

Dear Jim,

6/9/87

We discussed the CIA's CTIA record you sent with the few things related to your  
"die request by phone. I then did not remember to tell you that the head of the  
Criminal Division in those things, J.M. McInerney, was a friend. His name also figures  
in some snide FBI internal records because as a law student in a mock trial of  
Oswald he was of the Oswald defense.

When I met him Jim was SAC of the FBI detachment in the Harlan conspiracy  
case. We got to be friends when we first met, at Lexington, before the official  
party moved first to Harlan and then to the seat of the court, London, Ky.

At one of the depositions, I now do not remember how it started, I was chatting  
with Slick about some of these SAs. I don't recall if we talked about Jim. I recall  
only one we mentioned, one Del ~~Yee~~ Bryce.

Jim went from FBISA to DJ lawyer, then head of Lands and then of Criminal. I  
was with him just after he'd been offered Criminal, he asked my opinion, and I said  
it was safer in Lands, words to that effect.

When he left DJ he entered private practice and he then defended security cases.  
Not the usual thing for one of his background. Fine guy. Killed in an auto accident.  
Someone else's crazy driving.

Best,

Handwritten signature: Hand

JAMES H. LESAR  
ATTORNEY AT LAW  
918 F STREET, N.W., ROOM 509  
WASHINGTON, D.C. 20004  
TELEPHONE (202) 393-1921

May 22, 1987

FREEDOM OF INFORMATION ACT APPEAL

CIA Information Review Committee  
c/o Mr. Lee S. Strickland  
Information and Privacy Coordinator  
Central Intelligence Agency  
Washington, D.C. 20505

Re: F86-1444 (Request for Informa-  
tion on William Bradford Huie

Dear Sirs:

I hereby appeal the deletions made in the document released by Mr. Strickland's letter to me of May 7, 1987. *(in CIA file)*

Mr. Strickland's letter informs me that the CIA invokes Exemptions 3 and 6 to protect the redacted materials. Neither his letter nor the released document indicates which exemption claim applies to which of the excisions made in the document. Additionally, there is no indication which Exemption 3 statute is being invoked. Presumably, it is 50 U.S.C. § 403(d)(3). If so, I request that you inform me which of the matters protected by this statute the CIA is trying to conceal; i.e., intelligence sources or intelligence methods.

If the CIA is invoking 40 U.S.C. § 403(d)(3), I would appreciate an explanation of the basis on which it contends that this statute applies to information gathered on the domestic activities of domestic organization.

You have apparently deleted classification markings on this document. Although you may cross out such markings, you may not entirely delete them. See Allen v. Central Intelligence Agency, 636 F.2d 1287 (D.C.Cir. 1980).

Sincerely yours,

*James H. Lesar*  
James H. Lesar

CRM-861296-F

Washington, D.C. 20530

MAY 10 1987

Mr. James H. Lesar  
918 F Street, N.W., Room 509  
Washington, D.C. 20004

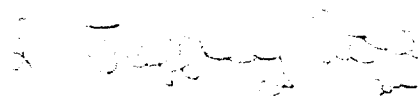
Dear Mr. Lesar:

This is in response to your December 11, 1986, Freedom of Information Act request, in which you sought copies of all documents concerning William Bradford Huie.

We have conducted a search of the central Criminal Division index of records and located eight documents within the scope of your request. We have reviewed these documents and will make them available in their entirety. Copies are enclosed.

Our search also disclosed one document (and attachments) which originated with the Federal Bureau of Investigation (FBI). Pursuant to Department practice, we have referred this record to the FBI for processing and direct response to you.

Sincerely,



L. JEFFREY ROSS, Chief  
Freedom of Information/Privacy Act Unit  
Office of Enforcement Operations

RECEIVED

~~Mr. [unclear]~~  
~~Mr. [unclear]~~  
~~Mr. [unclear]~~

(Field here)

Mr. McInerney

Date 9/6/52

To

Room No.

- Approval
- Comment
- Necessary action
- Note and return
- Note and file
- Signature
- See us
- As requested
- For your information
- Par telephone conversation

REMARKS

Nothing further has come in from [unclear] to my knowledge. Would you want me to follow this up, or just sit tight for a while longer?

Ed Nicholson

~~FILE~~

(Field here for return)

From

Division

Room No.

RECEIVED

JUN 4 1951

CRIMINAL DIVISION

THE NEW AMERICAN MERCURY 32 EAST 57<sup>th</sup> ST. NEW YORK 22, MURRAY HILL 8-8270

WILLIAM BRADFORD HUIE, Editor

June 1, 1951

Dear Mr. McInerney:

My apologies for a tardy reply to your letter of May 10th. I have been away on a lecture trip.

It seems incredible to me that the Department of Justice should not have known of the Weinberg-Nelson situation until December 1945. As soon as I have re-checked my sources on this matter I'll write you further about it. Meanwhile, I shall, of course, publish your statement.

I very much appreciate your efforts to establish the truth in matters such as these. I am at present preparing another article on the interesting situation around the radiation laboratory in 1940-43. If I can have your cooperation, I'll be very glad to submit it to you before it goes to press.

*Handwritten note:*  
Had copy  
sent  
T.

Sincerely,

*William B. Huie*

Mr. James M. McInerney  
Assistant Attorney General  
Department of Justice  
Washington, D. C.

FILE CEN.

REC'D

100-743-677
DEPARTMENT OF JUSTICE
JUN 5 1951
DIVISION OF RECORDS
CRIM.-INTERNAL SECURITY SEC.

P. L.

*Handwritten signature*

From  
ASSISTANT ATTORNEY GENERAL JAMES M. McINERNEY  
Criminal Division

To  
Official indicated by check mark

MEMORANDUM 4/20/51

- The Attorney General \_\_\_\_\_
- The Solicitor General \_\_\_\_\_
- Deputy Attorney General \_\_\_\_\_
- Assistant Attorney General (Antitrust) \_\_\_\_\_
- Assistant Attorney General (Claims) \_\_\_\_\_
- Assistant Attorney General (Lands) \_\_\_\_\_
- Assistant Attorney General (Tax) \_\_\_\_\_
- Assistant Attorney General \_\_\_\_\_
- Director, FBI \_\_\_\_\_
- Director, of Prisons \_\_\_\_\_
- Commissioner, Immigration and Naturalization \_\_\_\_\_
- Pardon Attorney \_\_\_\_\_
- Administrative Assistant Atty. Gen. \_\_\_\_\_
- Deputy Administrative Asst. Atty. Gen. \_\_\_\_\_
- The Executive Assistant to the Atty. Gen. \_\_\_\_\_
- Director of Public Information \_\_\_\_\_
- 1. ABBOTT, Mr. \_\_\_\_\_
- 2. BROOKLEY, Miss \_\_\_\_\_
- 3. COOK, Mr. \_\_\_\_\_
- 4. DAGGER, Mr. \_\_\_\_\_
- 5. ERDAHL, Mr. \_\_\_\_\_
- 6. FOLEY, Mr. \_\_\_\_\_
- 7. FRANKE, Mr. \_\_\_\_\_
- 8. GOTTSHALL, Mr. \_\_\_\_\_
- 9. HAMLIN, Miss \_\_\_\_\_
- 10. HELTER, Mr. \_\_\_\_\_
- 11. KIEFER, Mr. \_\_\_\_\_
- 12. KLEINFELD, Mr. \_\_\_\_\_
- 13. KNEIP, Mr. \_\_\_\_\_
- 14. O'BRIEN, Mr. James \_\_\_\_\_
- 15. PAISLEY, Mr. \_\_\_\_\_
- 16. RENO, Mr. \_\_\_\_\_
- 17. STRINE, Mr. \_\_\_\_\_
- 18. TRIEDMAN, Mr. \_\_\_\_\_
- 19. WALKER, Mr. \_\_\_\_\_
- 20. WHEARTY, Mr. \_\_\_\_\_
- 21. \_\_\_\_\_
- 22. \_\_\_\_\_

MR. FOLEY:

Please have Mr. Cunningham examine the Weinberg file and see when it was first sent to the Criminal Division.

This inquiry is in regard to the statement by Huey in the American Mercury that we were implored to prosecute Weinberg and others but that we refused to do so.

JMcI.

From  
 ASSISTANT ATTORNEY GENERAL JAMES M. McINERNEY  
 Criminal Division  
 To  
 Official indicated by check mark

The Attorney General	
The Solicitor General	
Deputy Attorney General	
Assistant Attorney General (Antitrust)	
Assistant Attorney General (Claims)	
Assistant Attorney General (Lands)	
Assistant Attorney General (Tax)	
Assistant Attorney General	
Director, FBI	
Director, of Prisons	
Commissioner, Immigration and Naturalization	
Pardon Attorney	
Administrative Assistant Atty. Gen.	
Deputy Administrative Asst. Atty. Gen.	
The Executive Assistant to the Atty. Gen.	
Director of Public Information	
1. ABBOTT, Mr.	
2. BROOKLEY, Miss	
3. COOK, Mr.	
4. DAGGER, Mr.	
5. ERDAHL, Mr.	
6. FOLEY, Mr.	X
7. FRANKE, Mr.	
8. GOTTSBALL, Mr.	
9. HAMLIN, Miss	
10. HELTER, Mr.	
11. KIEFER, Mr.	
12. KLEINFELD, Mr.	
13. KNEIP, Mr.	
14. O'BRIEN, Mr. James	
15. PAISLEY, Mr.	
16. RENO, Mr.	
17. STRINE, Mr.	
18. TRIEDMAN, Mr.	
19. WALKER, Mr.	
20. WHEARTY, Mr.	
21.	
22.	

MEMORANDUM

4/23/51

Pls. see me re this.

J.M.M.

JPM: CEN: vb

116-7-48-647

May 10, 1951

B. K. B.

FILED  
BY  
MH  
ON MAY 23 1951

*Handwritten mark*

Mr. William Bradford Huie  
Editor, American Mercury Magazine  
32 East 57th Street  
New York 22, New York

Dear Mr. Huie:

Your article appearing in the April 1951 issue of The American Mercury magazine entitled "Who Gave Russia the A-Bomb?" has been brought to my attention.

I observe from a reading of this article that severe criticism is made of the Department of Justice by you for refusing to authorize the arrest of Joseph Weinberg and Steve Nelson in 1943 in order to prevent the unlawful transmission of atomic energy information.

You may be interested in knowing that our files disclose that no information concerning the Weinberg-Nelson situation was furnished to the Department of Justice until December 4, 1945, a date well after the time when the activities described by you took place. Your article refers to "hastened appeals" made to the Department of Justice in 1943 to act in this matter. Obviously, from the above, nothing could be farther from the truth.

Moreover, you must be aware that the secrecy of the project and the lack of admissible evidence would necessarily have prevented the discussion of this matter in terms of prosecution until 1945, when the existence of the atomic bomb became public knowledge.

*Handwritten mark*

The readers of your magazine have been grossly misled through the inaccurate statements made by you into believing that this Department was derelict in discharging its responsibilities and I, as Assistant Attorney General in charge of the Criminal Division, personally feel that appropriate steps should be taken to rectify situations of this type.

As a newspaperman and journalist I am certain you are well aware that the truthful and accurate reporting of facts is paramount in the ethics of your profession. Compliance with those ethics

Records

Mr. Nicholson  
Mr. McInerney

Declassified on 4/1/87  
By Thomas E. Merum

INSPTD AND MAIL  
COMMUNICATIONS SEC  
MAY 10 1951  
RR



seems, would almost demand that some attempt be made at corroboration and verification of the facts before they are published.

I would welcome any expression from you that would tend to support or justify the unfair criticism leveled by you at this Department in the article in question, and I would be particularly interested in any statement you may care to make concerning the origin of this false information.

Sincerely yours,

JAMES F. MEINERTY  
Assistant Attorney General

Declassified on

By: \_\_\_\_\_

~~CONFIDENTIAL~~

JMN:GIN:70

146-7-43-647

May 4, 1951

*Handwritten: 6.1.2*  
Mr. William Bradford Huie  
Editor, American Mercury Magazine  
32 East 57th Street  
New York 22, New York

Dear Mr. Huie:

*Handwritten: JMN*  
Your article appearing in the April 1951 issue of The American Mercury magazine entitled "Who Gave Russia the A-Bomb?" has been brought to my attention.

I observe from a reading of this article that severe criticism is made of the Department of Justice by you for refusing to authorize the arrest of Joseph Weinberg and Steve Nelson in 1943 in order to prevent the unlawful transmission of atomic energy information.

You may be interested in knowing that our files disclose that no information concerning the Weinberg-Nelson conspiracy was furnished to the Department of Justice until December 4, 1945, a date well after the time when the activities described by you took place. Your article refers to "hurried appeals" made to the Department of Justice in 1943 to act in this matter. Obviously, from the above, nothing could be farther from the truth.

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As a newspaperman and journalist you are undoubtedly well aware that the truthful and accurate reporting of facts is paramount in the ethics of your profession. Compliance with those ethics, it seems, would almost demand that some attempt be made at corroboration and verification of the facts before they are published.

I would welcome any expression from you that would tend to support or justify the unfair criticism leveled by you at this

Records  
Mr. Nicholson

Declassified on 4.18.7  
By Thomas E. Manum

~~CONFIDENTIAL~~

Department in the article in question, and I would be particularly interested in any statement you may care to make concerning the identity, credibility, or nature of your sources in this particular instance.

Respectfully,

For the Attorney General

JAMES M. McINERNEY  
Assistant Attorney General

Declassified on 4/1/87

By: *Thomas S. Mason*

**CONFIDENTIAL**

Director, Federal Bureau of Investigation

April 25, 1951  
JMM:GEM:70  
146-7-43-617

James M. McInerney  
Assistant Attorney General, Criminal Division  
William Bradford Huie,  
Information Concerning

~~CONFIDENTIAL~~

In the April 1951 edition of the American Mercury Magazine there appears an article beginning on page 413 entitled "Who Gave Russia the A-Bomb?" by William Bradford Huie. In this article Huie, in discussing the espionage activities of Joseph Weinberg and Steve Nelson, makes statements to the effect that the Department of Justice refused to authorize the arrest of these individuals when informed in 1943 that Weinberg had delivered a vital formula to Nelson, and likewise declined to act after being informed that agents of the FBI and the Counter-Intelligence Corps of the Army had witnessed Nelson passing the formula to Russian Vice-Consul Peter Ivanov. According to Huie's article, "the agents begged for permission" to stop these transfers but the State and Justice Departments refused to intervene.

Our files reflect that the Department of Justice did not receive information on the Weinberg-Nelson espionage operation until March 1946. I would appreciate it if you would confirm this fact from your own records. In addition, I would be interested in having the benefit of any information that may have come to your attention previously concerning William Bradford Huie.

RECORD

FILED  
BY A.M.  
Ch

146-7-43-617  
DEPARTMENT OF JUSTICE  
APR 27 1951  
DIVISION OF RECORDS

SENT BY MESSENGER  
COMMUNICATIONS SECTION  
APR 25 1951 RR

Records  
Mr. Nicholson

Declassified on 4/1/87  
By: Thomas E. Martin

CONFIDENTIAL

CEN  
7/7/51

JM  
M

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. James E. McInerney  
Assistant Attorney General, Criminal Division  
FROM : William L. Foley  
Chief, Internal Security Section  
SUBJECT: Article entitled "Who Gave Russia the  
A-Bomb?" by William Bradford Huie,  
American Mercury Magazine, April 1951

DATE: April 20, 1951  
JEM:CEM:rb  
146-7-43-47  
CONFIDENTIAL

Recently in connection with the captioned matter you suggested the possibility of subjecting William Bradford Huie to grand jury interrogation in connection with the statements made by him in the article in question.

It appears that the source of Huie's information was undoubtedly the report prepared and released by the House Committee on Un-American Activities on September 29, 1949, entitled "Report on Atomic Espionage."

Huie in this article makes statements condemning the Department of Justice for not acting to halt the Weinberg-Nelson espionage operations by authorizing their arrest in 1943. These statements by Huie are patently erroneous and misleading.

The Department's files clearly indicate that we first received information on the Weinberg-Nelson activity in March 1946 at the very earliest.

It is noted from the Huie article that the author plans to publish in subsequent instalments additional information concerning Soviet espionage and in September of this year plans to publish a full length book on the subject. It is suggested that any possible action against Huie be held in abeyance until such time as he publishes the full length book on the subject referred to above.

*See me  
WLF*

*Too late then  
RB*

*Hand on  
4/21/51*

146-7-43-647  
DEPARTMENT OF JUSTICE  
APR 27 1951  
DIVISION OF RECORDS  
INTERNAL SECURITY SEC.

**CONFIDENTIAL**