

Director, Federal Bureau of Investigation

May 27, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:TED:mrw
146-28-1941

United States v. Iva Toguri D'Aquino - Treason

Reference is made to the above entitled treason prosecution presently pending in the Federal Northern Judicial District of California. The trial of this cause on its merits is scheduled to commence on July 5, at San Francisco. You will find attached hereto a copy of defendant's motion for the entry of an order seeking the issuance of writs of subpoenas for certain individuals resident in the United States. The motion referred to is supported by defendant's affidavit. The names and addresses of the individuals whose personal attendance at the trial as defense witnesses is sought are as follows:

b6, 7c

b6, 7c

The substance of the expected testimony of said defense witnesses is set forth in defendant's affidavit in support of her motion hereto attached. It is requested that you instruct your St. Louis and Seattle Field Offices to interview the abovementioned individuals concerning the contents of the attachment hereto, and likewise with reference to any personal knowledge they may have as to defendant's activities when she was broadcasting over Radio Tokyo during late hostilities, in addition to any personal knowledge that they may have concerning the facts in issue herein.

Both witnesses abovementioned have previously been interviewed by the Bureau but on ancillary matters. Witness b6, 7c was interviewed by b6, 7c of your St. Louis Office and a report of said interview was made by b6, 7c under date of April 14, 1949. The previous interview with witness b6, 7c is reflected by the report of b6, 7c made at Seattle under date of May 11, 1949. This request for investigation supplements the request of this Division to you dated May 13, with reference to a further interview by representatives of the Bureau with witness b6, 7c

cc: Records
Chrono
Our file

SENT BY MESSENGER
COMMUNICATIONS SEC.
MAY 31 1949 AJ

Attachment

TED
JRS
AMC
by
HFR

S. A. Andretta, Administrative Assistant to the
Attorney General
Alexander M. Campbell, Assistant Attorney
General
United States v. Iva Toguri D'Aquino - Treason

May 25, 1949

AMC:TED:mmv
146-28-1941

RECORDED

File

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. The trial of this cause on its merits is scheduled to commence on July 5, in San Francisco. The personal attendance of various civilian and enlisted and officer military personnel from Central Intelligence Agency, The Department of the Army, and The Department of the Air Forces, as Government witnesses, is desired in San Francisco, prior to and during trial for purposes of proper preparation for trial and the adducing of testimony on behalf of the United States at the trial. The names of the civilian and military personnel, whose personal attendance becomes necessary at San Francisco with the required date of their attendance there, together with the name of the Department or Agency to which said prospective Government witnesses are presently attached with a brief summary of said witnesses expected testimony, is hereinafter set forth.

b6, 7C is presently employed by Central Intelligence Agency at Washington, D.C. She was formerly an expert language monitor with the Federal Communications Commission and Central Intelligence Group at Washington, D.C., National Defense Activities, where foreign radio broadcasts were received during the late war. She is to be utilized in the present case as an expert auditor and monitor for the purpose of introducing scripts of defendant's broadcasts in evidence and identifying the same. Her presence in San Francisco for trial preparation purposes is desired on June 28.

b6, 7C is presently employed by Foreign Broadcast Information Bureau, Central Intelligence Agency, Reseda, California.

b6, 7C is a radio engineer and will be used at the trial on the merits herein for the purpose of identifying recordings of defendant's broadcasts preparatory to their introduction in evidence. For purposes of trial preparation, he should be instructed to report at the Office of the United States Attorney, San Francisco, on June 27.

b6, 7C is assigned to the 8149th Service Unit, Processing and Training Center, APO 900, c/o Postmaster, San Francisco, California. It is understood that prospective witness *b6, 7C* is attached to the Quartermaster Corps, Department of the Army, Manila, Philippine Islands. He is expected to testify concerning broadcasting activities of defendant, which witness *b6, 7C* personally observed while said witness was a prisoner of war during recent hostilities. His appearance at San Francisco for purposes of trial preparation and giving trial testimony is desired on June 27.

cc: Records _____
Chrono _____
Our file _____

TED
SA
AMC
By APC
MHF

b6, 7c is a civil servant with the Water Division, Transportation Corps, Department of the Army. He resides in San Francisco. He was the Master of the United States Army Transport vessel b6, 7c which transported defendant to the United States shortly prior to the time of the return of the indictment herein. His testimony becomes necessary in order to prove venue and jurisdiction as laid in the indictment. His attendance in San Francisco is desired on July 1.

b6, 7c is presently attached to the Surgeon General's Office, Department of the Army, Washington, D.C. She was one of defendant's military escorts on the trip from the Orient to San Francisco shortly prior to the return of the indictment herein. Her attendance in San Francisco for the purposes above-mentioned is desired on July 1.

b6, 7c is an Army Officer presently stationed at Ft. Bragg, North Carolina. Defendant was under Captain b6, 7c protective custody on her recent trip to the United States. b6, 7c attendance at San Francisco is desired on June 29.

b6, 7c is presently a corporal in the 9124th Technical Service Unit, Quartermaster Corps, New York Quartermaster Purchasing Office, Department of the Army, 111 East 16th Street, New York, New York. He is expected to testify regarding his personal observations of defendant's activities on Radio Tokyo during recent hostilities when b6, 7c was a prisoner of war. His personal attendance at San Francisco for the purposes above-mentioned is desired on July 1.

b6, 7c with the Department of the Air Forces is presently stationed at Ft. George Wright, Washington. He is expected to testify concerning the broadcasts of defendant which he heard when he was in the Southwest Pacific during the recent war. b6, 7c presence at San Francisco for purposes of trial preparation and giving testimony at the trial is desired on July 1.

The above-mentioned witnesses should report on the dates specified at the Office of the United States Attorney, United States Courthouse, San Francisco, California. They will be released by my trial staff after their testimony has been adduced or as soon as practicable.

Director, Federal Bureau of Investigation

May 6, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:TED:mmav
146-28-1941

United States v. Iva Toguri D'Aquino - Treason

REC'D

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. The trial of this cause on its merits is scheduled to commence on July 5, 1949 at San Francisco. There is attached hereto one copy of a defense motion supported by an affidavit recently executed by defendant seeking the entry of an order directing the issuance of subpoenas to six prospective defense witnesses, presently resident in the United States. The affidavit in support of defendant's motion purports to set forth the substance of the testimony expected by the defendant from her prospective witnesses therein listed.

It is requested that your appropriate field offices be given instructions to interview the following named witnesses mentioned in defendant's affidavit concerning the contents of said affidavit together with any other surrounding facts and circumstances and/or knowledge said witnesses might have concerning the activities of defendant when she broadcast over Radio Tokyo during the late hostilities. The witnesses named in said affidavit whose interrogation is desired are listed as follows:

IED
JZ
HDK
AMC
by
SFK

b6, 7C

It is suggested that it would be well for the interviewing special agents to obtain signed statements from the prospective interviewees listed in this memorandum.

cc: Records
Chrono
~~Op'r file~~

Enclosure No.
203925

SENT BY MESSENGER
COMMUNICATIONS SEC.
MAY 9 1949 EA

511

S. A. Andretta, Administrative Assistant to the
Attorney General
Alexander M. Campbell, Assistant Attorney
General
United States v. Iva Toguri D'Aquino

May 25, 1949

AMC:TED:mmv
146-28-1941

cfm
AMC
146-28-1941

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. The trial of this cause on its merits is scheduled to commence on July 5, in San Francisco, California. One *b6, 7c* Department of the Army, is presently assigned to Detachment R, Intelligence Division, U. S. Army, and his place of abode is his quarters at *b6, 7c*
b6, 7c

b6, 7c is an essential and necessary Government witness at the trial on the merits herein. He is expected to testify concerning numerous radio broadcast scripts emanating from and authored by defendant, which witness *b6, 7c* obtained from defendant and officials at Radio Tokyo shortly after the late war. His testimony will become necessary in order to properly lay a foundation for the introduction of said documentary material in evidence. It is requested that steps be taken through appropriate channels looking toward the attendance of *b6, 7c* as a Government witness at the trial herein. For purposes of proper preparation for trial and the giving of testimony, it is desired that *b6, 7c* report at the Office of the United States Attorney at San Francisco, on June 27, 1949.

TED
JX
DJ
AMC
7/17

cc: Records ←
Chrono
~~Our file~~

Director, Federal Bureau of Investigation

May 25, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:TED:mmv
146-28-1941

United States v. Iva Toguri D'Aquino

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California at San Francisco, and more particularly to the Bureau's memorandum to this Division dated May 19, concerning Government witness *b6, 7C*. During the first part of April and prior to a trial continuance, a subpoena was issued for witness *b6, 7C* and her address was given as *b6, 7C*. It is noted from the Bureau's memorandum, abovementioned, that the United States Marshal for the Southern District of California was unable to locate witness *b6, 7C* at the *b6, 7C* address given above at Los Angeles.

Under date of April 25, 1949, the Bureau furnished witness

b6, 7C
A new subpoena has been issued directing witness *b6, 7C* attendance upon the court for the July trial date. The new subpoena gives her address as *b6, 7C* as above stated. It is requested that the Bureau ascertain through its Los Angeles Office whether witness *b6, 7C* is presently residing at *b6, 7C* so that the witness list which the Government is required under the statute to furnish the defendant herein will be accurate in all respects.

TED
JST
D
AMC/p

cc: Records ←
Chrono
~~Car file~~

RECORDED AND MAILED
MAY 25 1949
NF

Director, Federal Bureau of Investigation

May 23, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:TED:mmv
146-28-1941

United States v. Iva Toguri D'Aquino - Treason

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. The trial of this cause on its merits is scheduled to commence on July 5, 1949, at San Francisco. The report of *bb, 7c* made at St. Louis, Missouri, under date of March 8, 1949, gives the address of Government witness *bb, 7c* as General Delivery, Ilmo, Missouri. It is requested that the Bureau, through its St. Louis office, obtain information as to whether a more specific description can be given as to *bb, 7c* place of abode. This information is desirable in view of the statutory provisions of Title 18, U.S.C., (revised), Section 3432, which requires the Government in a capital case to furnish the defendant with a list of Government witnesses stating the place of abode of each, three days prior to trial.

TED
82x
AMC
by waf

INSPECTION AND MAILED
COMMUNICATIONS SECTION
MAY 25 1949
RECORDED

(5-)

Director, Federal Bureau of Investigation

May 24, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:TED:mmv
146-28-1941

United States v. Iva Toguri D'Aquino - Treason

S. H.

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. The trial of this cause on its merits is scheduled to commence on July 5, at San Francisco, California.

bb, 7c
presently attached to your El Paso Office, is a necessary and material Government witness. He is expected to testify concerning broadcasts voiced by defendant during recent hostilities when *bb, 7c*
bb, 7c was in the armed forces of the United States in the South Pacific.

bb, 7c presently attached to your Charlotte, North Carolina Office, is likewise a material Government witness herein. *bb, 7c* is expected to testify concerning interviews with defendant in 1945 when the Special Agent was a CIC agent.

It is requested that *bb, 7c* and *bb, 7c* *bb, 7c* be instructed to report at the Office of the United States Attorney, San Francisco, on June 30, for the purpose of trial preparation and subsequently testifying personally in open court in the above styled criminal litigation.

TED
878
WZ
AMC/p

cc: Records
Chrono
~~Our File~~

COMMUNICATIONS SECTION
MAY 25 1949
NF

Director, Federal Bureau of Investigation

May 23, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:TED:mmv
146-28-1941

United States v. Iva Toguri D'Aquino - Treason

G. W. E.

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California, and more particularly to the report of *b6, 7c* made at Albany, New York, under date of May 12, 1949. It is noted that prospective witness *b6, 7c* has stated to a representative of the Bureau that he will not furnish any statement or discuss the facts involved until he receives a clarification from defense counsel Wayne M. Collins, pertaining to Collins' request to *b6, 7c* not to discuss the facts in issue with anyone. It is noted that witness *b6, 7c* stated that he will communicate with Mr. Collins and ask for specific reasons why he, *b6, 7c* should not furnish a full and complete statement to the Bureau, and that unless Mr. Collins gives *b6, 7c* some good valid reasons for declining so to do, he, *b6, 7c* will contact the Bureau at Albany and furnish the information desired by this Division.

TED
 JH
 27
 AMC by
 WAP

It is requested that this matter be developed and that within a reasonable length of time the Bureau recontact *b6, 7c* to ascertain whether or no he has heard from defense counsel and is willing to participate in an interview with a Bureau agent. Investigation by the Bureau in this case has developed that defense counsel has advised a number of prospective witnesses not to talk to agents of the Federal Bureau of Investigation about this case. The reason for requesting further investigation on witness *b6, 7c* is so that the Government can use matters of the type herein discussed in cross examining the defense witnesses.

COMMUNICATIONS SECTION
 MAY 23 1949
 cc
 Records
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 File

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Files

DATE: May 20, 1949

FROM : John B. Hogan

JBH:mmv
146-28-1941

SUBJECT: United States v. Iva Toguri D'Aquino - Treason

JBH
IED
WA

On May 20, 1949 at the office of *blc, 7c*
Reference Branch, Public Information Division, Navy Department,
the writer compared the copy of a Navy press release of which the
defense attorney asks us to waive the authentication requirements
with the original press release in the Navy's permanent bound
volume. The copy was found to be exact. Photostat of the original
was secured from the Navy Department and is attached hereto. Mr.
Kimball advised that this release was prepared as a "gag" for
publicity purposes. No citation such as that described in the
release was ever prepared.

Attachment

File
IED
WA

FILED
BY **RR**
On **DEC 8 1953**

146-28-1941

10	DEC 2 1953	RECORDED	INDEXED
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Handwritten marks and scribbles at the top left of the page.

Handwritten notes at the top center: "M. J. Story recd 5-21-49 TED"

Handwritten note on the right: "filed TED"

Tokyo, Japan
May 21, 1949

RECEIVED

MAY 26 1949

CRIMINAL DIVISION

Tom DeWolfe, Esquire
Department of Justice
Criminal Division
Washington 25, D.C.

Dear Mr. DeWolfe:

Re: United States v. Iva Ikuko Toguri D'Aquino

Transmitted herewith are copies of depositions of the following witnesses taken in connection with the above styled matter:

Handwritten note: "b6, 7c"

Four other depositions have been taken and transcribed to date. As soon as the witnesses have corrected and signed the originals, copies will be forwarded to your office in Washington.

Sincerely yours,

Noel E. Story
NOEL E. STORY
Attorney
Department of Justice

Handwritten initials: "M.J. Story"

146-28-1941
DEPARTMENT OF JUSTICE
MAY 26 1949 P.M.
INTERNAL SECURITY SMO

CRIM-

REGISTERED
No. OX 18692

U.S.P.A.
DeWolfe
M11

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

AMC:TED:mmv

146-28-1941

May 20, 1949

AIR MAIL

RECEIVED
SAN FRANCISCO

MAY 23 1949

Frank J. Hennessy, Esquire
United States Attorney
San Francisco, California

REFERRED TO *Amney*

146-28-1941

Dear Mr. Hennessy:

Re: United States v. Iva Toguri D'Aquino

Reference is made to the above entitled treason prosecution presently pending in your District. The trial of this cause on its merits is presently scheduled to commence on July 5, 1949 before Chief Federal Judge Michael J. Roche, at San Francisco.

It is requested that you take the necessary steps looking toward the issuance of subpoenas by the Clerk of the United States Court in San Francisco requiring the personal attendance at the trial herein of the following named witnesses for and on behalf of the United States at the time and dates indicated after their names:

*File TED
per 4/2
146-28-1941*

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✓
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✓
✓

b6, 7c

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✓

b617c

✓

It is likewise requested that you or the Marshal in your District request advice from the marshals for the districts in which the abovementioned witnesses are resident as to whether or no personal service on the abovementioned witnesses has been promptly effected. In the event that the appropriate marshal is unable to serve a writ of subpoena on one or any of the abovementioned witnesses, your office, and in turn the Department, should be immediately notified to that effect by air mail, so that this Division may immediately take timely steps to enlist the services of the Federal Bureau of Investigation, looking toward the end that all Government witnesses are promptly and timely located and served with process.

Please acknowledge receipt of this letter and advise the Department with reference to the action taken thereon. Please keep the Department advised as to all material developments that ensue herein.

Respectfully,

For the Attorney General



ALEXANDER M. CAMPBELL
Assistant Attorney General

Director, Federal Bureau of Investigation

May 18, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:JBH:mmv
146-28-191A

United States v. Iva Toguri D'Aquino - Treason

5

Reference is made to my memorandum to you dated May 6, 1949 requesting interviews with certain witnesses including b6,7c

b6,7c Assistant United States Attorney Hitz has now advised that another employee of the b6,7c b6,7c is a potentially valuable witness. He is b6,7c who served with the United States Army on Leyte, among other places. It is believed that b6,7c if he can identify the voice of the defendant, can testify to one or more broadcasts that she made directed to b6,7c unit. It is suggested therefore that b6,7c be given an opportunity to hear a recording and be interviewed as to his knowledge of the defendant.

The address of the
b6,7c

b6,7c

JED
DX

AMC
by WAP

COMMUNICATIONS SECTION
MAY 26 1949

cc: Records
Chrono
Hogan

ALSC:TED:smzv

116-26-1941

May 18, 1949

*Call
H
16*

The Secretary of the Army
Department of the Army
Washington, D.C.

Sir:

Attention: Lieutenant Colonel Reginald C. Miller, JAGO

Re: United States v. Iva Toguri D'Aquino - Treason

Reference is made to the above entitled treason prosecution presently pending in the Federal Northern Judicial District of California. The trial of this cause on its merits will commence before Chief Federal Judge Michael Roche and a petit jury at San Francisco, California on July 5, 1949.

The personal attendance in San Francisco as Government witnesses of certain Japanese nationals and one Philippine national, presently resident in Japan and Manila, Philippine Islands, is vitally necessary to the proper presentation of the Government's case against defendant before the trial court and jurors as aforesaid. The prospective testimony of the Japanese nationals and the Philippine national aforesaid being material and absolutely necessary in order to insure a thorough presentation of this case to the trial court and jurors, it becomes necessary to request the personal attendance of said Japanese nationals and Philippine national in San Francisco two weeks prior to the actual commencement of the trial for purposes of proper preparation for the trial proceedings.

This Department is furnishing your Department with the last known addresses of the witnesses below listed. Where street addresses are not available, this Department has endeavored to identify the witnesses as fully as possible, in order to facilitate their location. Undoubtedly, Army Intelligence O2, General Headquarters, Tokyo, will readily be able to locate the witnesses below mentioned, whose specific addresses are presently unknown to this Department. The witnesses whose location is desired with their last known addresses, insofar as known to this Department, are listed as follows:

cc: Mr. Franke
Mr. Andretta
Mr. Hennessy
Records
Chrono
~~Our file~~

*J.F.
TED
WJ
AMC
WJ*

b6,7c

F..

b6, 7 C

It would be appreciated if proper orders would be issued by your Department through appropriate channels looking toward the end that the prospective Government witnesses abovementioned be immediately contacted by military personnel in Japan, and Manila, and alerted at once for their ensuing trip to San Francisco. Arrangements for the transportation of said witnesses from Japan and Manila to San Francisco should be made by the Department of the Army, and as abovementioned, it is suggested that when the orders, with reference to the subject

matter of this letter are cut, that the same take into consideration the desired arrival in the United States of said witnesses not later than June 21, 1949, at San Francisco, California.

When arrangements are effected by the Department of the Army for the transportation of said witnesses to San Francisco, it is requested that you advise this Department of the expected time and place of arrival of said witnesses in this country so that representatives of this Department will in the near future be able to formulate plans for the arrival and housing of said witnesses, during their sojourn in this country. The Department of Justice will provide for the welfare of the witnesses abovementioned on their arrival in the United States. The Department of Justice will reimburse the Department of the Army for the expenses incident to the transportation of the abovementioned witnesses from the Orient to San Francisco.

Please rest assured that your cooperation herein is greatly appreciated by this Department.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL
Assistant Attorney General

ARC:TED:mmv

May 13, 1949

146-28-1941

H's

MA

AIR MAIL

Noel E. Story, Esquire
c/o PMS, GHQ, PEC
APO 500, c/o Postmaster
San Francisco, California

Dear Mr. Story:

Re: United States v. Iva Toguri D'Aquino

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. The trial of this cause on its merits is scheduled to commence on July 5 in San Francisco. It is believed that the present trial setting will stand and not be vacated.

Messrs. Hogan and DeWolfe have completed their review of the memorandum which *b6,7c* forwarded to the Director of the Federal Bureau of Investigation, under date of March 31, and have likewise reviewed copies of each of the defense depositions which you transmitted to Mr. DeWolfe under date of April 29.

An exhaustive study of *b6,7c* case report and the depositions referred to has motivated the Department to conclude that it will not be necessary to bring *b6,7c* *b6,7c* and *b6,7c* to the United States as Government witnesses. Their names therefore will be deleted from the list of prospective Government witnesses, which this Department will in the near future request the Department of the Army to transport to the United States.

Please be governed accordingly and notify *b6,7c* *b6,7c* that the Department does not expect to request the Department of the Army to include the abovementioned Orientals in the

cc: Mr. Franke
Records ←
Chrono
~~Our file~~

AIR MAIL

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COMMUNICATIONS SEC
MAY 18 1949 AJ

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by
MFR

- 2 -

list of Government witnesses whose transportation to the United States will be sought in the near future. Please keep the Department advised as to all material developments that ensue in this litigation at your end.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL
Assistant Attorney General

Director, Federal Bureau of Investigation

May 13, 1949

RECORD

Alexander M. Campbell, Assistant Attorney
General

AMC:JBH:mmv
146-28-1941

United States v. Iva Toguri D'Aquino - Treason

LSG

Reference is made to the report of *b6, 7c*
St. Louis, Missouri, April 14, 1949. To assist you in determining
whether or not to call *b6, 7c* St. Louis, Missouri, as
a witness for the Government, it is requested that he be reinterviewed
along the lines suggested herein.

It is understandable that this witness cannot recall verbatim
what the woman said to the prisoners of war, however, if *b6, 7c*
is able to identify a photograph of the subject as the woman he saw in
Tokyo, it is suggested that he be asked to relate what she said in sub-
stance to the best of his recollection.

It is requested that *b6, 7c* be questioned as to
his knowledge of this subject in general, as well as his knowledge of
her activities at the motion picture described. He should be asked if
he knows what her activities were at Radio Tokyo, whether she was under
duress, what if any conversations he ever had with her and what connec-
tion if any he, *b6, 7c* had with the Zero Hour. It would also be
well to determine what *b6, 7c* own activities were in Radio
Tokyo, and the extent of the duress, if any, under which he performed the
work assigned to him at the studio.

Ext
IED
D
AMC
by
JK

cc: Records ✓
Chrono
Hogan
~~Our file~~

SENT BY MESSENGER
COMMUNICATIONS SEC.
MAY 16 1949 EA

Director, Federal Bureau of Investigation

May 6, 1949

Alexander M. Campbell, Assistant Attorney General

AMC:JBH:mmv
146-28-1941

United States v. Iva Toguri D'Aquino - Treason

RECORDED
M.P.I.

Mr. William Hitz, Assistant United States Attorney for the District of Columbia, has furnished information which suggests leads for investigation in this case. Mr. Hitz was Executive Officer on the Naval Vessel PC 581 in the Pacific during the war. He listened to recordings of the defendant's broadcasts and, while he stated that the voice was similar to the voice he heard, he is unable to make a positive identification. However, he related the following incident and suggested that the persons named herein may be able both to identify the voice of the defendant and recollect the incident.

This incident took place either on May 17, 1944 in Maui Bay, T. H. or June 7 or 8, 1944 at Eniwetok. The PC 581 was lying at anchor in either of the abovementioned harbors. It was part of a convoy escorting the Second and Fourth Marine Divisions on route to the invasion of Saipan. In the early afternoon of the day in question, there was a broadcast by "Orphan Ann" in which she addressed herself to either the Second or Fourth Marine Division, in substance as follows: "Hello there ___th Marine Division. We know you are on the way to attack Saipan. You have made two other attacks but this will be your last".

In addition to Mr. Hitz, there were present at the radio on the ship the Commander and the ship's cook.

b6, 7c

b6, 7c

will be in New York City on and after May 13, 1949.

b6, 7c

The b6, 7c is believed to be

b6, 7c

b6, 7c

Another member of the crew according to Mr. Hitz was

This man

either heard the broadcast or can identify b6, 7c was not the b6, 7c b6, 7c in question had a brother in the Marine Division addressed by Orphan Ann. He was sailing in another ship in the same convoy and was visiting his brother on PC 581 at the time of the broadcast. He was subsequently killed in action in landing on Saipan.

It is requested that investigation be undertaken to determine whether or not any or all of the above three persons can identify a record of defendant's voice and if so what they can recall in substance was broadcast by the defendant on the occasion described above.

cc: Records ✓
Chrono
Hogan
~~Our file~~

SENT BY MESSENGER
COMMUNICATIONS SEC.
MAY 9 1949 AJ

JTB
IED
D
AMC
by
LFR

Director, Federal Bureau of Investigation

May 6, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:TED:mmv
146-28-1941

United States v. Iva Toguri D'Aquino - Treason

REC'D

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. The trial of this cause on its merits is scheduled to commence on July 5, 1949 at San Francisco. There is attached hereto one copy of a defense motion supported by an affidavit recently executed by defendant seeking the entry of an order directing the issuance of subpoenas to six prospective defense witnesses, presently resident in the United States. The affidavit in support of defendant's motion purports to set forth the substance of the testimony expected by the defendant from her prospective witnesses therein listed.

It is requested that your appropriate field offices be given instructions to interview the following named witnesses mentioned in defendant's affidavit concerning the contents of said affidavit together with any other surrounding facts and circumstances and/or knowledge said witnesses might have concerning the activities of defendant when she broadcast over Radio Tokyo during the late hostilities. The witnesses named in said affidavit whose interrogation is desired are listed as follows:

TED
JZ
NDK
AMC
by
B7K

b6, 7C

It is suggested that it would be well for the interviewing special agents to obtain signed statements from the prospective interviewees listed in this memorandum.

cc: Records
Chrono
~~Op file~~

Enclosure No.
203925

SENT BY MESSENGER
COMMUNICATIONS SEC.
MAY 9 1949 EA

511

Director, Federal Bureau of Investigation

April 19, 1949

Alexander M. Campbell, Assistant Attorney General

AMC:TED:manv
146-28-1941

United States v. Iva Toguri D'Aquino - Treason

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California and more particularly to the report of *b6,7c* made at Seattle under date of April 7, 1949. The report of *b6,7c* aforementioned states that prospective Government witness *b6,7c* *b6,7c* is presently stationed at the Spokane Army Air Base but the report of the Special Agent does not give the present place of abode of witness *b6,7c*. It is requested that the Bureau obtain from its Spokane Agent information concerning the present place of abode of *b6,7c* so that the provisions of Title 18 U.S.C., revised, Sec. 3432 pertaining to the furnishing of a witness list may be complied with.

TED

998
WJ
AMC by WJP

RECORD

NOT MAILED
RECORDS SECTION

146-28-1941
DEPT. OF JUSTICE
APR 21 1949 A.M.
DIVISION OF RECORDS
CRIM.-INTERNAL SECURITY SEC.

cc: Records
Chrono
~~Car file~~

NS/ljg

Tokyo, Japan
19 April 1949

Tom DeWolfe, Esq.
Department of Justice
Criminal Division
Washington 25, D.C.

FILED
BY RR
On DEC 8 1953

Dear Tom:

Re: United States vs. Iva Ikuko Toguri D'Aquino

My trip from San Francisco to Tokyo was very pleasant. We stopped briefly in Hawaii and Wake Island before arriving in Japan. The trip was rather long, but with the sleeperettes on Pan American Air Lines the trip was not bad at all. *b6, 7c* of the FBI, met me at the airport and has been very helpful in getting me established and ready for work. The Army has been most helpful in supplying everything necessary for the accomplishment of my assignment in Japan.

I talked with Mr. Tamba soon after arriving here on the 5th of April and he has been constantly urging me to write to you, in an effort to get a postponement of the trial. Mr. Tamba is experiencing many difficulties in locating his witnesses and has reported that his investigation is going much slower than he had originally thought it would. We have taken six depositions to date and will take three depositions tomorrow, April 20th. I cannot advise you as to the postponement of trial date. Mr. Tamba talked to Wayne Collins in San Francisco one day last week and explained in detail the difficulties he was having with the depositions and I feel certain that Collins has communicated with you since that time. Based on the experiences of *b6, 7c* *b6, 7c* in investigating the above styled matter, in addition to other cases, it appears that Mr. Tamba's request has some justification.

I assisted *b6, 7c* in a review of the G-2 file on Mrs. D'Aquino. I found the file contained several transcripts of the entire Zero Hour Program, which were obtained from Federal Communications Commission in Washington. These transcripts were intercepted by the Foreign Broadcast Intelligence Service and could be identified by persons connected with the Foreign Broadcast Intelligence Service, stationed at Portland, Oregon, during the war. *b6, 7c* has promised to mail these transcripts to you at the earliest possible date.

Handwritten notes:
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146-28-1941
2

DeWolfe

The Army Headquarters in Japan received your list of fifteen witnesses last week. The Army has advised me that they have started processing these witnesses for the trip to the United States. Tentative plans have been made for the witnesses ~~to~~ requested to leave Japan on 30 April 1949. After reading the statements obtained by *b6, 7c* in his recent investigation of this case, it seems possible that this list of witnesses was selected by you without having seen the completed investigation forwarded to the Federal Bureau of Investigation for transmittal to your office on 30 March 1949. If you have not received this investigation, I would advise you to contact the Treason Desk of the Bureau for information concerning this report.

Mr. Tamba has agreed not to take depositions of any witnesses which will be used by the Government in the above referenced case, provided such witnesses will be at the trial in San Francisco. Please advise me at the earliest possible date if changes are made to the list of prospective Government witnesses, submitted to the Army headquarters in Japan on 12 April 1949.

With kindest personal regards, I remain

Sincerely yours,

Noel E. Story
Noel Story
Attorney
Department of Justice

release
full

ABC:TED:msv

April 21, 1949

146-28-1941

File
1/11/49

J. E. I.

Honorable Kenneth C. Royall
Secretary of the Army
Department of the Army
Washington, D.C.

My dear Mr. Secretary:

Attention: Lieutenant Colonel Reginald C. Miller, JAGO

Re: United States v. Iva Togni D'Aquino - Treason

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. The trial setting of this cause on May 16 has been vacated. The trial of this cause on its merits is now scheduled to commence on Tuesday, July 5, 1949.

IED
894

Under date of March 31, 1949, this Division wrote to your Department requesting the personal attendance in the United States at San Francisco on May 2 of certain aliens resident in Japan, and one civilian presently resident at Manila, Philippine Islands. The attendance of the abovementioned witnesses as aforesaid in San Francisco was desired by the United States for the purpose of preparation for and trial of the above entitled cause. The parties referred to are witnesses for and on behalf of the United States at the trial on the merits herein.

Since the trial date has been continued, it seems that the best interests of the Government as a whole would be served if the Commander in Chief, Far East, could be notified by your Department by radio immediately to the effect that the attendance of the witnesses mentioned is not now desired in San Francisco on 2, May, but that their personal attendance again in San Francisco in the near future will become desirable and necessary.

When the new date on which the attendance of the witnesses for and on behalf of the United States is desired in San Francisco is definitely determined and fixed, you will be notified of the same and your Department will be furnished with a list of the witnesses whose presence is desired in San Francisco in the future. It is expected

cc: Records ✓
Chrono
~~our file~~

that some additional names of parties whose presence is desired in San Francisco in the near future will be added to the list of prospective Government witnesses already furnished to you on March 31, 1949. This letter confirms a telephonic conversation had April 20 between Tox DeWolfe, who is attached to the Criminal Division of this Department, and Lieutenant Colonel Reginald C. Miller, JAGC.

Please rest assured that this Department is sincerely appreciative of your hearty cooperation in this and past matters.

With kind personal regards, I remain,

Sincerely,

ALEXANDER M. CAMPBELL
Assistant Attorney General

Director, Federal Bureau of Investigation

April 21, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:TED:mmv
44-6-28-1949

United States v. Iva Toguri D'Aquino - Treason

AMC

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California. The trial of this cause on its merits is now scheduled to commence on July 5, 1949. The previous trial setting for May has been vacated.

In the memorandum of this Division to you dated April 13, the Bureau was requested to contact *b6, 7C* and interview her concerning the contents of defendant's affidavit attached to said memorandum. In said memorandum, this Division informed the Bureau that we had been informally advised that *b6, 7C* was divorced from her *b6, 7C*

b6, 7C and that it was the opinion of this Division that *b6, 7C* was presently resident in the Orient. Counsel for the defendant herein informally advised a member of my staff the other day that *b6, 7C* was presently resident in Chicago. Her address there is unknown. It is requested that the Bureau take steps to ascertain whether or no *b6, 7C* is presently within the continental limits of the United States. If it is determined by the Bureau that *b6, 7C* is in the United States, it is requested that she be interviewed concerning the contents of defendant's affidavit mentioned in this Division's memorandum to you dated April 13, together with any other surrounding facts and circumstances and knowledge she may or might have concerning the activities of the defendant when defendant broadcast over Radio Tokyo during the late hostilities.

TED
AMC
by wa

b6, 7C on the trip ending at San Francisco September 25, 1948 was transported the defendant to the United States shortly prior to indictment herein and it may become necessary subsequently to secure the services of *b6, 7C* for the purpose of identifying the official log of the *b6, 7C* during the trip in question. His testimony may become necessary to the Government in order to prove venue and/or jurisdiction as laid in the indictment. *b6, 7C* is probably still employed as a civilian servant, with the Water Division, Transportation Corps, Department of the Army. It is requested that at the earliest opportunity the Bureau take steps to ascertain whether prospective witness *b6, 7C* is presently privately employed or is in the employ of the Government and his present place of employment and his place of abode. Information as to his place of abode becomes necessary in order to comply with the statutory provisions of 18 U.S.C. revised, Sec. 3432 pertaining to the furnishing of a list of witnesses to defendant prior to trial in a Federal criminal capital case.

cc: Records
Chrono
Our file

SEARCHED
SERIALIZED
INDEXED
MAY 10 1949

Address Reply to
The Attorney General
and refer to
initials and number

DEPARTMENT OF JUSTICE
Washington, D. C.

April 22, 1949

AMC:TED:mmv
146-28-1941

RECEIVED
L M D
APR 25 1949
146-28-1941

The Secretary of the Army
Department of the Army
Washington, D. C.

My dear Mr. Secretary:

Attention: Lieutenant Colonel Reginald C. Miller, JAGO

Re: United States v. Iva Toguri D'Aquino

Reference is made to the above entitled criminal prosecution presently pending in the Northern District of California. *b6, 7c*
was the Master of the United States Army Transport *b6, 7c* on the trip ending at San Francisco on September 25, 1948. Defendant was transported to the Federal Northern Judicial District of California on said trip.

The trial of this cause is scheduled to commence on July 5, 1949 at San Francisco, California. *b6, 7c* is a civilian servant with the Water Division, Transportation Corps, United States Army. His testimony at the trial of the above entitled cause for and on behalf of the United States becomes necessary in order to prove jurisdiction as laid in the indictment. It is understood that *b6, 7c* will arrive in San Francisco on his present itinerary on or about July 3. It is requested that upon arrival in San Francisco as aforesaid he be directed to report at the Office of the United States Attorney, United States Courthouse, 7th and Mission Streets, San Francisco. The arrangements herein suggested are predicated upon the desire of the Personnel Division, Transportation Corps, so that the officer complement of the *b6, 7c* can be arranged in advance during the early summer and no inconvenience result to the Water Division, Transportation Corps due to the use of *b6, 7c* as a Government witness at the time mentioned.

This letter confirms a telephonic conversation between Tom DeWolfe, who is attached to the Criminal Division of this Department, and *b6, 7c*
b6, 7c

Please rest assured that your cooperation herein is greatly appreciated by this Department.

Respectfully,

For the Attorney General
/s/ Alexander M. Campbell
ALEXANDER M. CAMPBELL
Assistant Attorney General

Incl. 1.

C O P Y

C O P Y

576

Director, Federal Bureau of Investigation

April 22, 1949

Alexander M. Campbell, Assistant Attorney General

AMC:TED:mmv
146-28-1941

United States v. Iva Toguri D'Aquino - Treason

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California, and more particularly to the report of *b6, 7C* made at Oklahoma City, under date of April 15, 1949. This report deals with an interview with *b6, 7C*

b6, 7C It is noted that witness *b6, 7C* is positive in his identification of subject's voice in broadcasts he heard in the South Pacific during the first part of 1943. Witness *b6, 7C* likewise informed the Bureau that defendant sometimes signed off her program, "This is Tokyo Rose".

Evidence developed by the Bureau discloses that defendant did not go on the air until November, 1943. She never used the appellation "Tokyo Rose" but called herself Orphan Ann or Annie. It is requested that the Oklahoma City Field Office be directed to reinterview *b6, 7C* with the idea of obtaining information from him as to what if any statements he heard voiced by defendant over the air subsequent to November, 1943. He should be interrogated as to whether or no he is able to effect a positive voice identification on any broadcast mouthed by her subsequent to that time.

This Division should likewise be furnished with the present place of abode of witness *b6, 7C* so that compliance may be effected with the statutory provisions of Title 18 U.S.C., revised, Sec. 3432 pertaining to the furnishing of a list of witnesses to the defendant in a capital case.

TED

*WJ
AMC by
Ward*

cc: Records ←
Chrono
~~Our file~~

BY MESSENGER
REC.
APR 28 1949
EV

Director, Federal Bureau of Investigation

April 28, 1949

Alexander M. Campbell, Assistant Attorney
General

AMC:TED:mmv
146-28-1941

United States v. Iva Toguri D'Aquino - Treason

V. M. P.

Reference is made to the above entitled treason prosecution presently pending in the Northern District/California, and more particularly to the report of *b6, 7c* made at El Paso, Texas, under date of April 20, 1949. Said report refers to the prospective testimony in this litigation of Special Employee *b6, 7c* of the Bureau. It is requested that the Bureau obtain information from its El Paso Field Office as to the present place of abode of Special Employee *b6, 7c* so that compliance can be effected at the proper time with the statutory provisions of Title 18 U.S.C., revised, Section 3432, pertaining to the furnishing of a list of witnesses to the defendant in a Federal criminal capital case.

TED
gjh
D
AMC
by WAP

INSPECTED AND MAILED
COMMUNICATIONS SECTION
APR 29 1949
cc: Records
Chrono
~~Our File~~

March 7 1956

Director, Federal Bureau of Investigation

MFT:DFG:mcf

William F. Tompkins, Assistant Attorney General
Internal Security Division

146-28-1941

C. G.

Letter from b617c

(type: 3/5/56)

RECORDED

Enclosed for your information is a copy of a letter from
b617c together with a copy of a
clipping from the February 20, 1956 issue of "Newsweek" concerning
Iva Toguri D'Aquino. This letter, with its enclosure, was forwarded
to the Attorney General by Senator Charles E. Potter and I am also
transmitting a copy of my reply to the Senator.

ES
JKM
WJ
HR

Enclosure No. 139557

FILED
BY
MAR 14 1956

CC: Records (2)

Mrs. Green

SENT BY MESSENGER
COMMUNICATIONS SEC.
MAR 17 1956

146-28-1941

WFT:DFG:bmm

Typed: 3-15-56

March 23 1956

M. J. T.

bb, 7c

Dear *bb, 7c*

Reference is made to your letter of March 3, 1956, in which you requested access to classified information concerning Iva Toguri D'Aquino for your use in a book which you are writing.

You have indicated that some of the classified material in which you are interested is at Camp Drake, Tokyo, and that the CIO has advised you that this Department alone has authority to effect its declassification. While the exact nature of this material is not immediately ascertainable, it would appear from the information you have furnished that this Department would not have authority to declassify such material unless it was the agency which originated the classification.

Handwritten notes:
1. ER.
KM
3/22
M. J. T.
S. H.

Concerning the documents in this case which are in the possession of this Department, I regret that it is not possible to make the information in our files available for your inspection, since as a general rule this Department does not furnish information from its files, if any is available, except to the departments and agencies of the executive branch of the federal government for official purposes. In the circumstances, you will appreciate that, as much as I would like to be of assistance to you in this matter, I am unable to comply with your request.

Sincerely,

WILLIAM F. TOMPKINS
Assistant Attorney General
Internal Security Division

REPTD AND MAIL
COMMUNICATIONS
MAR 23 1956 L

CC: Records ✓
D. Fillius Green

By:
THOMAS K. HALL, Chief
Subversive Activities Section

146-28-1941

JWY:JDK:cls

Typed: 5-26-65

May 27 1965

AIR MAIL

66, 7C

Dear 66, 7C

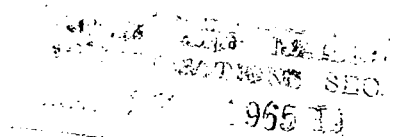
This will refer to your letter to the Attorney General dated May 20, 1965, requesting information on the World War II Treason case of "Tokyo Rose," for use in connection with your school studies.

Iva Toguri D'Aquino, better known as "Tokyo Rose," was a native-born citizen of the United States. She was indicted in San Francisco, California, on October 8, 1948 for violating the treason statute. The indictment alleged the commission of eight overt acts of treason by Mrs. D'Aquino and charged that she adhered to enemies of the United States, giving them aid and comfort, by working as a radio announcer, script writer and broadcaster for the Imperial Japanese Government and the Broadcasting Corporation of Japan during World War II. She was convicted of one overt act of treason on September 29, 1949, sentenced to ten years imprisonment and fined \$10,000. On appeal, the United States Court of Appeals for the Ninth Circuit affirmed her conviction. This decision was appealed to the Supreme Court of the United States but the Court denied the defendant's application to hear the appeal or, in legal parlance, a writ of certiorari was denied.

In the event you wish to read the decision of the Court of Appeals, which sets forth the grounds for the appeal and the opinion of the Court, it is suggested that you refer to the West Publishing Company legal reporting system, the Federal Reporter, Second Series, Volume 192, beginning at page 338, cited as D'Aquino v. United States, 192 F. 2d 338. This publication can be found in any law library.

Mrs. D'Aquino was released from prison on January 28, 1956, after completion of her sentence, with statutory allowance for good behavior.

Records
Mrs. King
Section



- 2 -

I hope this information will be of interest and assistance to
you.

Sincerely,

J. WALTER YEAGLEY
Assistant Attorney General
Internal Security Division

By:

JOHN H. DAVITT

146-28-1941
JWY:JPM:lcd
Typed: 1/15/65

January 18 1965

bl, 7C

Dear bl, 7C

This will acknowledge your recent letter to the Department of Justice in which you requested information concerning "Tokyo Rose" and "Axis Sally."

I am enclosing for your use a compilation of treason and misprision of treason prosecutions arising out of World War II. These include on page 5 prosecutions against Mildred Elizabeth Gillars, who was generally referred to as "Axis Sally," and Iva Toguzi D'Aquino, who was also known as "Tokyo Rose."

If you desire additional information concerning the Gillars case, you may wish to consult the opinion of the Court of Appeals for the District of Columbia, which is reported in Volume 182, Federal Reporter, Second Series, at page 962. With respect to the D'Aquino case, you may refer to Volume 192, Federal Reporter, Second Series, page 338 and Volume 343, United States Reports, page 935. These volumes are probably available in any law library to which you may have access.

I trust that the foregoing information will be helpful to you.

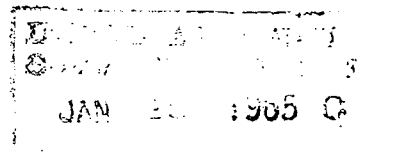
Sincerely,

J. WALTER YEAGLEY
Assistant Attorney General
Internal Security Division

By: JOHN H. DAVITT

Enclosure

cc: Records ✓
Mr. Morris
Section



May 22 1962

146-28-1941

JWY:AMB:bmm

Typed: 5-21-62

EX-107

blc, 7c

Dear blc, 7c

This refers to your letter of May 14, 1962, addressed to the Attorney General, in which you request information concerning the "Tokyo Rose" case.

Iva Toguri D'Aquino was indicted on October 8, 1948, in the United States District Court, Northern District of California, San Francisco, California on eight overt acts of treason. She was convicted on September 29, 1949, of one overt act and was sentenced to ten years' imprisonment and fined \$10,000. She was the first American citizen convicted of treason as a result of broadcasting activities over Radio Tokyo during World War II. She broadcast to the troops in the Pacific Theatre of war under the names "Ann" and "Orphan Ann," but was identified by her listeners under the name "Tokyo Rose." Her conviction was affirmed by the Court of Appeals for the Ninth Circuit and the Supreme Court of the United States denied certiorari. She was released from prison on January 28, 1956 after completing service of her sentence, which included statutory time off for good behavior.

DMP
5-21

JWY
AMB

In the event you wish to read the decision of the Court of Appeals, which sets forth the grounds for the appeal and the opinion of the Court, you may refer to the West Publishing Company legal reporting system, the Federal Reporter, second series, volume 192, beginning at page 338, cited as D'Aquino v. United States, 192 F. 2d 338. This publication can be found in any law library.

I hope we have been of assistance to you.

Sincerely,

J. WALTER YEAGLEY
Assistant Attorney General
Internal Security Division

CC: Records
A. M. Beatty
Section Copy

By: JOHN H. DAVITT

SEARCHED
SERIALIZED
INDEXED
MAY 23 1962
FBI - WASH DC

Director, Federal Bureau of Investigation
Alexander M. Campbell, Assistant Attorney
General
United States v. Iva Toguri D'Aquino - Treason

April 29, 1949

AMC:TED:mmv
146-28-1941

FBI

RECORDED

Reference is made to the above entitled treason prosecution presently pending in the Northern District of California and more particularly to the report of ^{b6, 7C} made at Washington, D.C., under date of 22, April, 1949. It is noted that

^{b6, 7C} but will probably move about June 1, 1949. Inasmuch as the trial of this cause on its merits is scheduled to commence at San Francisco on July 5, it is requested that the Bureau keep in touch with witness ^{b6, 7C} for the purpose of ascertaining her prospective place of abode after June 1, so that the Government can furnish defendant with a list of witnesses and information as to their places of abode as required by statute.

TED
JFK
AMC
by
JFK

INSPECTED AND MAILED
COMMUNICATIONS SECTION
MAY 5 1949
NF

cc: Records
Chrono
~~Our file~~

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. DiGirolamo
 Director, Division of Communications and Records

FROM : *JMM*
DFG James M. McInerney
 Assistant Attorney General, Criminal Division

SUBJECT: IVA TOGURI D'AQUINO

DATE: May 28, 1952

JMM:DFG:vb

146-28-1941

146-28-1999

Conf
file

By letter dated May 22, 1952, Myles J. Lane, United States Attorney for the Southern District of New York, requested that a copy of the transcript of record in the D'Aquino case be made available to him for use in preparation for the treason trial of b6, 7c. In accordance with his request, the two volumes of the transcript contained in the enclosure file of File No. 146-28-1941 have been withdrawn by b6, 7c of this Division and forwarded to Mr. Lane by registered mail.

I am attaching for your information a copy of my letter to Mr. Lane in which I call attention to the fact that the transcript should be returned to the Department as soon as it has served its purpose.

Attachment

Noted
[Signature]

146-28-1941	
DEPARTMENT OF JUSTICE	RECORDS
18	MAY 29 1952
REC'D	
<i>McInerney</i>	

DECLASSIFIED ON 10/27/97
 BY [Signature]

AMC:RFW:mcv

116-28-1941

R. M. J.

SEP 13 1948

September 13, 1948

FILE
TED

b6, 7c

Dear b6, 7c

Your letter of August 29, 1948, to the Judge Advocate General of the Army Air Forces, offering assistance in connection with the prosecution of Iva Toguri D' Aquino, generally but erroneously referred to as "Tokio Rose", has been forwarded to us inasmuch as the prosecution is the work of this Department.

Your kind offer of assistance is appreciated. Unfortunately, however, your son's letters would not be admissible into evidence in the case since the opportunity for cross-examination of the writer could not exist and, in the circumstances, it is unnecessary for you to part with them, even temporarily.

May I at this time extend my sincere sympathy to you upon the loss of your son, and again assure you that the Department understands the patriotic interest which prompted your letter and is grateful for it.

Respectfully,

For the Attorney General

ALEXANDER M. CAMPBELL
Assistant Attorney General

cc-Records ✓
Chron.
Mr. Whearty

DECLASSIFIED ON

10/27/97

BY

John J. Dineen

BY FILED
On SEP 17
1948

Office Memorandum • UNITED STATES GOVERNMENT

TO: The File DATE: September 21, 1948

FROM: Herbert Stearns, Attorney, Criminal Division HS:vng
146-28-1941

SUBJECT: United States v. Iva Toguri D'Aquino
Treason. *[Handwritten initials]*

AB
WT
AMC

Mr. John B. Hogan called the writer by long distance from San Francisco on the above date at 3 o'clock p.m. Washington time, and requested that the following persons be made available for testimonial purposes for a Grand Jury in San Francisco as soon as possible by the Department of the Army:

b6, 7C

Manila, P. I.

b6, 7C

Manila, P. I.

Captain Smith of the Department of the Army was immediately notified of Mr. Hogan's request. Captain Smith advised that he would make an immediate search to ascertain whether the above individuals would be available and report his findings as soon as his review of the Army's records was completed.

Mr. Hogan requested the writer to ascertain whether Mr. Raymond Whearty had arranged with the Army to transfer *b6, 7C* *b6, 7C* from Fort Benning, Georgia, to San Francisco, and if arrangements have been made by Mr. Whearty, Mr. Hogan requested that he be so notified by air mail special delivery letter.

The charges for Mr. Hogan's long distance telephone call were reversed.

Completed

RECORDED

146-28-1941
DEPT. OF JUSTICE
SEP 22 1948
DIVISION OF RECORDS
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DECLASSIFIED ON

BY

10/21/97
10/21/97
10/21/97

Director, Federal Bureau of Investigation

March 24, 1948

T. Vincent Quinn, Assistant Attorney General
Criminal Division

TVQ:WEF:MMcK
146-28-1941

IWA IKUKO TOGURI
TREASON - Your Reference 61-11000

E.D. 53

Reference is made to your memorandum of March 17, 1948, concerning subject, enclosing a memorandum prepared by the Los Angeles Office of the Bureau in which is pointed out a conflict between statements appearing between Toguri file and the statement made by *b6, 7c*. The suggestion is made that *b6, 7c* and *b6, 7c* be interviewed in Japan.

Since John B. Hogan, an attorney of this Division, is now in Japan in connection with the above entitled matter, he has been requested to conduct the necessary interviews. You will be advised of the results upon his return.

Confidential

W

SENT BY MESSENGER
COMMUNICATIONS SEC.
MAR 25 1948 AJ

*WJ
AM*

cc: Records ✓
Chrono
Mr. Foley

DECLASSIFIED ON 10/27/97
BY *John J. Dine*

DAY LETTER
CABLEGRAM

XXXX XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXX

TVQ:WFF:MMCK
DEPARTMENT OF JUSTICE
DIVISION OF RECORDS
TELEGRAPH OFFICE

1948 MAR 24 PM 12:51
MARCH 24, 1948

JOHN B HOGAN
UNITED STATES DEPARTMENT OF JUSTICE
SCAP
TOKYO JAPAN

REQUEST INTERVIEW b6,7c PARTICULARLY RE b6,7c
WHO ALLEGEDLY BROADCAST AS TOKYO ROSE. ALSO b6,7c AKA
b6,7c AND b6,7c

T VINCENT QUINN
ASSISTANT ATTORNEY GENERAL

DECLASSIFIED ON 10/27/97
BY John J. Diaw

TELECOPY

WJ
MJ

146-28-1141
DEPARTMENT OF JUSTICE
MAR 25 1948
DIVISION OF RECORDS
INTERNAL SECURITY SEC.

TVQ:JBH:DJ

146-28-1941

April 22, 1948

JAH

WT

The Honorable
The Secretary of the Army
Washington, D. C.

My dear Mr. Secretary:

In connection with the proposed prosecution of Iva Toguri B' Aquino for alleged treason, it will be necessary for the Department to issue a subpoena in the near future for *b6, 7C* who I am informed is presently attached to Technical Service Unit 926 at Camp Stoneman, California.

It is the purpose of this letter to request that *b6, 7C* not be transferred beyond the continental United States without consulting this Department. Your cooperation in this regard will be appreciated.

Respectfully,

For the Attorney General

T. VINCENT QUINN
Assistant Attorney General

DECLASSIFIED ON 10/27/97
BY J. J. Dine

cc: Records —
Chron.
Mr. Hogan

SENT BY MESSENGER
COMMUNICATIONS SEC.
APR 22 1948 DM

Campbell

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Attorney General

FROM : Alexander M. Campbell, Assistant Attorney General,
Criminal Division

SUBJECT: IVA IKUKO TOGURI D'AQUINO
Treason

DATE: December 2, 1948

AMC:WEF:lr
146-28-1941

Amc

FILED
CMB
DEC 17 1948
CRIMINAL DIVISION

RECEIVED

*Sworn now this damn Campbell -
confront
bb, 7c
with it
etc*

The witness *bb, 7c* produced as a result of his trip to Japan last spring was, it now appears, guilty of perjury in his testimony before the grand jury in the Toguri case. He has finally confessed to a CIC officer in Japan that he falsely stated that another witness, whom he identified as a result of persuasion by *bb, 7c* was present at the broadcast.

bb, 7c had told Mr. Hogan in Japan that he witnessed one broadcast by the defendant Toguri while in the company of a Japanese friend whose identity he refused to disclose on the ground that the friend would not testify because of fear. *bb, 7c* assured Mr. Hogan at that time that the unidentified friend was at that moment in *bb, 7c* room but would not talk. *bb, 7c* testified to the same effect before the grand jury but his evasiveness aroused the suspicions of the FBI who questioned him many times in San Francisco. Finally, after consulting with *bb, 7c* identified his friend as one *bb, 7c*

(D)(6)(7)(C)

The CIC Agent who escorted the Japanese witnesses from *bb, 7c* was requested by Messrs. Hogan and DeWolfe to conduct certain investigations in Japan upon his return, including the locating and interrogating of *bb, 7c*. The CIC report which has just been received shows that *bb, 7c* emphatically denies having attended any broadcast at Radio Tokyo with *bb, 7c*. *bb, 7c* stuck to his original story until confronted with *bb, 7c* denial, after which he asserted that a friend had told him not to reveal his true identity. Finally, on November 5, 1948, the following occurred:

"At approximately 1515 hours, questioning of *bb, 7c* continued. *bb, 7c* appeared more nervous than previously mentioned. When advised that it was the intent of the writer to confront *bb, 7c* with *bb, 7c* in an effort to resolve the conflicting statements, *bb, 7c* begged the writer not to do so, stating, 'I will tell you the truth this time'. *bb, 7c* then advised, 'My friend, *bb, 7c* came to Japan. He asked me to go to the United States of America as a witness

File
146-28-1941
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146-28-1941
DEPARTMENT OF JUSTICE
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DIVISION OF RECORDS

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against Toguri. I told him I never seen Toguri broadcasting. He stated, "If you tell the story to Mr. Hogan then you will make a trip to the United States and we will have a nice time together." At this point of the interview, b6, 7c seemed to regain his composure. In response to a question by the writer as to whether he would make a sworn statement to the above, he replied, 'Yes, I want to tell the truth now even though it gets me in lots of trouble.' b6, 7c continued, 'The statement I signed (that is the statement given to Hogan in Tokyo in March or April 1948) was not the truth.'

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Attorney General

DATE: June 8, 1949

FROM : Alexander M. Campbell, Assistant Attorney General,
Criminal Division

AMC:JBH:mmv
146-28-1941

SUBJECT: United States v. Iva Toguri D'Aquino - Treason

amc by wa P

[Handwritten signature]

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You will recall that by memorandum dated December 2, 1948, we informed you that, then prospective Government trial witness, *b6, 7C* had given a statement to the Counterintelligence Corps in Japan to the effect that his testimony before the Grand Jury in San Francisco was false and that he had given this testimony, as well as his previous statement, to an attorney of the Criminal Division at the suggestion and urging of witness *b6, 7C*.
b6, 7C You will also recall that witness *b6, 7C* when confronted with this statement simply denied it in toto.

*File T-20
for 11/11/49*

We are now in receipt of a statement by *b6, 7C* made in Japan to an FBI agent reiterating his accusation in somewhat greater detail. We also have a statement from another Japanese, *b6, 7C* which states in effect that he, *b6, 7C* was also requested and urged by *b6, 7C* to give a similar false statement.

The defendant's attorney, who was in Japan obtaining depositions for and on behalf of the defendant, is aware of the recent revelations made by *b6, 7C* and will cross examine *b6, 7C* in that regard when and if he takes the stand as a Government witness at the trial on the merits herein. The testimony expected of *b6, 7C* at the trial of this cause will be corroborated by evidence from other credible sources.

*b6
force
7C*

The trial of the instant case is scheduled to begin at San Francisco on July 5, 1949.

146-28-1941

In considering the possibility of instituting prosecution against *b6, 7C* for subornation of perjury, we believe that such action taken prior to the completion of the litigation involving Iva Toguri D'Aquino would completely destroy any chance of a conviction in her case. We further believe that it would be unwise to initiate such prosecution of *b6, 7C* at any time because the chance of convicting *b6, 7C* upon the testimony of two Japanese, particularly in California, is very slight. We also feel that the fairly close friendship which existed *b6, 7C* and *b6, 7C* for a considerable number of years would probably result in *b6, 7C* refusal to testify against *b6, 7C* on grounds of self-incrimination.

*Jagoe
K/S
1/2/50*

In view of the foregoing, it is strongly recommended that at the present juncture no federal criminal proceedings of any sort be initiated against *b6, 7C* for any alleged Federal statutory offense arising out of the facts hereinbefore discussed. This Division is likewise firmly of the view that there is no reasonable expectation from a factual standpoint of a successful ensuing Federal criminal prosecution subsequently against *b6, 7C* based on the facts which are the subject matter of this memorandum.

*What do
you
think*