

EO 12958

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Unit: NCIS 22

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MEMORANDUM FOR SECTION HEADS, B BRANCH

March 5, 1942

SUBJECT: Furnishing of Information--Policy of.

1. Officers of the Domestic Intelligence Branch are often, in the course of their duties, asked to confer with officers of other Divisions of the Chief of Naval Operations and with representatives of the various Bureaus and Offices of the Navy Department. Not infrequently, the Secretary, Under Secretary, or Assistant Secretary, and their assistants may also call upon ONI officers for information. Due to the lack of a clear conception of the duties assigned to ONI, officers are frequently asked questions which they are not always qualified to answer. In such instances, it is of the utmost importance that the individual requesting information should be advised that the matter is not entirely within the cognizance of the officer present, and that before a correct answer can be given further consultation will be necessary.

2. A similar situation arises when ONI officers are called upon to prepare letters for the Assistant Secretary, the Under Secretary, or even the Secretary himself, which letters are not within the cognizance of ONI. The request itself indicates lack of familiarity with the duties of Intelligence Officers and knowledge of the Section or Division of Naval Operations that has cognizance. Occasionally, the request is made not because of lack of knowledge but because of particular faith and confidence in the ability of the person requested to prepare a letter. In any event, such a letter can only be adequately prepared after consultation with the appropriate office of the Navy Department that has cognizance, and officers should not hesitate to so inform those who request its preparation. The letter should not only be initialed prior to presentation for signature, but the Secretary's file number should be attached thereto, in order that future correspondence on this subject be directed not to the Office of Naval Intelligence, which has no cognizance, but to the Division of the Office of the Chief of Naval Operations which had the information necessary to give the right answer.

3. In order to provide assistance to the Officers of the Domestic Intelligence Branch when they find themselves in the position indicated above and to facilitate their



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orientating themselves as to the exact participation in the affairs of the Navy Department with which they are properly charged or of which they are cognizant, it is important that a clear conception be had of the duties that are assigned to Naval Intelligence. In defining these duties, the distinction between security and intelligence should be borne in mind, since they are easily confused, and a failure to understand the distinction is often the cause of questions being directed to the wrong source of information.

4. The policy of the Navy Department with regard to intelligence has been clearly set forth, both in the Information Policy laid down by General Board No. 420-2, serial 1979, approved by the Secretary of the Navy 23 July 1940, and in the organization of the Office of the Chief of Naval Operations approved by the CNO, 23 October 1940. A comparison of some of their provisions show how closely the duties of the Domestic Intelligence Branch as set forth by the CNO follows the general information policy of the Navy Department:

U. S. NAVAL POLICY

- (a) To acquire accurate information concerning the political, military, naval, economic, and industrial policies and activities of all countries.
- (b) To analyze and preserve information for ready reference and for historical purposes. To disseminate useful information systematically throughout the naval service and to other Government Departments and agencies.
- (c) To provide protection against espionage and sabotage in cooperation with other departments and agencies. To keep the public informed of the activities of the Navy, as compatible with military security.

DUTIES ASSIGNED TO  
DOMESTIC INTELLIGENCE  
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- (a) Secure all classes of pertinent information pertaining to Naval and Maritime matters, with particular attention to potential enemy, enemy agents and sympathizers.
- (b) Evaluate the information collected and disseminate as advisable.
- (c) Maintain liaison with, and cooperate with, other Government Departments, particularly with the Military Intelligence Division of the Army and with the Federal Bureau of Investigation of the Department of Justice, in the collection and dissemination of such information as will assist in the protection of

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the Naval establish-  
ment against espion-  
age and subversive  
activities.

5. It is apparent from the above that the securing of information, the evaluation thereof, and its dissemination constitute the principle information policy and the principle duties of Domestic Intelligence and do not call for administrative action. The other duties of the Domestic Intelligence Branch in the approved organization of the Office of the CNO provide for preparing security letters to assist in safeguarding the general security of Naval classified matter, regulating visits of foreign nationals to Naval establishments and commercial concerns and maintaining liaisons with Government agencies charged with control of travelers with a view to assist them, not taking any action.

6. The only duties of the Domestic Branch which might have been interpreted as requiring administrative action were the maintenance of cognizance of general Naval interest in safe and unobstructed production for the Naval establishment and preparing personal directives and advisory matter in connection therewith. This was subsequently removed from the Naval Intelligence Division and became the Security Division of the Office of the Assistant Secretary of the Navy.

7. "Intelligence" is defined in Webster's New International Dictionary, Second Edition, Unabridged, as "the obtaining and dispensing of information, particularly secret information." The same dictionary defines "security" as "the quality or condition of being secure." Whereas, intelligence as thus defined requires no administrative action, the very essence of security is the taking of active steps to maintain the condition of being secure. The necessity for administrative action in the case of security is apparent from the letter of the CNO dated October 13, 1941, Serial 512330, prepared by Naval Districts Division, establishing the duties of the District Security Officer. In this letter, the District Security Officer is charged with the inspection, supervision and coordination of all internal security and passive defense matters within the District. It should be noted that the Naval Districts Division, which prepared this letter, has the following duties assigned to its Administrative Section: (1) Military administration of the Naval Districts as a whole; (2) Organization of Naval Districts for peace and war; (3) Coordination of the preparation of defense of Naval Districts for war.

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8. The distinction between the administrative action necessary to maintain security and the non action function of Intelligence is again emphasized in the letter signed by Admiral Ingersoll, dated 29 December 1941, pointing out that District Security Officers and District Intelligence Officers should not be one and the same individual. In this letter, Admiral Ingersoll emphasized that the District Intelligence Officer is limited to the field or collection and dissemination of information, whereas the duties of the District Security Officer are staff duties with specific action duties to be discharged.

9. The reason for transferring the Plant Inspection Section of the Division of Naval Intelligence to the Office of the Assistant Secretary of the Navy was, consistent with the establishment by the CNO of a District Security Officer, for the specific purpose of permitting action to be taken by the individuals recommending how security should be maintained. This move was a strengthening one, for whereas the Division of Naval Intelligence could exert no control over the individuals having contracts with the various material Bureaus, yet now in the Office of the Assistant Secretary, action can be taken to assure that appropriate measures are being followed.

10. The foregoing is an attempt to provide a means whereby officers may clear their minds of confusion as to the role assigned to the Naval Intelligence service. The following are some of the difficulties (and some of their causes) that frequently recur in the daily functioning of the Domestic Branch within its proper allotted sphere:

11. Communication security and Communication intelligence go hand in hand. While one deals in general with the security of our own communications and the other with efforts to obtain intelligence from communications of enemies or potential enemies, it is easily possible for the District Intelligence activities, in their desire to get what might be termed "combat intelligence", to seriously interfere with, or completely nullify, the intelligence activities of the Communication Service. Repeated demonstrations have occurred of the fact that the District Intelligence organizations do not recognize either the full benefits that will accrue to them from close contact with the District Communication Officer or the dangers experienced by the Communication Intelligence activities by thoughtless action on the part of the District Intelligence activities. This is due to a lack of close cooperation between the District Communication Officer and the District Intelligence Officer, and since we know, by experience, that this lack of close cooperation exists

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at least in some Districts, it behooves us all the more here in the Department to bear in mind that Communication Intelligence is not under the Office of Naval Intelligence and to be constantly on the alert lest we intrude on the preserves of Naval Communications.

12. Experience has indicated that agencies to whom the Office of Naval Intelligence furnished information from confidential sources are not alert to the jeopardy and to the danger of thoughtless handling of this information. Therefore, whenever information is furnished any one not in the Navy, unless specific permission is obtained from competent authority (Head of Branch), in each specific case, which will never be construed as establishing a precedent, only summaries or extracts, so worded that the source of the report is carefully safeguarded will be disseminated. Such advices will contain a statement as to the authenticity or reliability. Information received in confidence from sources not under the U. S. Government, or from persons in other than their administrative or official capacity, will only be furnished to agencies in the Navy when it is evident that the originator of the information will not be embarrassed thereby. Wherever it is possible, instead of furnishing summaries or extracts, it is preferable that some such statement as, "The Chief of Naval Operations (Director of Naval Intelligence) cannot recommend the employment of...." or "The Chief of Naval Operations (Director of Naval Intelligence) is of the opinion that the best interests of the Government ...." There are times when business cannot possibly be done by such short statements which give to the action addressee so little information. However, whenever it is necessary to furnish summaries or extracts, a statement should be made to the effect that the subject matter of the extracts and, in fact, the existence of the information from which the extract was prepared should be as closely held as is possible.

13. All officers are enjoined to read Article 160 of ONI 19 relative to the policy of information regarding persons. Note, this is relative to persons, and there is no difference between civilians, officers or enlisted men. Also, particularly note articles 170, 171, and 173 of ONI 19.

14. Although the present organization of the Office of Naval Intelligence breaks the major subdivisions down into a so-called Foreign Branch and a Domestic Branch, we, in the Domestic Branch, constantly find ourselves hampered because in essence the Domestic Branch is really a counter-intelligence activity and should not be considered as operating solely in the domestic field. By the same token it behooves us not to lose sight of the fact that a lot of the information that

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we get is really more in the nature of intelligence than of counter-intelligence, and we must not fail to recognize this fact and see that the proper section of the Foreign Branch is given the information.

15. Note that while the Commandants of Naval Districts prepare the Intelligence organization within their command and normally operate the organization, nevertheless the organization as a whole is distinctly a function and activity under the primary control of the Chief of Naval Operations; that while the operations of the local organization will normally be by and through the Commandant, nevertheless direct orders may be sent to District Intelligence Officers by the Director of Naval Intelligence at the option and by the direction of the Chief of Naval Operations.

J. B. W. Waller

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