

1 JOHN EDGAR HOOVER  
2 DIRECTOR

3  
4 Federal Bureau of Investigation  
5 United States Department of Justice  
6  
7 Washington, D. C.

8  
9 EAT:DM

10 January 25, 1939

11  
12 MEMORANDUM FOR THE DIRECTOR

13  
14 With reference to the attached press release in which Chairman Dies of  
15 the House Committee on Un-American Activities states that Justice Department  
16 Agents had been investigating him as well as witnesses who have appeared  
17 before his Committee, you are advised that the Bureau has not investigated  
18 either Dies or the witnesses. The Bureau has, of course, interviewed a  
19 number of witnesses who appeared before the Dies Committee as a result  
20 of the request of the Criminal Division that we investigate the testimony  
21 of Edwin P. Banta and the related testimony in which it is alleged that  
22 persons employed on the Federal Writers Project in New Jersey and New York  
23 were actually engaged in the preparation and dissemination of Communist  
24 literature and propaganda. I have checked with Mr. Starr and he has stated  
25 definitely and positively that we have never said or done anything which  
26 would even infer that we were investigating Congressman Dies and as a matter  
27 of fact his name has never come up in connection with any of the interviews  
28 conducted. Mr. Starr advises that he has been most careful to explain to  
29 each person interviewed the procedure followed in investigations predicated  
30 upon Congressional or Senatorial inquiries, pointing out that the results  
31 of the Congressional inquiry which is to determine the facts in a particular  
32 situation, are referred to the Department of Justice which, after a study  
33 of the major aspects involved, refers them to the FBI for an investigation.  
34 Mr. Starr followed this procedure because questions were asked by various  
35 witnesses interviewed as to why the Bureau did not investigate irregularities,  
36 thefts and grafts which were alleged to be taken in the administration of  
37 various projects of the WPA.

38  
39 The Bureau has absolutely no information concerning Dies on  
40 taxes or concerning land involved in a title dispute. The Bureau has con-  
41 fined itself solely to the investigation of the aspects of the case in which  
42 the Criminal Division has requested investigation.

43  
44 It appears probable that this outburst of Dies emanates originally from  
45 Steve Birmingham since it follows generally the theme of the attached  
46 letter dated January 21, 1939, addressed to you by Edwin P. Banta. Banta  
47 is a paid informant of Steve Birmingham's, who was in turn employed by the  
48 Dies Committee as an investigator. It appears that Birmingham is trying  
49 to stir up something in order to make his job last as long as possible.

50  
51 RECORDED

52 Respectfully,  
53

54  
55 EDWARD A. TAMM

61-7582-46X  
FEB 4 1939

JOHN EDGAR HOOVER  
DIRECTOR

Federal Bureau of Investigation  
United States Department of Justice  
Washington, D. C.

ST:MC

January 26, 1939

Time: 12:38 P.M.

A

MEMORANDUM FOR MR. W. A. TAMM

Mr. McGuire of the Department telephoned and stated that there had been observed in last night's papers or this morning's papers an article to the effect that Congress <sup>Members</sup> Dies claimed Department of Justice agents were investigating him.

He inquired as to whether I knew anything about it. I informed him that I had heard nothing whatever about it. He stated that the Attorney General is authorizing a press conference approximately 2:00 P.M. today and it is desired that a statement be made in the press conference. I informed Mr. McGuire that I would have you call him on your return to the office.

Respectfully,

*S. J. Tracy*  
S. J. TRACY

*See Committee*

**F**  
*Took care of this for 1/26/39.*

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61-7582-46  
FEDERAL BUREAU OF INVESTIGATION  
JAN 27 1939  
U. S. DEPARTMENT OF JUSTICE

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FAT:RMB

January 26, 1939

Time: 1:05 P. M.

MEMORANDUM FOR THE FILE

Re: Investigation of Testimony  
of Dies Committee;

I called Mr. Matthew F. McGuire of the Department advising that the Bureau is not investigating Congressman Dies, his background, his activities or anything else about him, but that, instead, at the request of the Criminal Division of the Department, the Bureau is conducting an investigation into three phases of the testimony which was given before the Dies Committee. I stated these three phases to Mr. McGuire as follows:

1. The Federal Writers' Project in the New York Metropolitan area with respect to the truth or falsehood of the allegations that there has been a diversion of effort with respect to both funds and labor in the sense that they are engaged in Communistic activity rather than performing the legitimate functions of the project itself.

2. Nazi organizations in the United States with respect to the allegations that the members thereof are engaged in espionage.

3. William Dudley Pelley--the extent of his activities with respect to his alleged connection with the Nazi Organizations.

As a practical suggestion, I advised Mr. McGuire that he might get the Department file from the Criminal Division which outlines the investigation. I pointed out to Mr. McGuire that the three phases above listed and which are contained in the Departmental file mentioned are the only phases on which the Bureau is conducting an investigation.

E. A. TAMM

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FEDERAL BUREAU OF INVESTIGATION

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