

NAVY DEPARTMENT
Office of the Chief of Naval Operations
WASHINGTON

(SC)A13-1/A8-6
Cp-16-B-3
A3-1/A8-6
~~CONFIDENTIAL~~
Serial 0920716

April 7, 1942

From: The Director of Naval Intelligence.
To: District Intelligence Officers,
All continental Districts.

SUBJECT: Investigations conducted by the Federal
Bureau of Investigation.

1. Under date of February 8, 1942, the Assistant Secretary of the Navy wrote to the Attorney General that it was his understanding that, prior to the entrance of the United States into the present conflict, "the Department of Justice enunciated a policy that investigations should not be made by the Federal Bureau of Investigation of sabotage or espionage resulting in whole or in part from labor strife or Union activities, such as strikes, slow-downs in production, etc.", and asked the Attorney General whether that policy still continued.

2. In his reply of February 17, 1942, the Attorney General stated:

"It is not the policy of this Department to conduct investigations of disputes in national defense industries which are concerned with and confined to labor relations, as such. But where subversive activities appear to be connected with such disputes, such activities will be investigated by this Department. Thus, the Department will investigate any specific overt act indicating a law enforcement problem, such as espionage or a violation of some other Federal law, even though a labor dispute may be connected therewith. Such is the policy which this Department has pursued and is pursuing."

3. From the above statement, it would appear that in the absence of labor trouble, the Federal Bureau of Investigation has and exercises investigative jurisdiction over possible acts of sabotage or subversion prior to their commission. Where labor troubles exist, the policy indicated by the portion of the Attorney General's letter

Declassified / Downgrade to

UNCLASSIFIED

Auth: E012958

Date: 21 SEP 98 Unit: NCIS22

DECLASSIFIED

Authority NND 73643

(SC)A3-1/A8-6
Op-16-B-3
A3-1/A8-6
~~CONFIDENTIAL~~
Serial 0920716

quoted above would seem to be for the Federal Bureau of Investigation to investigate all overt acts of subversion and sabotage; however, in the practical application of the declared policy, where labor troubles exist, the Federal Bureau of Investigation is required to submit the facts to the Attorney General for his approval before an investigation can be undertaken, even though overt acts of sabotage or other subversion may have been committed. This interpretation as to when, and the conditions under which, the Federal Bureau of Investigation will conduct an investigation, has been stated by Federal Bureau of Investigation officials to be a correct interpretation of the policy of the Department of Justice as understood by the Federal Bureau of Investigation.

4. It is felt that this policy is not fully understood throughout the Districts. Accordingly, dissemination of this information is being made, and the Federal Bureau of Investigation has been advised of its distribution.

T. S. Wilkinson
/s/T. S. Wilkinson

Declassified / Downgrade to
Auth: ..E.O. 12958.....
Date: 21 SEP 98 Unit: NCIS 29

UNCLASSIFIED

DECLASSIFIED
Authority NND 73643