

# *FBI POLITICAL SURVEILLANCE AND THE CHARLES LINDBERGH INVESTIGATION, 1939-1944*

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As war ravaged Europe in the late 1930s, Americans engaged in a "Great Debate" over the nature and scope of U.S. involvement in that conflict. Many Americans sought to avoid involvement in another world war; to them, fascist aggression in Africa, Asia, and Europe was of little concern. President Franklin D. Roosevelt did not share these views, believing that the growing strength and military advance of the Axis powers threatened U.S. security and economic interest. In his eyes, many of the anti-interventionist leaders were little more than Nazi sympathizers.<sup>1</sup>

Encountering bitter opposition in his efforts to aid the Allies following the Nazi invasion of Poland in September 1939, Roosevelt requested and received reports on his anti-interventionist opponents from the Federal Bureau of Investigation, headed by J. Edgar Hoover. Hoover assisted the administration by seeking derogatory information that might discredit or even lead to prosecution of Roosevelt's foreign policy critics. Moreover, Hoover did not hesitate to authorize extra-legal investigations to acquire the desired information. Thus, when the formerly apolitical Charles A. Lindbergh entered the debate over U.S. aid to Britain and France as a so-called isolationist in September 1939, he became enmeshed in the coils of a rapidly expanding political intelligence agency of the U.S. government, as the FBI began a covert investigation of his activities.

In starting this probe, FBI officials had no evidence that the world-renowned aviator had broken any laws; indeed, Lindbergh's only "crime" was his vehement opposition to the increasingly interventionist and pro-Allied foreign policy of the Roosevelt administration. The FBI's investigation into the activities of this most popular and controversial of Roosevelt's foreign policy critics illustrates the extent of the Bureau's secret and illegal political spying at the dawn of World War II. Further, it offers an excellent vantage point from which to view an important step

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<sup>1</sup>Wayne S. Cole, *Roosevelt and the Isolationists, 1932-1945* (Lincoln, Nebr., 1983), 484.



in the FBI's development as a domestic intelligence agency, an agency that by the 1950s achieved a large degree of autonomy.<sup>2</sup>

Curiously few historians have examined the FBI's surveillance of prominent anti-interventionists in any detail. Most of the scholarly literature on FBI political surveillance has focused either on the extensive Cold War intelligence programs or the ad hoc pre-1933 investigations of radical political activity. Those few who have written on the 1939-1941 period have concluded either that the FBI's "resources were never significantly mobilized against Roosevelt's law abiding opponents,"<sup>3</sup> or that the Administration's use of the Bureau was "essentially benevolent."<sup>4</sup>

By focusing on the pre- and post-war eras, historians have missed a formative stage of FBI political surveillance during the liberal New Deal and World War II. Although not primarily responsible for discrediting the anti-interventionists, the FBI's investigations of them were in fact widespread and thorough. At the very least, suspicions of Bureau investigation, whether on the part of the public or the targets, created distrust and had a chilling effect. Indirectly, then, FBI officials successfully defined the parameters of what was permissible in public debate and cautioned those who would oppose government policy.<sup>5</sup>

Because the FBI's investigations of anti-interventionists were not in response to criminal behavior, the Bureau's activities were inherently illegal. Not surprisingly, FBI agents never uncovered evidence of illegal activity by any of their targets. Continuation of the investigations confirms indirectly that their purpose was to serve the political interests of the Roosevelt administration. Through these extensive domestic surveillance operations, Hoover cemented the FBI's position as a powerful political surveillance agency, and upon this prewar foundation the FBI

<sup>2</sup>See Athan Theoharis, *Spying on Americans: Political Surveillance from Hoover to the Huston Plan* (Philadelphia, 1978); Frank J. Donner, *The Age of Surveillance: The Aims and Methods of America's Political Intelligence System* (New York, 1980); and William W. Keller, *The Liberals and J. Edgar Hoover: Rise and Fall of a Domestic Intelligence State* (Princeton, 1989).

<sup>3</sup>Charles F. Croog, "FBI Political Surveillance and the Isolationist-Interventionist Debate, 1939-1941," *The Historian* 54 (Spring 1992): 442.

<sup>4</sup>Kenneth O'Reilly, "A New Deal for the FBI: The Roosevelt Administration, Crime Control, and National Security," *Journal of American History* 69 (December 1982): 639; see also Richard W. Steele, "Franklin D. Roosevelt and His Foreign Policy Critics," *Political Science Quarterly* 44 (Spring 1979): 15-32; and Wayne S. Cole, *Roosevelt and the Isolationists*, 484-87.

<sup>5</sup>See also David Williams, "The Bureau of Investigation and Its Critics, 1919-1921: The Origins of Federal Political Surveillance," *Journal of American History* 68 (December 1981): 560-79; Robert K. Murray, *Red Scare: A Study in National Hysteria, 1919-1920* (Minneapolis, 1955); William Preston Jr., *Aliens and Dissenters: Federal Suppression of Radicals, 1903-1933*, 2d ed. (Chicago, 1994).

blossomed into an autonomous Cold War agency after 1945. Thus, an understanding of the Bureau's role in the Great Debate is important to our understanding of more recent American politics and institutions.

The Bureau of Investigation (renamed the Federal Bureau of Investigation in 1935) began investigating so-called subversives soon after its creation in 1908. During the First World War, the Bureau brashly enforced the Selective Service Act in the so-called "slacker raids" and monitored opposition to President Woodrow Wilson's foreign policy. After the war, Bureau agents played a key role in the planning and arrest of radical socialists in the Palmer Raids of 1919-20 that resulted in far-reaching violations of many Americans' rights. After these civil liberties abuses became public with the discovery that Bureau agents were monitoring President Warren G. Harding's Congressional critics, the Justice Department made serious attempts at reform.<sup>6</sup>

In May 1924, as part of these efforts, Attorney General Harlan Fiske Stone appointed the young J. Edgar Hoover Director of the Bureau. Hoover formerly had headed the Justice Department's General Intelligence Division and had played a key role in the Palmer Raids. To curb the Bureau's past abuses, Stone publicly ordered the new director to limit his investigations to violations of federal criminal statutes. Hoover agreed with this policy, at least publicly.<sup>7</sup>

Contrary to his orders, however, Hoover investigated such radicals and suspected subversives as the American Civil Liberties Union, leftist labor organizations, and political demonstrators. To safeguard these illegal investigations from discovery, Hoover developed a reporting system that relayed particularly sensitive information directly to his desk. Thus, politically motivated intelligence reports were not recorded in the Bureau's central records system. Reports forwarding sensitive information, such as those concerning the personal and political activities of prominent Americans, were labeled "personal and confidential" and forwarded directly to the director's office where they were filed secretly for safekeeping. In this way, Hoover safely circumvented Attorney General Stone's ban and continued to monitor political activities.<sup>8</sup>

With Roosevelt's election in 1932, Hoover no longer had to be so circumspect. In 1934 the president secretly directed him to investigate and monitor the activities of

<sup>6</sup>David Williams, "The Bureau of Investigation and Its Critics"; see also Murray, *Red Scare*, and Preston, *Aliens and Dissenters*.

<sup>7</sup>Murray, *Red Scare*, 193-94.

<sup>8</sup>See David Williams, "'They Never Stopped Watching Us': FBI Political Surveillance, 1924-1936," *UCLA Historical Journal* 2 (1981): 5-28; Athan Theoharis, ed., *From the Secret Files of J. Edgar Hoover* (Chicago, 1991), 2-4.



American Nazis and Nazi sympathizers, and from 1934 to 1936 Roosevelt requested reports on American right-wingers. As fascist power and Communist influence expanded, the president grew more concerned about these movements' domestic influence and the degree to which they were influenced by foreign powers. In August 1936, Roosevelt verbally authorized Hoover to step up the FBI's domestic intelligence activities, thus providing a rationale, in the form of national security, for Hoover to institutionalize what the FBI had in fact been doing since 1924. By the start of European hostilities in 1939, the FBI was conducting widespread surveillance of the president's influential foreign policy critics.<sup>9</sup>

Throughout J. Edgar Hoover's tenure as FBI director, the Bureau primarily monitored left-wing groups and individuals. Hoover's investigations of conservatives were for the most part to protect FBI interests by servicing the Roosevelt administration's desire for politically sensitive information on its opponents. Hoover had curried favor with Roosevelt by promoting the New Deal crime-control program during the early 1930s; later, he supplied the administration with political intelligence. The FBI director therefore demonstrated the FBI's worth and insured its survival and growth.<sup>10</sup>

The outbreak of the European war in 1939 further stimulated Hoover's investigations. In the resulting crisis atmosphere many Americans questioned the loyalty of isolationist pressure groups. Wayne S. Cole aptly notes that often "isolationists were identified with Hitler, fascism, totalitarianism, anti-Semitism, and even treason."<sup>11</sup> Increasingly to many Americans, including Hoover, anti-interventionist activities were regarded as un-American. Since Hoover had long defined the FBI's primary mission as protecting the nation's internal security from subversive influences, he was willing to investigate Roosevelt's primarily conservative foreign policy opposition.

Central to this political surveillance mission was the FBI's vast array of intelligence files. Frank J. Donner, former head of the ACLU's project on Political Surveillance, notes in *The Age of Surveillance* that:

<sup>9</sup>Athan Theoharis and John Cox, *The Boss: J. Edgar Hoover and the Great American Inquisition* (Philadelphia, 1988), 148-52; FBI Director J. Edgar Hoover, confidential memo, 24 August 1936; FBI Director J. Edgar Hoover, confidential memo, 25 August 1936; and FBI Director J. Edgar Hoover to FBI Assistant Director Edward Tamm, strictly confidential memo, 10 September 1936, all reprinted in Theoharis, *From the Secret Files*, 179-83; see also Croog, "FBI Political Surveillance," 445-51.

<sup>10</sup>See Richard Gid Powers, *Secrecy and Power: The Life of J. Edgar Hoover* (New York, 1987), 177-209; Kenneth O'Reilly, "A New Deal for the FBI."

<sup>11</sup>Cole, *Roosevelt and the Isolationists*, 530.

Files are the cornerstone of all domestic intelligence systems. The mere fact that information appears in a file in itself becomes a warrant of its truth and accuracy, automatically raising it above the level of its source, however dubious it might otherwise be.<sup>12</sup>

Hoover's secret files became a critical component of his effort to identify and contain alleged subversives and, further, proved central to the promulgation of the U.S. domestic intelligence state. "The mere existence of such files," Donner astutely observes, "no matter how limited their access, inspires fear."<sup>13</sup> The public knowledge that the FBI was investigating an individual in essence defined that person as a subversive and inspired distrust, so the very process of accumulating information gave the FBI more power and influence. When the existence of investigations became publicly known through rumor, leaks, or inside knowledge, the targets were to some extent discredited and their influence with the public thereby limited.

Hoover's method of analyzing intelligence files also added to their weight. As the director postulated, "An isolated instance in the Middle West may be of little significance, but when fitted into a national pattern of similar incidents, it may lead to an important revelation of subversive activity."<sup>14</sup> The compilation of detailed files thus became an essential tool in Hoover's mission to ferret out subversives who threatened the state and was central in the FBI's investigation of Charles Lindbergh.

Following his 1927 flight across the Atlantic in the *Spirit of St. Louis*, Lindbergh became an instant hero, attaining near divinity status to many Americans. No one criticized the aviator, historian Frederick Lewis Allen notes, "for Lindbergh was a god."<sup>15</sup> But Lindbergh was so hounded by admirers and reporters, particularly after the kidnapping and murder of his son, that he fled the country to find relief. While living in Europe he was recruited by the U.S. military to tour and inspect the German air force between 1936 and 1938, helping army officials gather intelligence on the Nazi war machine. Ironically, the Germans took full advantage of this opportunity to tout the power of Hermann Goering's *Luftwaffe* to Lindbergh and the American military. Lindbergh was fascinated by Germany's successful recovery from the Depression and awestruck by the strength of Nazi air power. He became convinced Germany had created a juggernaut. These experiences made the aviator

<sup>12</sup>Donner, *The Age of Surveillance*, 170-71.

<sup>13</sup>*Ibid.*, 171.

<sup>14</sup>Hoover, quoted in Donner, *The Age of Surveillance*, 6.

<sup>15</sup>Frederick Lewis Allen, *Only Yesterday: An Informal History of the 1920s* (New York, 1959), 184..



a confirmed advocate of non-intervention in European affairs following his return home in 1939.<sup>16</sup>

When war finally came to Europe that September, Lindbergh moved aggressively to oppose U.S. involvement and almost immediately was lambasted by pro-Allied individuals as a Nazi sympathizer. Roosevelt told Treasury Secretary Henry Morgenthau Jr., "I am absolutely convinced that Lindbergh is a Nazi."<sup>17</sup> Nonetheless, because of the widespread admiration he still commanded, Lindbergh emerged as a prominent opponent of Roosevelt's pro-Allied foreign policy and thus a threat—in the President's and Hoover's eyes—to national security. An FBI memorandum confirms that Lindbergh became suspect because of his "numerous remarks which bear upon his foreign or nationalistic sympathies."<sup>18</sup> When Lindbergh stated in a nationwide radio address on 15 September 1939 that by "fighting for democracy abroad we may end by losing it at home," the FBI began to compile a file on him.<sup>19</sup> Initially the Bureau's investigation centered on rumors of Lindbergh's foreign connections, but it soon degenerated into a political investigation. Throughout, no allegation against Lindbergh was too innocuous or absurd for the FBI to follow up.

From September 1939 to April 1941, Bureau informants attended his speeches. When Lindbergh spoke at an America First rally in New York City on 23 April 1941, an informant was present to report in detail on the event. After obtaining an advance release of the address distributed by the America First Committee for the newspapers, the informant carefully compared it to the actual speech. He marked places in the text where the audience particularly reacted and underlined key phrases in the speech. The informant also provided a detailed report on the rally itself, identifying celebrities in attendance, the amount of money raised, and the size and breakdown of the crowd: "The crowd inside the hall was 50% middle class and

<sup>16</sup>Truman Smith, *Berlin Alert: The Memoirs and Reports of Truman Smith*, ed. Robert Hessen (Stanford, 1984), 113-14, 151-63; Charles A. Lindbergh, *The Wartime Journals of Charles A. Lindbergh* (New York, 1970), 280; Ambassador Joseph P. Kennedy to the Secretary of State, telegram, 22 September 1938, in *Foreign Relations of the United States: Diplomatic Papers*, 1938, vol. 1 (Washington, 1955), 72-73; Wayne S. Cole, *Charles A. Lindbergh and the Battle Against American Intervention in World War II* (New York, 1974), 33-37; Walter L. Hixson, *Charles A. Lindbergh: Lone Eagle* (New York, 1996), 75-113.

<sup>17</sup>Henry Morgenthau Jr., *Presidential Diaries*, 20 May 1940, Franklin D. Roosevelt Library, Hyde Park, New York, quoted in Cole, *Charles A. Lindbergh*, 128.

<sup>18</sup>Blind and Undated Memorandum Re Charles A. Lindbergh [c. 5 August 1942], FBI 65-11449-152.

<sup>19</sup>"Lindbergh's Appeal for Isolation," *New York Times*, 16 September 1939, 9; Lindbergh, *Wartime Journals*, 252.

... middle aged and the other half were young men and women of the emotional type."<sup>20</sup>

FBI agents also scoured the public press for articles by and about Lindbergh. This investigative technique was not unique to the Lindbergh investigation, but was commonly used to obtain information on targeted groups or individuals as well as to identify potential new targets. Lindbergh's FBI file, in fact, contains over 200 separate articles clipped from such magazines and newspapers as *Life*, *The American Mercury*, *Reader's Digest*, *The New York Times*, *The Chicago Daily Tribune*, *The Washington Post*, *The Atlanta Post*, and *The Oakland Tribune*. Typical examples include "Strikes at Lindbergh, Colonel's Attorney Says 'He Who Talks Defeatism Is Hitler's Ally,'" "Should the FBI Take Action?," and "Aid to Russia is Criticized by Lindbergh."<sup>21</sup> The articles were either compiled by the Bureau's Washington office or forwarded to FBI headquarters from the Bureau's various field divisions. "Patriotic" citizens sometimes sent in clippings, but those usually only duplicated the vigorous and thorough efforts of Bureau agents.

FBI investigators also monitored press reports of extremist publications that mentioned Lindbergh. For example, agents examined and indexed the pro-Nazi paper *Deutscher Weckruf und Beobachter* (*The Free American*). Right-wing foreign language books also were reviewed closely. Indeed, FBI personnel reviewed and translated into English a German book entitled *Summary Report: Documents and Reports Illustrating German Contemporary History*. The reviewing agents noted that the book "devotes a disproportionately large amount of space to CHARLES LINDBERGH." The book commanded attention because, FBI agents reported, it repeatedly described Lindbergh as "the most outstanding American national hero."<sup>22</sup>

Another investigative technique involved letters of concern sent in by public-spirited citizens to the FBI's Washington office or local field offices. Letters to other branches of the government also were forwarded regularly to the FBI. These "tipsters" were a valued source of information and served to stimulate greater investigative effort. As Lindbergh continued his crusade against entering the war, the FBI's

<sup>20</sup>Assistant Director E. J. Connelley to J. Edgar Hoover, letter and enclosures, 14 May 1941, FBI 61-7566-2448.

<sup>21</sup>Donner, *The Age of Surveillance*, 129; Charles A. Lindbergh, "A Letter to Americans," *Collier's*, 29 March 1941, in FBI 61-7566-2448; Charles A. Lindbergh, "Aviation, Geography, and Race," *Reader's Digest*, November 1939, 64-67, FBI 65-11449-16; *New York Times*, 27 April 1941; *Washington Post*, 9 June 1941, 8; *Oakland Tribune*, 2 July 1941, all in FBI 65-11449-Sub A.

<sup>22</sup>Memorandum Re Nazi Activities in the U.S.: *Deutscher Weckruf und Beobachter* and *Free American*, 21 September 1939, FBI 61-7566-1657 (among others); Memorandum Re German Propaganda, German Book Transmitted to FBI, 16 August 1940, FBI 61-7566-1915 [emphasis in original].



correspondence file grew. Each time the aviator delivered a controversial speech at a rally or on the radio, some Americans complained to their government.<sup>23</sup>

After Lindbergh's 19 May 1940 speech decrying fears of invasion, one person wrote Roosevelt, "His speeches, at this time, in the face of developments, are seditious. That he dares tell us we are in no danger, not to hurry. God grant that we have time to create any defenses."<sup>24</sup> Another concerned citizen wanted Lindbergh's "every action and expression scrutinized in a very serious and most critical searchlight fashion."<sup>25</sup> Many writers demanded that the FBI stop Lindbergh. "Why does not the FBI 'tail' the Colonel," asked one, "and ascertain truly what the bird is up to?"<sup>26</sup> Another person wrote, "I don't understand why your department doesn't bind and gag that man Charles A. Lindbergh."<sup>27</sup> And from a third, "We feel that if he was investigated he would be found to be a 5th columnist and perhaps one of the world's highest paid spies."<sup>28</sup> While this correspondence suggests an imperfect understanding of constitutional liberties by many citizens, it also shows public support for domestic intelligence operations.

The FBI also received letters from people who appear to have meant well but clearly were deluded. One correspondent wrote, "Charles A. Lindbergh is imprisoned in Berlin together with his wife, Ann [sic] Morrow Lindbergh. The person now masquerading in this country as Lindbergh is a cleverly duplicated Charlie McCarthy brought into being under the legerdemain of Dr. Goebbels."<sup>29</sup> Such letters were not simply dismissed as the work of lunatics; in response to this letter, Hoover instructed the Special Agent in Charge (SAC) of the New York office "to contact Confidential Informant Bob M. to ascertain the background and reliability of [the person who wrote the letter]."<sup>30</sup>

More significantly, FBI officials monitored pro-Lindbergh correspondents. In the summer of 1940, President Roosevelt forwarded to the FBI hundreds of letters and telegrams that the White House had received from Charles Lindbergh's sup-

porters. Hoover, on his own authority, then checked the FBI's files for the supporters' names and reported back to Roosevelt whatever derogatory information the FBI already possessed. Documents in the files show that the FBI acted upon information from all sources, whether it was from FBI field offices, government agencies, informants, or the lunatic fringe. Virtually any source was considered worthy of examination in the hunt for subversives. Some correspondents were even cultivated to become Bureau informants, and those whom Hoover thought might furnish more information were contacted and advised of the nearest Bureau office. All letter writers were informed that their correspondence was being made part of the FBI's files, so that the public indirectly became aware of the Bureau's interest in anti-interventionist activity. Such knowledge implicitly lent weight to the FBI's investigations in the public perception and enhanced the FBI's influence.<sup>31</sup>

Hoover's avid interest in Lindbergh's activities led FBI agents to go to great lengths to document the aviator's "sentiments in connection with the internal policy of the United States government."<sup>32</sup> One informant, employed by the Ford Motor Company, obtained a private letter that Lindbergh had sent to his friend Henry Ford. Ironically, the letter concerned the problems of democracy and communication:

I am continuing to take an active part in opposing the propaganda and agitation for war. The country is still opposed to our entry, but I am not sure how long the people will be able to withstand the misinformation and propaganda that fills our press, our radio, and our motion-picture theaters each day. It is difficult to see how democracy can function intelligently or even survive without any accurate source of information to which the people can go, and from which they can base their decisions.<sup>33</sup>

In the early stages of the Lindbergh investigation, Bureau agents collected only this type of relatively innocuous political intelligence on Lindbergh. But as the United States moved closer to war and the isolationist-interventionist debate escalated, the FBI's investigative efforts increased, particularly after Lindbergh resigned his commission in the Air Corps Reserve in April 1941 and joined the America First Committee.<sup>34</sup>

<sup>23</sup>Donner, *The Age of Surveillance*, 128.

<sup>24</sup>[Deleted] to Franklin D. Roosevelt, 22 May 1940, FBI 65-11449-2X [emphasis in original].

<sup>25</sup>[Deleted] to the President, 23 May 1940, FBI 65-11449-2X1.

<sup>26</sup>[Deleted] to J. Edgar Hoover, 4 August 1940, FBI 65-11449-6.

<sup>27</sup>Anonymous letter to FBI, 6 August 1940, FBI 65-11449-21 [emphasis in original].

<sup>28</sup>[Deleted] to Attorney General Robert Jackson, 5 August 1940, FBI 65-11449-36.

<sup>29</sup>[Deleted] to J. Edgar Hoover, 4 August 1940, FBI 65-11449-28.

<sup>30</sup>Hoover to SAC New York, letter, 15 August 1940, FBI 65-11449-28.

<sup>31</sup>Robert Dallek, *Franklin D. Roosevelt and American Foreign Policy, 1932-1945* (New York, 1979), 225.

<sup>32</sup>SAC Detroit to Hoover, letter, 20 October 1941, FBI 65-11449-94.

<sup>33</sup>Lindbergh to Henry Ford, letter, 2 August 1941, FBI 65-11449-94.

<sup>34</sup>Lindbergh, *Wartime Journals*, 480; Cole, *Charles A. Lindbergh*, 121-22.



At this time, America First was already the leading U.S. anti-interventionist organization, with a wide range of prominent and active members who worked tirelessly against Roosevelt's foreign policy. While even some of America First's leaders thought Lindbergh was too extreme and that his presence might undermine the organization's efforts, his supporters prevailed, and the aviator was given a seat on its National Committee.<sup>35</sup>

Lindbergh's energy and celebrity proved a tremendous advantage to America First. The aviator quickly became the Committee's most sought after speaker, and his enthusiasm and reputation brought in many new members. Lindbergh was so popular that the National Committee promised "first consideration for a 'Lindbergh rally'" to the local chapter enlisting the most new members.<sup>36</sup> The flyer attracted thousands of listeners and supporters at these rallies, far more than any other anti-interventionist speaker.

As Lindbergh's political prominence grew, so too did the FBI's efforts to discredit him. Since 1940, Hoover had cooperated with British Intelligence's New York office to discredit the anti-interventionists. In late 1941, for instance, Britain's intelligence representative William Stephenson arranged for "pro-British societies" to infiltrate and disrupt a Lindbergh rally. Although the plan failed, it illustrates the FBI's tremendous concern with Lindbergh and the lengths to which FBI officials would go to undermine his effectiveness.<sup>37</sup>

FBI officials believed they would succeed in discrediting the aviator in May 1941 when a tipster provided information to the FBI's Dallas field office. Marvin E. Rutherford of Abilene, Texas, was an engineer who held patents on a wide range of products, including aircraft equipment. Rutherford informed the office that in April 1939, while employed by Lockheed Corporation, he had sent original plans for a bullet-proof self-sealing aviation gasoline tank to Lindbergh by registered mail. Lindbergh was then chair of the Air Corps' New Device Committee. Rutherford reported that in May 1941 he had read in the *Los Angeles Examiner* of a gasoline tank found on a downed German plane in England. The tank was a bullet-proof, self-sealing one, which Rutherford claimed was similar to the design he had sent Lindbergh in 1939. The engineer pointed out that the United States did not have such a tank in production, and he went on to say that Lindbergh had never acknowledged to him receipt of his plans. Further, Rutherford had mailed his designs to Lindbergh's committee because he feared foreign agents might steal them from his home; in the past,

unknown individuals had attempted to steal his other military designs. Since the fuel tank design described in the article corresponded closely to his plans, Rutherford believed that Lindbergh must have given them to Nazi Germany.<sup>38</sup>

On 18 July, Hoover reported this information to Assistant to the Attorney General Matthew McGuire, seeking authorization for an investigation that might lead to Lindbergh's prosecution. Attorney General Francis Biddle, however, insisted on solid evidence before proceeding, and the information Hoover brought to McGuire's attention did not meet the attorney general's standards. Even if Hoover were correct in his suspicions, the 1917 Espionage Act would not apply as the United States was not at war, and so no law would have been broken. McGuire, therefore, responded that "the facts set forth in [Rutherford's] complaint contain *no evidence* of a violation of a Federal criminal statute. *No investigation* should, therefore, be made."<sup>39</sup> In August, Hoover informed the SAC in Dallas that "no investigation" into the matter should be conducted, and since no crime appeared to have been committed, the issue was officially closed for the FBI.<sup>40</sup>

Three months later, however, Hoover received a report from Brigadier General Sherman Miles, head of the Military Intelligence Division (MID), confirming that Rutherford had sent his plans for a self-sealing gasoline tank by registered mail to the New Device Committee. With assistance from the Post Office Department, MID had even located the person who had accepted the package. MID agents continued to work on this lead until November 1941, when they confirmed that the War Department had received the gasoline tank plans. No record of the plans was found in War Department files, however. Through their liaison with the FBI, MID officials reported that the Air Corps had written Lindbergh "requesting the plans or an explanation as to the disposition of them," but had received no reply.<sup>41</sup>

<sup>38</sup>Bernard H. Thomas, U.S. Department of Commerce, Patent and Trademark Office, to Douglas M. Charles, 5 November 1993; SAC Dallas to Hoover, letter, 27 June 1941, FBI 65-11449-74.

<sup>39</sup>Hoover to Assistant to the Attorney General Matthew F. McGuire, memorandum, 18 July 1941, FBI 65-11449-74; Assistant to the Attorney General Matthew F. McGuire to Hoover, memorandum, 29 July 1941, FBI 65-11449-80 [emphasis added]; see also Patrick S. Washburn, "FDR versus His Own Attorney General: The Struggle Over Sedition, 1941-1942," *Journalism Quarterly* 62 (Winter 1985): 717-24; and "Lindbergh's Right to Voice Opinions Upheld by Biddle," *Oakland Tribune*, 20 September 1941, in FBI 65-11449-Sub A.

<sup>40</sup>Hoover to SAC Dallas, letter, 21 August 1941, FBI 65-11449-80.

<sup>41</sup>Brigadier General Sherman Miles to Lt. Col. J. Edgar Hoover, confidential letter, 31 October 1941, FBI 65-11449-99; G.C. Burton to FBI Assistant Director D. Milton Ladd, memorandum, 26 November 1941, FBI 65-11449-104; see also Joan M. Jensen, *Army Surveillance in America, 1775-1980* (New Haven, 1991).

<sup>35</sup>Cole, *Charles A. Lindbergh*, 118-21.

<sup>36</sup>Wayne S. Cole, *America First: The Battle Against Intervention, 1940-1941* (Madison, 1953), 141-42.

<sup>37</sup>H. Montgomery Hyde, *Room 3603: The Story of the British Intelligence Center in New York during World War II* (New York, 1963), 73-74.



MID's reports on the Lindbergh-Rutherford affair illustrate how the bureaucratic division of labor between intelligence agencies enabled FBI officials to circumvent the attorney general's restriction on FBI activities. Denied permission to investigate, Hoover undoubtedly passed to MID the information gathered by the Dallas field office. The Army then continued the investigation in hopes of acquiring new evidence that would confirm Lindbergh's disloyalty. By relying on a 1936 executive order requiring the FBI to coordinate intelligence with the military, Hoover was able to circumvent the Justice Department's restrictions and indirectly continue to gather information. Although investigation by the MID and FBI failed to produce solid evidence with which to discredit Lindbergh, they show the lengths to which Hoover went in his investigation of Lindbergh's activities.<sup>42</sup>

Shortly after the Japanese attack on Pearl Harbor that December, FBI officials became concerned over certain "connections which he [Lindbergh] is believed to have with members of the armed forces."<sup>43</sup> Apparently this pertained to the leak of a War Department contingency plan to the conservative *Chicago Tribune*. Just three days prior to the Pearl Harbor attack, the *Tribune* had published the so-called Victory Program as evidence of Roosevelt's goal of entering the war. Disturbed by this incident, Roosevelt directed Hoover to find the source of the leak. Hoover reported in the resultant investigation that an anti-Roosevelt army officer had disseminated the plans. FBI officials suspected Lindbergh was the middle man who forwarded the plans to the newspaper because "he was getting a considerable amount of his information concerning the war directly from officials in the Army and Navy."<sup>44</sup>

Bureau officials at first believed they might finally be able to discredit Lindbergh. If Lindbergh could be tied to the Victory Program leak, he would be shown to be disloyal and unpatriotic. Hoover concluded that businessman Henry Ford knew the identity of the person who allegedly leaked information to the aviator because Lindbergh "is the source of Ford's information." The FBI director ordered the FBI's Detroit field office to interview Ford to obtain the name of Lindbergh's military contact. If Ford provided the name, Hoover planned to confront Lindbergh with "two of our best men" and ask him the name of his source. Whatever Lindbergh's response, Hoover believed, the Bureau could "then give consideration as to whether

<sup>42</sup>See FBI Director J. Edgar Hoover to FBI Assistant Director Edward Tamm, strictly confidential memorandum, 10 September 1936, reprinted in Theoharis, *From the Secret Files*, 182-83.

<sup>43</sup>Summary Memorandum Re Charles Augustus Lindbergh, 21 August 1942, FBI 65-11449-154, p. 23.

<sup>44</sup>*Ibid.*; Harold L. Ickes, *The Secret Diary of Harold L. Ickes*, vol. 3 (New York, 1954), 659.

he should be called before a Grand Jury." Hoover informed his assistant directors on 12 December that Lindbergh could now "either be made to put up or shut up."<sup>45</sup> Attorney General Biddle consented, acceding to Roosevelt's desires, and hoped that a "strong report on this . . . might give the President a chance to clean out some 'brass hats' [within the War Department]."<sup>46</sup>

Bureau agents, however, were not able to obtain from Ford or from Harry Bennett (Ford's director of personnel, labor relations, and plant security) the name of Lindbergh's supposed contact. Further inquiries with Bennett did lead the FBI to focus on General Albert C. Wedemeyer of the War Department as the source of the leak, but the resultant investigation failed to link Lindbergh to Wedemeyer and Lindbergh's name was dropped from the investigation.<sup>47</sup>

FBI officials investigated the Victory Program leak more to discredit the anti-interventionists than to protect national interests. The *Tribune's* revelations of a contingency plan did not pose a serious threat to U.S. security and at worst served only to embarrass the Roosevelt administration. Hoover also was motivated by an article published in the *Tribune* after Pearl Harbor that criticized the FBI for insufficiently monitoring Japanese officials in Hawaii and held the FBI partially responsible for the complete surprise of the attack. An incensed Hoover called on Attorney General Biddle to convene a grand jury over the war plan revelation, but Biddle refused. The whole incident was forgotten, however, in the aftermath of the Pearl Harbor attack when the anti-interventionists disbanded and the nation's attention shifted to preparing for war.<sup>48</sup>

Besides attempting to uncover evidence of Lindbergh's disloyalty, FBI agents sought potentially damaging information on his personal life. Carefully cultivated informants relayed sensitive information to Hoover through the "personal and confidential" system that bypassed the Bureau's central records system.

The SAC in Butte, Montana, W. G. Banister, for example, informed Hoover that according to a confidential source, while Lindbergh was barnstorming in Butte during the 1920s, he had "lived in the home of a prostitute for a considerable time and associated with the prostitute's pimp." The agent even supplied a photograph of the

<sup>45</sup>Memorandum, Hoover to FBI Assistant Directors Tolson, Ladd, and Tamm, 12 December 1941, FBI 65-11449-105.

<sup>46</sup>*Ibid.*

<sup>47</sup>Tamm to Hoover, memorandum, 13 December 1941, FBI 65-11449-113; SAC Detroit to Hoover, personal and confidential letter, 1 January 1942, FBI 65-11449-118.

<sup>48</sup>Theoharis, "The 'Subversive' Press," 7; see also Albert C. Wedemeyer, *Wedemeyer Reports!* (New York, 1958); and Thomas Fleming, "The Big Leak," *American Heritage* 38 (December 1987): 65-71.



prostitute, pimp, and flyer together. Banister also discovered that "during his stay in Billings he [Lindbergh] tried to marry two different girls who were employed in a laundry." In addition, according to the source, Lindbergh was a deadbeat, owing a debt of \$38 to a Butte boarding house.<sup>49</sup>

Lindbergh allegedly was a law breaker as well. Banister briefed Hoover that another "reliable" source had confided that Lindbergh "should have been prosecuted on two different charges of bootlegging whiskey from Canada to Billings, Montana, by airplane." Although Lindbergh could not be prosecuted because of the Statute of Limitations, Banister believed there was sufficient evidence to prove that he did indeed bootleg whisky. Banister suspected that a Billings assistant U.S. attorney also had this information and would "furnish it, properly supported by affidavits, etc., to [pro-Allied newspaper columnist] Walter Winchell."<sup>50</sup>

Through another informant the Bureau garnered information regarding Lindbergh's mental health. In 1942, Lindbergh's friend Dr. Alexis Carrel, who opposed Lindbergh's politics, reportedly was heard discussing "the trend that LINDBERGH's mind was taking" with a psychiatric colleague, a Dr. Schorr. Carrel reportedly said that "LINDBERGH hated the British and next to them he hated the United States." While the remainder of the conversation was not overheard, this intelligence was deemed sufficiently important to relay to Hoover.<sup>51</sup>

Compilation of such information, involving no criminal activity on Lindbergh's part, confirms FBI officials' interest in impugning Lindbergh's political loyalty and personal character. Taken as a whole, the derogatory information—or misinformation—convinced Hoover that there was indeed a subversive pattern in the data. The once heroic and modest aviator was transformed in the minds of Bureau officials who supplied the administration with political intelligence reports into a morally bankrupt subversive. It is unclear, however, whether or not personal information about Lindbergh was shared with White House officials.

After Pearl Harbor, which ended the Great Debate over Roosevelt's interventionist policies, the FBI was less aggressive in its investigation of Lindbergh. In 1944, Eleanor Roosevelt received a letter from an American who was "troubled about Charles Lindbergh's . . . whereabouts." The President brought the matter to Hoover's

<sup>49</sup>SAC Butte to Hoover, personal letter, 3 June 1941, FBI 65-11449-71.

<sup>50</sup>Ibid.

<sup>51</sup>FBI Assistant Director Foxworth to Hoover, personal and confidential letter, 10 February 1942, FBI 65-11449-128.

attention and asked him how "Mrs. Roosevelt should answer this one about Charles Lindbergh."<sup>52</sup> Hoover suggested she should merely send a letter of acknowledgment and appreciation.<sup>53</sup>

FBI officials failed to connect Lindbergh to the Victory Program leak, or any crime, and Roosevelt never overtly used the extensive political intelligence that Hoover had passed on to him, fearing that it might disclose his authorization of the FBI's political spying. Indeed, Roosevelt did not need to use the information, as interventionist groups themselves were successful in discrediting isolationists such as Lindbergh.<sup>54</sup>

While their investigations were secret and derogatory information collected apparently was never used, the FBI's activities nonetheless indirectly affected the foreign policy debate. During this period, the FBI became the intelligence arm of the White House, enabling the president to secretly monitor his political opposition. The availability of intelligence reports, without political cost, helped Roosevelt to defeat his foreign policy critics. Moreover, many anti-interventionists suspected that they were under investigation by the FBI, and many other Americans heard rumors that the FBI was investigating isolationist "subversives." Hoover's replies to concerned citizens' letters in part sustained these fears, as did FBI agents' outright questioning of suspects such as Henry Ford and General Wedemeyer. These public actions heightened public concerns about the scope and purpose of FBI surveillance activities. It certainly did in Lindbergh's case.

Indeed, Lindbergh strongly suspected that the FBI was tapping his telephone. He confided in his journal on 7 July 1941 after being warned by a friend, "My main interest lies in knowing whether or not these [wiretap] tactics are being used by the Administration."<sup>55</sup> On 16 July Lindbergh wrote Roosevelt to disavow rumors of his foreign connections. Lindbergh was at the time responding to a vehement denunciation by Secretary of the Interior Harold Ickes. In his letter, the aviator hinted that he suspected the government was investigating him. "Mr. President," he wrote, "I will willingly open my files to your investigation. . . . [T]here is no question regarding my activities now, or any time in the past, that I will not be glad to answer."<sup>56</sup> In

<sup>52</sup>President Franklin D. Roosevelt to Hoover, memorandum, 3 September 1944, FBI 65-11449-158.

<sup>53</sup>Hoover to Secretary to the President Edwin M. Watson, letter, 6 September 1944, FBI 65-11449-158.

<sup>54</sup>See Mark Lincoln Chadwin, *The Hawks of World War II* (Chapel Hill, 1968).

<sup>55</sup>Wayne S. Cole to Douglas M. Charles, letter, 12 December 1994; Lindbergh, *Wartime Journals*, 515.

<sup>56</sup>"Lindbergh Seeks Roosevelt Inquiry," *New York Times*, 18 July 1941, 6.



early October, in a speech he feared might be his last, Lindbergh expressed concern that his civil liberties were being violated. While the FBI's investigations did not cause him to quit his anti-interventionist crusade, the aviator did consider the personal dangers of his involvement.<sup>57</sup>

FBI investigations of Lindbergh ceased in 1944 when an Allied victory seemed imminent. The last document in Lindbergh's file, added in 1954, makes a fitting postscript to the FBI's extensive compendium on the famous aviator. Upon the death of Lindbergh's mother, Hoover felt compelled to express his sympathies in a letter dated 6 September 1954. In Lindbergh's file, accompanying the letter, is a note that states, "There have been numerous derogatory allegations against the General in the past concerning America First and Pro-Nazi leanings. . . . [N]one of the derogatory allegations have been substantiated in any way."<sup>58</sup>

The FBI's extensive file is filled with scurrilous hearsay and reports of the aviator's every imaginable activity, some no more than gossip or innuendo. The file stands as evidence of the dangers posed whenever individuals take unpopular and controversial stands against the U.S. government's foreign policy in times of national crisis. The growing involvement of the United States in world affairs after World War II led to the development of internationalist foreign policies on a scale far greater than ever before in the nation's history. In this new era of expanding Cold War internationalism, those who opposed these new policies often appeared to security officials, and even the White House, as subversives and thus a threat to national security.

Moreover, with J. Edgar Hoover as head of the country's chief law enforcement agency, the president was able to monitor and potentially discredit these opponents. Beginning in 1936, Hoover catered to each succeeding administration to prove his own and the Bureau's political worth. The information he gathered, hidden in a vast and secret filing system designed to hide his sometimes illegal actions, gave Hoover tremendous influence in American politics. Hoover's investigations of Roosevelt's mostly conservative foreign policy opponents marked the point when the FBI began to play a major role in national politics; from that point forward the FBI became the primary domestic intelligence apparatus of the U.S. government. By empowering a political surveillance agency like the FBI, headed by a man like Hoover, the Roosevelt administration helped undermine the tolerance of debate so essential to the functioning of democracy. It also called into being a vastly more powerful and

experienced agency, one led and staffed by men committed to ferreting out subversives. During the tense Cold War years, these resources were employed with far reaching consequences.<sup>59</sup>

<sup>57</sup>"Lindbergh Fears Loss of Liberties," *The Charleston Gazette*, 4 October 1941, in FBI 100-4712-164; see also Lindbergh, *Wartime Journals*, 600.

<sup>58</sup>Hoover to Brigadier General Charles A. Lindbergh, letter, 6 September 1954, FBI 65-11449-162. Lindbergh was granted the rank of brigadier general by President Eisenhower in 1954.

<sup>59</sup>See Athan G. Theoharis, "The FBI's Stretching of Presidential Directives, 1936-1953," *Political Science Quarterly* 91 (Winter 1976-77): 649-72.