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NAVY DEPARTMENT  
Office of the Chief of Naval Operations  
WASHINGTON

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Serial 01640316

August 21, 1942

MEMORANDUM

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Auth: EO 12958  
Date: 21 SEP 98 Unit: NCIS 22

From: The Director of Naval Intelligence  
To: District Intelligence Officers  
All Naval Districts (except 16)  
Subject: Investigative Responsibility of ONI

1. Numerous references by District Intelligence Officers as to interpretations of the Delimitation Agreement indicate that from time to time confusion arises in the Districts; the most frequent causes appear to be beached seamen and employees in commercial plants having contracts with the Navy Department. It is hoped that this memorandum will be of assistance in clarifying the question of investigative responsibility of the Office of Naval Intelligence.

2. The Delimitation Agreement, Revised February 9, 1942, assigns investigative responsibility in all cases involving espionage, counter-espionage, subversion and sabotage. The responsibility assumed by one organization in a given field carries with it the obligation to provide a pool of all information received in that field, but it does not imply that the reporting agency alone is interested in, or will work alone in, that field. Close cooperation between the three agencies in all fields is a mutually recognized necessity.

3. It will be noted that no attempt was made to delimit investigative responsibility in cases falling outside of the above-named four categories. Certain of these cases, involving violations of Federal Statutes, fall definitely within the investigative jurisdiction of the Federal Bureau of Investigation, such as kidnapping and bank robbery; the Post Office Department, such as use of the mails to defraud; the Treasury Department, such as narcotics and customs violations; and the Secret Service, such as threats against the President. Except for such cases, however, investigations predicated on purely Naval interest, such as character, background, loyalty, or any other cases outside the four categories specifically covered by the Delimitation Agreement, may be conducted by Naval Intelligence.

4. Irrespective of the purpose for which an investigation may have been instituted, whenever such investigation indicates one of the four categories is involved, the agency conducting the investigation should immediately consult with the agency who apparently has responsibility under the Delimitation Agreement in order to determine by whom the investigation will be conducted thereafter.

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5. Bearing in mind the above-mentioned points, a careful analysis of any particular case should readily establish its investigative responsibility. In the case of suspects, no reference need be made to the Federal Bureau of Investigation to develop character, loyalty or background except to assure that the same individual is not the subject of any investigation by the Federal Bureau of Investigation or the Military Intelligence Service. By the same token, no requests for investigation by the Federal Bureau of Investigation should be made unless the purpose of the investigation clearly lies within the four categories covered by the Delimitation Agreement.

/s/ H. C. Train

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