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which no matter how good your intercept operations ^{ors} are there's bound to be some small percentage of errors^s introduced and I would say that's roughly the picture unless Sammy can add something that I've overlooked.

Q: Let me ask a follow up question to that. In the period ^{from} 1934 ^{and} with the passage of the

HS

Federal Communications Act and the actual beginning of hostilities for World War II

was there any thought that you know of given ^{in either} ~~of~~ the SIS or G2 as to the legality^{ies} of

using the cable traffic?

A: Yes we gave considerable thought to it. We knew it was illegal and therefore we

better keep quiet about it.

Q: You knew it was?

A: Yes Sir. There was no doubt in our minds ^{but} _A what this was illegal. You want to ask

a question or you want me...

Q: Well what we were wondering about is that with the Section 605 of the Federal

HS

Communications Act of 1934 it spells it out very clearly that interception of foreign

communications was prohibited. Of course that goes by the boards during wartime so

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the question was when, as the SIS was using these cable, the cable traffic, from 30 or 31 through 41, beginning of the war, and then from 45 onward, what were the legality the consideration, the legal consideration involved in this?

A: Well if I may answer that in terms of what I recollect and sort of the rationale that I remember as I remember it if you will go back to your law you will find that there is a whole string of things, words end to end, starts out with the interception and winds up with "the publication thereof" so we figured this was the envelope that we hid behind. We figured that as long as we didn't let it be openly published that we were still legal if we intercepted and if we cryptanalyzed and if we translated and ~~if we use~~^d it within government circles in an unpublished form, that we we sort of had a little bit of an island to stand on. And that was just about the attitude that we employed. Essentially we recognized ~~this~~^{its} potential illegality and we knew if it ever

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got to court that we would be condemned and even some of us might be tried as individuals. We were told that by G2 and our bosses that "Look you must remember, and I guess you'll remember this Sammy, but I was told just like I was about ~~patents~~, there's a caveat that you were given about any invention you made would be the governments you see but that came on later on but there were certain things, ~~patents~~ ^{patents} was one and the other was the legality and the need for secrecy. We were told that the law was unfair, that this was being done in the national interest and if we had any qualms about it we better get out because if ~~they~~ ^{it} ever came to ~~enforce~~ ^{issue} the law, the legal aspects might be against ~~you~~ ^{us} so in that sense I was aware that what we were doing had, could be illegal and I was satisfied in my own estimate of it that it was but I didn't care because I felt so strongly that what we were doing was a proper ^{thing} for the US government and I certainly knew that we had to have the codes because I could

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not see, for example the UK which was notoriously ^{it} successful nation in codebreaking.

I couldn't see the British pulling back for some legal consideration if they felt

they could get a diplomatic advantage from reading and breaking an American code so

this was the context in which most of us approached it and maybe we sort of developed,

mutually developed, this attitude and fell into it because it gave us ^a comfortable

if I had feeling but I think [^] to do it over again baldfaced I would go and run the risk and in

those days ^{it} was in ^{deed} much less than it is today that ^{the thing} ~~it~~ would be exposed because then

you were dealing with people that you knew were honorable. The people in the business

were honorable people. They weren't ^{ei'} siezed by some of these things like Ellsberg

was ^{ei} siezed with. There just weren't enough of them around so that the probability

of an Ellsberg being in our group was great enough for it to actually happen. Now we

did have a few people that we were nervous about but as I look back there was no call

for nervousness . Its just that they they talked that way rather than believe ^d that way,

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and I think today as I look at it I would not feel as easy about my chances of going through that kind of an operation without being caught at it as it was in those days. It was almost ^{100%} foolproof in those days. Now its something less than that because I would be afraid that some of my contemporaries might turn out to be an Ellsberg and that would bother me considerably for what its worth.

Q: The cable companies were certainly agreeable to cooperating, were they not?
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A: They indeed were and I tell you I found this. That there were certain people within the cable companies. Now I wasn't involved in this directly so this is second hand and hear say. Some of the people in the cable companies felt like they were doing a national service and were proud to be involved in this thing because they had enough understanding and had been briefed appropriately by our G2 representative and we of course did this at ^{the} higher level when the stage was set for us to pick up this cable traffic they had ~~confidence~~ ^{confidence} enough in the war department people to trust

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that it was indeed something in the national interest and was not going to be used for, as implied by Mrs. Abzug and others, that this is for persecution of the individuals.

They they they weren't that stupid, these officials, but they did take pains to ~~make~~

sure ^{that} whatever arrangements ^{was} were set up well enough organized that the actions could

be kept secret and not be leaked to the press. We were awful nervous about people

from the press. We just avoided them wherever possible, not for that reason but for

the whole basic concept of keeping quiet the SIS activity. I think the Navy is just

as bad. I don't recall ^{whether} the Navy did any, had any arrangements, picking up the traffic

because and I think the reason ^{was this,} is that the Army got in there a little bit early on

the deal and the Navy and the Army both felt ^{if} that the Navy ^{tried} would try to go in and do

the same kind of thing that then this might be too much for ^{the} communication companies

and might be too much to have too much, make too much of a, make too many waves and

therefore be discovered.

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Q: What was the situation at the end of the war? Did you go back, ^{did you} continue on after the war using cable traffic?

A: Let's put this on tape. Now this is a nervous ^{but} but I'm going to tell you what I recollect. I don't think its going to be any worse than ^{what's} in the records already.

At the end of the war we could visualize a couple of things. One, the certain setbacks were in fact inevitable in our intercept capability. We had hoped to have a

[world-wide intercept capability] but we didn't know whether that would endure or not

because in ^{the} a few months after the war people just couldn't get home quick enough and later on, just to throw in a little bit of a personal observation, when they got back home and after they had been there for a while it didn't look so good so they were anxious to get back into the service. So in that little period when there was a great outflow of people from the intelligence area and I can remember General

C
Korderman giving a speech out on the campus at Arlington Hall Station

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He got everybody out there and made a speech to them and in essence what he said was we'd like for you to stay but here's your hat, what's your hurry. I mean he just encouraged people to hurry up and get back home because he was he had been told by the Chief Signal Officer and the people in the Pentagon that we had ^{to} demobilized rapidly and look General ^C Kordermann you got a lot of people out there at Arlington Hall Station. The sooner you get back to nothing out there the happier we'll be with you and your administration and ^C Kordermann was out there trying to effect that rapid dissolution of the outfit which was absolutely contrary to the Carter Clarke philosophy and that was "let's keep the better ones". I don't know what discussions ^C Clarke and ^C Kordermann had but I do remember ^C Kordermann was mentioned a couple of times by Clarke in his conversations with me and I quote "Why the hell is Red so anxious to get rid of the people?" unquote but there was that. I mean ^{we} ~~he~~ could see that maybe we could go too far in the dismemberment of the activity and we laid on a plan which

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I think got called Shamrock at some time and the object of Shamrock was to continue

these practices which ^{had been} ~~were~~ developed under wartime conditions and considerations

with communications companies because if we broke them off and then ^{go,} had to go start
^

them again you see ^{that} ~~it~~ would be just like building the world all over again and we

thought as long as these were in being and we could continue them to keep people

happy this would be fine and I do know that the efforts expended for the continuation

of these things turned out to be considerable and involved people at the highest level.

People from the upper levels of the government. The Secretary of Defense, the Secretary

of War's office. Actually went up and talked to the heads of the communications

companies which ^{we} ~~wanted~~ to provide us with this stuff and the arrangements were laid
^

out on that level and it was ^{set up} ~~sent out~~ so that the detail pickup arrangements, that is,

who would deliver what traffic to whom and the rules and regulations surrounding

the way it should be handled were set up at the lower level but the sanctions and

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~~_____~~

the agreement ⁱⁿ ~~and~~ principle was negotiated at the highest level, in the country in the Secretary of War's office. I'm sure that must be documented somewhere around Washington. I don't know whether those documents would be here because this would be done between G2, under G2 auspices, rather than the Director of well rather than the Chief Army Security Agency or Chief Signal Officer. Now this Shamrock operation was considered valuable for these considerations. One, it was a cheap way of getting intercept, realcheap. It was a fast way of getting intercept. It was a secure way of getting intercept because the waves you generated by ^{this} somewhat clandestine arrangements ^{were} ~~was~~ a lot less than you might expect to be generated by having an intercept station deal with the stuff. That was one consideration. The second consideration was ^{this} ~~the~~ attribute of the traffic. You were looking at the copy which had been filed by the coderoom, prepared in the coderoom and sometimes the nature of the system~~s~~ shows through in this and the two things I mentioned are beautiful examples of the kind of

~~_____~~

information you can pick up. What was the printer like? Was it a hand system?

I think you could make a good guess at it. ^{or was it} ~~Always~~ a machine system and most ~~of the~~

machines were designed to print on the ^{page} ~~page~~ and you could by ^{examining} ~~determining~~ the type

and the external characteristics of the message you could learn a lot about the

system and you might get some wonderful clues about it because they scratch out an

indicator and replace or, as they did with the J19, they would alter one of the columns

and that was directly and accurately reflect the length of the column, the length of

the key and some other implications and so it was this technical consideration that

was important and I think in my mind almost enough to continue ^{it} ~~not~~ for the timely

receipt and economical receipt ^{of the} ~~intercept~~. Then there was a third consideration that

it had been a very nervous thing to get these companies involved in this activity

earlier and we felt if they ever pulled away from it that we might not be able to

recruit them to assist us so these were the three considerations. One, efficiency and

economy, cheapness and speed of intercept. The technical plums that you might

glean from ^{examining the} a photograph of the traffic and this was particularly ^{of the} in the Washington

area because that's where the Embassies were and then finally we didn't want to have

to invent the wheel all over again with some later generation of communications

company. '65

Q: I think it's important to reiterate the location as to the decision to do that, was

upper level of the government rather than the agency looking at the traffic.

A: The agency generated a requirement and before the operation could be conducted

it had to be sanctioned in the upper levels of the government and the nature of the

thing was such that some of the negotiations had to be conducted by that level. That

was the Gordon Gray level if you want a particular... Gordon Gray being ^{an(?)} Assistant

Secretary I believe of War at that time. Later on he was Assistant Secretary of Defense.

End of Tape 7, Side 2

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