oklahoma, with the Helliburton Oil Well Cementing Company. At this time he stated his intention of leaving the oil business. While in Duncan, Oklahoma, he became very friendly with Jimmy Young of Oklahoma City, Oklahoma, who was very unpopular among his fellow workers because of his radical attitude. Arndt gave Young a Zeiss camera which Young used to take pictures of the oil fields and of the engineering processes employed there. Most of these pictures were taken for the purpose of demonstrating the advanced engineering technique employed there. The ultimate destination of these pictures is not known, however, unconfirmed sources have informed that the pictures were given to the subject and were forwarded by him to Kansas City, Missouri."

On February 7, 1940, Arndt talked before the Rotary Club at Duncan, Oklahoma, at which time he stated "The Allies cannot serve Germany." The people are better fixed and equipped than anyone else."

"Upon another occasion, while in Duncan, Oklahoma, he was heard to make bitter remarks concerning Hitler and made the statement that this persecution in this country was due to Hitler."

On August 31, 1940, Arndt resigned from the Helliburton Oil Well Cementing Company, at which time he proceeded to the ranch of a brother of Earl P. Helliburton in Mayer, Arizona. He stayed at the Quarter Circle V Bar Ranch until October, 1940, at which time he moved to Oklahoma City. At Oklahoma City he registered for unemployment Compensation and attempted to secure employment in various firms.

"In the early part of 1941, Arndt engaged in an argument with the manager of the Helliburton Company, regarding the relative rights of the employees engaged in the war. At this time he contended that the German Government were all right, but was merely misundertood. During the same period Arndt received numerous telephone calls from persons who spoke to him in the German language, but who refused to give their names if Arndt was not at home.

"Arndt is presently employed in the plumbing and heating branch of the Division of Operation Supplies, Office of Production Management, Temporary Building E, Washington, D. C.

"Additional information relating to the novels of Arndt is being set out hereinafter. These allegations were

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furnished by persons interviewed during a general investigation concerning a possible violation of the National Defense Statutes and have not been specifically substantiated.

"Information was received to the effect that Arndt had not been known to go out with girls, but on one occasion a date was arranged between Arndt and the secretary of one of his friends. The next morning the secretary came to his friend and told him that she never cared to go out with Arndt again because she suspected Arndt of being abnormal. She further accused Arndt's friend of getting her a date with a sexual pervert.

"This friend stated that upon one occasion Arndt in the company of a prominent governmental official visited his apartment. The informant was in bed, so his roommate received Arndt and the government official who had both been drinking. After they had been in the apartment for a short time he heard his roommate order Arndt and the government official to leave the apartment. The informant then arose from his bed and went into the living room of the apartment where he saw that Arndt and the government official had apparently made improper advances to his roommate, that the front portion of his roommate's trousers had been ripped open and that Arndt and the government official were pleading with his roommate to allow them to do something."

"The informant's roommate then insisted upon their leaving and the government official left the apartment. However, Arndt threw himself on the floor and sobbed in a girlish voice, shouting that he would not leave the apartment. A firm demand was then made to Arndt that he leave, but instead of leaving, Arndt ran into the bathroom, locked the door and screamed several times, 'If I can't see you again I don't want to live.'

"The informant and his roommate then broke into the bathroom and found that Arndt had slashed both of his wrists with a razor blade and was bleeding profusely. Arndt was in such a hysterical condition that the informant had to hit him over the head with a bottle and render him unconscious. Arndt was then taken down the freight elevator and was taken to his place of residence at 2827 24th St., N.W., where an intimate friend of Arndt's was requested to administer to his wounds.

"During this same period, Arndt became a member of the old Racquet Club, which was later merged with the University Club in 1936. Employees of the club described Arndt to Investigating Agents as being sexually abnormal and stated that on numerous occasions Arndt brought unlisted uniformed service men into the club by way of the

back door, thereafter taking them to his room. These men would be brought through the back door of the club around 10:00 P.M. and would stay until the early hours of the morning. This situation became so noticeable that the employees of the club used to make wagers as to whether Arndt would bring an Army, Navy or Marine man into the club on any particular night.

"Information was also given that Arndt upon one occasion ordered strawberries brought to his room after the dining room had closed, and that the employee who had delivered the order had found Arndt and a male visitor in the room, absolutely nude. At this time a complaint was made to the management which made an attempt to ascertain if Arndt was engaged in unnatural practices, but this attempt was unsuccessful as Arndt's room was locked and the transom of the door had been shut.

"It was further noted that a former landlady, at whose residence Arndt stayed, refused to allow Arndt to take her twelve year old daughter riding with him, due to her suspicion that Arndt was not sexually normal."

4. Subject has prepared what he described as a "Curriculum Vitae" which is reported to have been prepared by him in connection with his application for a commission in the Army Air Corps. This document also furnishes general information concerning Subject's background, and is as follows:

"Born May 13, 1886 in Luebeck, a Free and Hanseatic City in Northern Germany, I attended for 13 years the Katharineum, a 400 year old 'Gymnasium', majoring in the Latin, Greek, English, French, and Russian languages. After a six month technical training course in the plants of the Luebecker Maschinen- + Gesellschaft (Excavator and River Dredge Manufacturers), Luebeck, I enrolled in 1925 in the Technical University of Berlin and graduated in Mechanical Engineering in 1928. Intermittently, I worked from 1927 to 1929 in the work shops and offices of the Deutsche Werke (Ship Yards), Kiel, and of the Maschinenfabrik Augsburg-Nuernberg (Diesel Engine Factory), Augsburg. After two years of further studies at the Technical University of Munich, I received in 1930 a Master's Degree in Engineering, i.e., Diplom-Ingenieur. From 1930 to 1932 I took a three year law course, specializing in international, admiralty, and patent law, at the University of Hamburg, serving simultaneously one year as Expert Engineer with Menck & Hambrock (Power Shovel Corporation), Altona-Hilbe, and six months with the patent law firm Fritze & Stoepel, Hamburg.

"On October 13, 1932, I left Germany for England to

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continue studies in the English patent, trade mark and copyright law, and worked, under a Special Permit by the British Home Office, in the patent law chambers of Cruikshank & Fairweather, London WC 2, from October, 1932 to February, 1933.

"Three of my mother's brothers had settled in America after 1870, one of whom, Mr. Theodore Harbeck of Chicago, was my godfather (deceased July 16, 1928, buried Oak Lawn Cemetery, Chicago, Ill.); so I decided to visit the United States and proceeded there directly from England via Antwerp in order to familiarize myself also with American law practice in the field of industrial property; I landed in New York on March 21, 1933.

"Through introductions from Professor Dr. M. Wassermann, international authority on the law relating to unfair competition, now refugee in Buenos Aires, I was permitted to work from spring 1933 to fall 1934 in the offices of well-known lawyers and enjoyed the hospitality of their homes; Edward S. Rogers, Lawrence Langner and P. von Brienen, New York City; E. P. Wenderoth, and Jennings Baily, Jr., Washington, D. C.; Henry M. Buckley, George A. Chittenden and William H. Abbott, Chicago; Leonard S. Lyon, Los Angeles; A. W. Boyken, San Francisco; and William Brethorst, Seattle. During this year and a half I made a great many friends and felt more and more at home in America so that I gradually resolved to become a citizen of the United States, the more so in view of the developments in Germany after 1933. To that end, I immigrated on a quota visa from Canada to the United States on August 24, 1934, and filed a Declaration of Intention to become a citizen of the United States on October 2, 1934 in Chicago, Illinois.

"In order to arrange a final settlement with my parents, I went to Germany in November 1934, and concluded on April 20, 1935 with them a disinheritance contract. During this period I was retained by the General Motors Corporation and Johns-Manville Corporation in two major suits pending before the District Court in Berlin and the Supreme Court in Leipzig, the latter action being ancillary proceedings to a suit simultaneously pending before a United States District Court in Southern California in which I had previously participated as expert.

"I returned to the United States on May 13, 1935, was admitted as U. S. Patent Attorney on May 24, 1935, and entered the services of the U. S. Department of Interior on October 21, 1935 in conjunction with the Third World Power Conference and the Second Congress on Large Dams under O. C. Merrill, Director. In March 1936, I was

transferred to the State Department and in pursuance thereof appointed Chief German Translator with a salary of \$3,000 per year, being in charge of the processing of technical reports submitted by various European Governments. After the World Power Conference, I was selected to accompany 250 foreign delegates, among them many Cabinet members, through Canada and the United States for the inspection of major construction projects. In October 1936, I was engaged by the Department of Justice as foreign law expert, legal translator and Court interpreter and, after a probational period of six months, was appointed Special Attorney with a salary of \$3,600 per annum. This position I held until August 31, 1939 when I resigned. Subsequently, I joined Erie P. Halliburton, oil industrialist, for the purpose of gaining a thorough knowledge of petroleum production, e.g., cementing testing, acidizing, well-logging, and gun-perforating of oil wells. On December 5, 1939, I was naturalized as an American citizen.

"During the almost three years in the Department of Justice, I worked under Mr. Harry LeRoy Jones, Head of the Litigation and Claims Section, Alien Property Bureau, on the following cases in which the German Government was a party or had an interest:

"The case Homer S. Cummings, Attorney General et al. vs. Deutsche Bank & Disconto-Gesellschaft (300 U. S. 115), for which I prepared a synopsis of German foreign exchange laws, printed as Appendix to the Government's Brief for a petition of certiorari, was reversed by the Supreme Court in favor of the United States.

"In the case Societe Suisse pour Valeurs de Metz (a German Holding Company) vs. Robert H. Jackson, Attorney General et al. (99 Fed. (2) 386; 306 U. S. 631), I assisted in the compilation of foreign law authorities, testified in Court and was interpreter of the testimony of Dr. V. B. Scherer, Member of the Swiss Senate; a judgment in the amount of \$14,000,000 was granted to the U. S. Government. During the ensuing proceedings, I aided in the correspondence with foreign counsel and, in particular, prepared the bulk of papers which had to be submitted to a Basel Court for execution of the judgment in Switzerland.

"In the case United States et al. vs. Frederick Rodiek, Ancillary Executor of the Will of John F. Hackfeld before the Federal Court in New York City (117 Fed. (2) 588), I testified and interpreted the testimony of foreign experts. The diary of the captain of a German cruiser interned in the Hawaiian Islands, which I discovered during a search in Military Intelligence files, was fully translated by me (719 pages) and introduced in evidence. I also found during a search in files of a commercial office in New

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York City checks showing transactions between the Hackfeld firm and the German Government, carrying the endorsement of the German Ambassador von Bernstorff. A judgment in the amount of \$1,605,000 was entered for the United States.

"I further assisted in the different Isonberg cases (U.S.D.C. for the District of Columbia; May 1, 1940) and the Sielcken case (27 F. Supp. 44) in which judgments for the United States were secured.

"Also I prepared law authorities in several gold clause cases pending before the Court of Claims.

"The Austro-Hungarian Bank case involved a vast amount of documents on file in Viennese Courts which I analyzed and partly translated.

"The majority of Alien Property cases dealt with citizenship issues, and it was my duty to make frequent searches in the Library of Congress in the field of conflict of laws for ascertaining the nationality of a claimant under German, Swiss, Austrian, Danish, or even Argentine law; and in the Army War College for determining to what extent any military connection with a foreign power would result in loss of American or acquisition of foreign citizenship.

"Under the direction of Mr. J. P. Mothershead, Chief of the Patent Section of the Department of Justice, I assisted in a number of cases pertaining to military and navy matters, e.g. concrete river mattresses, designed by U. S. Army Engineers; ship bottom constructions for battleships; leak-proof valves for submarines; revolving airplane gun-turrets; and adjustable-pitch propellers; in the latter instance, I testified in behalf of the Government in New York City before the U. S. Court of Claims.

"My father, a Protestant Rector of St. Matthew's in Luebeck, now retired, and my mother, both over 70 years of age, lived in propitious circumstances so that they could afford me eight years of university education. I was officially well recognized as is apparent from the fact that I was, at the age of 26, the youngest member of the Board of Governors of the Kaiserliche Yacht Club in Hamburg ('liquidated' in 1926), and later on Honorary Member of the Royal Thames Yacht Club in England.

"I have been the author of several publications in the legal field:

"'Evolutions in the English Patent Law', 1933

"'Misleading statements about a foreign competitor', 1934

"'The influence of foreign judgments on the jurisprudence of North American Courts', 1935.

"During the World Power Conference in 1936, I made --

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with the approval of my Chief in the Department of State -- a radio broadcast to Europe over the N.B.C. Short Wave Network.

"On account of my engineering training, I always retained interest in technical progress, and utilized my various travels to that end. For instance, I attended the International Hydrodynamic Conference in Hamburg in 1932; I visited many research institutes and construction projects, such as the National Physical Laboratory in Teddington, England; the Bureau of Standards in Washington, D. C.; wind tunnels; model tanks; and shipyards. These continuous studies have enabled me to comprehend more thoroughly technical issues which proved helpful in patent litigations.

"I left Germany in October 1932 before the change from a democratic to a totalitarian State. I never had any party affiliations; but always cherished true democracy under which I was born and raised in the Free City of Luebeck, which had a democratic form of government for nearly 800 years.

"In order to do my share in National Defense, I accepted, effective November 1, 1941, a position as Assistant Industrial Specialist in the War Production Board.

/s/ E. THEO. ARNDT

January 29, 1942
Washington, D. C.

P.S. In obedience of a Presidential Order of May 13, 1942, to report for induction into the Army at Prescott, Arizona, on May 20, 1942, I enlisted May 19, 1942 in the U. S. Marines.

June 3, 1942
Parris Island, S. C.

/s/ Pvt. Theodore Arndt
U.S.M.C."

S. In connection with Subject's employment by the Office of Production Management, the Federal Bureau of Investigation was requested to make a security investigation of Subject. Upon receipt by the Office of Production Management of the summary of Federal Bureau of Investigation reports set out above, Subject was dismissed on February 17, 1942. Subject alleged that he had been improperly dismissed and appealed the matter to the Civil Service Commission which then made an independent investigation. This investigation disclosed substantially the same information as had been developed in the investigations conducted by the Federal Bureau of Investigation concerning Subject's alleged subversive activities. Concerning the allegations of homo-sexuality, this investigation disclosed that Subject had made

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advances to a waiter of the University Club, Washington, D. C., where Subject formerly resided, and on one occasion told a male associate that he was a pervert and offered the associate \$5 to commit an unnatural act.

6. The records of the United States Marine Corps reflect that Subject enlisted in Class 4 (sentry duty in Naval Establishment) on May 19, 1942, at Washington, D. C.; was ordered to Parris Island, South Carolina, for training duty on May 20, 1942, and on July 13, 1942 was assigned to the Marine Corps Guard Battalion, Navy Department, Washington, D. C.

7. The files of this office contained information concerning Subject and shortly after his assignment to the Marine Corps Guard Battalion information was received concerning Subject's enlistment in the Marine Corps and assignment as a Navy Building guard and an investigation was instituted. As heretofore indicated, our investigation has not been completed.

8. Subject's automobile is a light tan 1939 Ford convertible, bearing D. C. license plates W112-211. It was ascertained that the speedometer reading of Subject's automobile just prior to his departure for San Diego was 52,937 miles.

9. It was also learned that Subject indicated to a service station attendant that he planned to make stops at Tulsa and Oklahoma City, Oklahoma; hoped to go through Wichita Falls, Texas; and planned to stop at a ranch in Arizona. On the basis of this information it was believed that Subject would also go through Duncan, Oklahoma, where he formerly resided. The reference to the ranch was believed to refer to the Quarter Circle V Bar Ranch, Mayer, Arizona, southeast of Prescott, Arizona, referred to in the Federal Bureau of Investigation summary set forth herein.

10. It is requested that an appropriate investigation be made of Subject's conduct, associates, and activities in your district. Based upon the experience of this office in the investigation of Subject it is believed that it would be quite helpful to have a confidential informant on the Marine Base who could associate closely with Subject and report on his activities. The information contained in this letter is being forwarded in advance of the detailed report so that you may take such action as you may deem advisable.

MSM
Dictated September 24, 1942
Dictated by Lieut. Schwartz and

Ensign Smith.

Typed by F. Moore

RW
Rheta Whitley,
By direction.

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