

NAVY DEPARTMENT
WASHINGTON

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CONFIDENTIAL

MAR 10 1942

From: The Secretary of the Navy.
To: Commandants, all Naval Districts.
Subject: Administration of the Act of December 17, 1941
(Public #351, 77th Congress, First Session).
References: (a) SecNav ltr of December 17, 1941.
(b) SecNav ltr of January 14, 1942.
(c) SecNav ltr of January 14, 1942 (with enclosure).
(d) SecNav dispatch of January 17, 1942.
Enclosure: (A) Suggested questions.

1. The Department directs that the attention of all District Qualification Boards of Examination for Commercial Radio Operators be called to the referenced instructions covering the procedure which has been set up for the administration of the subject Act. These instructions should be carefully followed. It should be clear from them that District Boards are neither trials, investigations nor courts of inquiry. These Boards, as well as the Departmental Board, are purely administrative in nature. They are established by the Secretary of the Navy in order to assist him in the discharge of the responsibilities placed upon him by this Act of Congress.

2. The law specifically states that during the present emergency it shall be unlawful for any person to be employed as radio operator on a vessel of American registry departing from places in the United States, its territories or possessions on any specified voyage, route or area of operation whose employment as such has been disapproved by the Secretary of the Navy and the master of the vessel has been so notified. Its stated purpose is to strengthen national defense by providing additional safeguards.

3. It is the intention of the Department that the subject law shall be administered strictly in accordance with its declared purpose but with the least hardship to the individual radio operators. District Boards have been established at all Naval Districts for the convenience of those radio operators who may desire to appeal from the disapproval of their employment.

4. The Secretary of the Navy acts on cases originally presented to him after they have been considered by the Departmental Qualification Board, on information available to him from sources which cannot be disclosed. District Boards must not, through officers on duty in the District or otherwise, introduce evidence which would jeopardize these sources. This has been done in at least one Naval District.

5. The line of questioning pursued by some District Boards seems to have produced the impression on some radio operators that the Navy is opposed to labor unions. This is distinctly not the case. Labor unions have been recognized by Congress. Their rights have been established by various Congressional Acts and clarified by various federal court decisions. These are the law of the land on the subject, binding on executive departments and their personnel. It is directed that no persons be asked any questions by any District Qualification Board which would tend to create the impression that the Navy or its officers are opposed to labor unions.

6. Any radio operator removed should be notified specifically that the reason for his disapproval of employment was that he was suspected of being pro-Nazi or pro-Japanese or pro-Facist in his sympathies, or whatever other reason may have been given in the instructions to Commandants directing his removal. If the individual does not care to make a statement, this should end the matter. If he does desire to make a statement, he should be given opportunity to make a full and free statement and to substantiate it, if desired, by such other witnesses as may be available. War conditions require the expeditious handling of these appeals, but these conditions do not mean that an applicant be denied the fullest opportunity for a hearing. The line of questioning by the Board should be in general such as to clarify and amplify the information given in his statement. The list of questions suggested by the Department in its letter of January 14, 1942 (Ref.c) was, as stated, intended only as a guide. Inasmuch as some of the questions furnished appear to have served no useful purpose, a revision of this list is enclosed to replace the old one which should not be used in the future.

7. The Department considers that the opinion of the District Board in regard to the credibility, loyalty, reliability and general character of the operator appearing before it is very useful to the Secretary in determining his final action in all cases on appeal. This opinion should be stated in all cases, as directed in Reference (c).

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8. The four extra copies of the record of proceedings of the District Board, as required in Reference (d), are desirable in order that members of the Departmental Board may be able to review the cases prior to the convening of this Board which acts for the Secretary as a board of review on the District Boards.

By direction of the Secretary of the Navy.

Paul H. Bad

Assistant Secretary of the Navy

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Suggested Questions For Use by Local Boards

Encl. (A)

The following is a list of questions to be used by the Board as a GUIDE only. They are not to be given to the operator but are to be verbally submitted to him. It is the desire of the Department that the operator be given every opportunity to answer each question fully and completely. The Board is not restricted to these questions. If any member of the Board desires to ask any question, he should do so.

The Board need not ask nor require that all questions be answered. These questions are intended only to assist the Board to arrive at some definite conclusion as to the credibility, loyalty, reliability, and general character of the operator.

At the outset the operator should be informed that the Board is set up for the purpose of giving him an opportunity to make such statement as he may desire in regard to the reason for his discharge as furnished by the Commandant. The operator should be given ample opportunity to make such full statement as he may desire before the Board interrogates him.

Also, before any questions are asked, the operator should be informed that any statement made by him is to be voluntary and that he does not have to make any; that all questions answered by him must be of his own free will. The record of the proceedings of the Board should contain such a statement.

1. What is your full name?
2. What is your present address?
3. When and where were you born?
4. Where were your parents born?
5. Give full names of your brothers and sisters if any; and where they were born.
6. What is the present nationality of your parents, brothers, sisters?
7. Where does each reside? What is their occupation? Where are they employed?
8. Do you correspond with them?
9. How often?
10. If you are foreign born, when did you enter the United States?
11. Where did you enter?
12. Why did you come to this country?
13. What was your occupation before you came to the United States?
14. How long did you work at it?
15. When and where did you apply for your first citizenship papers?
16. When and where did you receive them?
17. When and where did you apply for your second papers?
18. When did you receive them?
19. Give the names of all vessels on which you served during the past five years?
20. What is your license number?
21. What is your social security number?
22. Give the names and addresses of all organizations ~~including~~ ~~in which~~ in which you are now or have been a member.
23. How long have you been a member of such organizations?

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24. Do you hold an office in any of them? Have you ever held an office in any of them? If so, specify which one.

25. Have you ever addressed any gathering at any time?

26. If so, state specifically the subject and the nature of your remarks.

27. Approximately how many people were present?

28. Describe what military or naval service you have had.

29. Has your father, brother, or children ever been in any military or naval service of any nation?

30. Have you ever participated in any discussions involving the international policies of this country? If so, give details.

31. Has anyone interfered with your right to speak freely? If so, give all details.

32. At any time, have you had any trouble with any ship's officer? If so, give all details.

33. Describe in detail the name and address of the officer and the ship where you were working.

34. Have you felt in the past as though the operators made your position unnecessarily hazardous?

35. Do you trust your fellow employee?

36. Do you trust members of the crew of all ships on which you worked? If not, give all details.

37. Has your freedom of person aboard ship or anywhere else been interfered with? If so, give all details.

38. What is your opinion as to the merits of the war the United States is now carrying on?

39. Have you as radio operator ever sailed in a convoy under naval escort? If so, when and under what circumstances?

40. What would you suggest towards a betterment of any of the existing conditions on board ship?

41. State what you think is the most practical form of government.

42. Have you at any time spoken or written anything favorable or unfavorable to any foreign government? If so, give details.

43. Give the names and addresses of 10 of your closest personal associates not members of your family.

44. Give the names and addresses of 10 business or fraternal club, union, etc., associates.

45. Have you at any time been known by or used another name? If so, give reasons.

46. What is your favorite reading matter?

47. Do you subscribe to any periodical, magazine or other publication? If so, name them.

48. What is the source of all your income? Give the amount of your income.

49. Has anyone approached you at any time with a request for information concerning ship movements or any other matters pertaining to National Defense? If so, give all details.

50. Have you ever been arrested? If so, what was the charge and the disposition thereof?

51. Have you had any disagreement with an officer or member of the crew of any vessel? If so, give complete details.

52. Have you reason to believe that any person may have turned in untrue reports against you because of personal animosity or other motives? If so, give details.

53. Have you heard rumors of any description concerning National Defense or the movements of American or foreign warships? If so, give all details.

54. Have you repeated any of those rumors? If so, give all details.

55. During your professional career have you heard any signals that aroused your suspicion? Give all circumstances.

56. Have you reported any such instances?

57. Have you at any time heard any form of rumors aboard ship with regard to the National Defense efforts of this country? If so, give specific details with particular regard to the date, place, nature of the rumor, and the names and addresses of all persons present.

58. Have you at any time solicited either directly or indirectly any form of written matter favorable or unfavorable to any foreign government?

59. Do you wish to give the names and addresses of any persons who can vouch for your general character and reputation as well as your loyalty to the government of the United States?

*Note. Question 59 should be asked every operator if this information has not been given in the statement.