

May 24, 1974

SUPPLEMENTAL NOTES ON THE ORIGINS OF THE HISS CASE

These notes are arranged more or less in chronological order. Their sources include: 1) telephone interview with William C. Sullivan, former Assistant FBI Director, on May 22, 1974; 2) telephone interview with Larry S. Davidow on May 24, 1974; 3) notes taken from the John Foster Dulles papers at the Princeton Library (made by a Harvard graduate student who is a friend of mine); 4) hearings before the Senate Foreign Relations Committee in 1950, entitled State Department Employee Loyalty Investigation; hearings before the House Select Committee to Investigate Tax-Exempt Foundations in 1953.

1941-1945

I had originally assumed, on the basis of interviews with Father John F. Cronin in 1971 and 1972, that William C. Sullivan had supplied Cronin with material about Hiss. Sullivan admits that he gave Father Cronin "quite a bit of factual information," but denies that it included material on Hiss. Sullivan says that he left Baltimore in 1942 for an undercover mission to Europe but did see Father Cronin on his return, before the war ended. Sullivan did tell me the names of two former FBI agents in the Espionage unit during the war who might have supplied Father Cronin with material on Hiss (I will attempt to interview these two men in Washington, where they both live. One is now a prominent Washington attorney; the other, I think, is retired).

1946

In January of 1946, while Dulles and James Byrnes were both in London for the UN meeting, Dulles asked Byrnes about Hiss as a possible head of the Carnegie Endowment. Byrnes replied that Hiss "had been quite a liberal" but gave his endorsement of Hiss for the Carnegie post (memo from Dulles to Herbert Brownell, 8/20/48 -- Brownell was then serving as Dewey's campaign manager). Byrnes (in a letter to Dulles on 12/1/52) later added that Byrnes had been told by an FBI agent prior to his 1946 conversation with Dulles that Hiss's "political thinking was different from that of the members of your Board." This indicates that the FBI had been discussing Hiss with people in the State Department while Hiss was still a member of the Department.

Later in 1946, after Hiss had been elected President of the Carnegie Endowment, a campaign began to persuade Dulles that Hiss was a communist. On December 23, 1946, a Detroit attorney named Larry S. Davidow wrote Dulles that Hiss had a "provable Communist record," and that he based this charge on "reliable individuals in Washington." Dulles replied on December 26 that "I have heard of the reports which you refer to," but added that "there is no reason to doubt Mr. Hiss' complete loyalty to our American

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institutions." Davidow's sources included Benjamin Mandel, then working in the State Department security office.

Also during 1946, Plain Talk magazine had been founded by Father Cronin, Isaac Don Levine, Alfred Kohlberg and several former FBI agents. In August, 1946, Emmanuel Larsen, who had been convicted in the Amerasia case, was approached in Florida by two former FBI agents named Kirkpatrick and Higgins, who told Larsen that they had worked on his case in the State Department in 1945 before joining Plain Talk. They offered Larsen money and publicity if he would write an article on the Amerasia case, and paid his plane fare to New York (from State Department Employee Loyalty Investigation hearings). Larsen accepted their offer, went to New York and wrote an article for Isaac Don Levine. But Levine was "very displeased" with Larsen's article since it was not sufficiently anti-administration. Kohlberg and Levine, according to Larsen, said they had "a great mass of material that would substantiate their viewpoint that there was...a conspiracy and there was a far-reaching plot within the State Department to pervert the policy of the United States in favor of the Chinese Communists." Larsen later claimed that Levine and Kohlberg re-wrote his article to make this point.

#### 1946-1947

On December, 1946, Kohlberg wrote Dulles that he had been told in October, 1946 by General David P. Barrows, a trustee of the Carnegie Endowment, that Barrows had "information of the utmost importance" about Hiss. Dulles called Kohlberg, and the two met on January 2 or 3, 1947 in New York. Kohlberg told Dulles of the charges against Hiss, but without revealing their source, which was Chambers. Levine subsequently told Kohlberg that Dulles would probably be unimpressed by Chambers, and Kohlberg did not think it advisable to introduce Chambers to Dulles. He later wrote Dulles on February 24, 1947 that the allegations against Hiss were "uncorroborated" except in the FBI files and thought it best to drop the matter for the time being. It should be kept in mind, as I pointed out in the earlier notes, that Levine supposedly knew as far back as 1940 that Chambers had microfilmed copies of State Department documents from Hiss. The discussions described above, in light of Levine's avowed goal of exposing communists, would tend to discount this later story by Levine, since Levine told Kohlberg in 1947 that Chambers "has no proof other than his own word, no documents...."

After talking with Kohlberg, Dulles asked Hiss about the charges, without mentioning Kohlberg as the source, and later Dulles wrote Kohlberg (May 21, 1947) that "I told Mr. Hiss that I thought in all frankness he ought to know that I had heard

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from 2 or 3 quarters that he was inclined to be communistic in his thinking."

Apparently, during the latter half of 1947, the charges against Hiss were quiescent. But, as I noted in the earlier notes, Levine accused Hiss in the November issue of Plain Talk with having passed State Department documents to be microfilmed.

### 1948

In early 1948, the charges against Hiss resurfaced. Dulles received a call from Congressman Walter Judd, a leading member of the China Lobby, sometime in February, making charges against Hiss (it would be well to look at the Judd oral history interview in the Dulles papers at Princeton about this incident). Dulles wrote Judd back and subsequently received a reply from Judd suggesting that Dulles contact Adolf Berle and Assistant Secretary of State John Feurifoy about the charges. Judd had been told of the charges against Hiss by Levine or Kohlberg.

Dulles spoke to Feurifoy about Judd's letter on the phone, and Feurifoy told Dulles that "while there was something about Hiss in the FBI files, he was absolutely satisfied as to the complete loyalty of Hiss and that he knew of no evidence...which cast any doubt on the matter." Feurifoy added that in the State Department Hiss was regarded as more conservative than many other officials.

After talking with Feurifoy, Dulles met with Hiss on March 16 and asked him about the charges. Hiss replied that the only possible sources for the rumors were 1) his close association with Pressman while in law school and later in Washington, and 2) his casual ties with some persons in the Agriculture Department who had communist leanings. Dulles replied to Judd on March 22 that he had spoken to Feurifoy and said "I shall keep alert, but so far have not changed my judgement" about Hiss. Judd was in contact with Kohlberg during this period, who was the source of Judd's information.

On August 3, Chambers testified before HUAC that Hiss had been a communist. On August 7, Richard Nixon went to New York and met with Allen and Foster Dulles (letter from Allen Dulles to Malcolm Muir, May 4, 1950). Nixon showed them Chambers' HUAC testimony, and asked their advice on how to proceed. The Dulles brothers were impressed with Chambers' testimony and they advised Nixon to "check this data through every available means." Nixon later wrote (in a letter in the Dulles papers) that he met with Dulles because he "knew" that Dulles was likely to become Secretary of State, and his relation with Hiss would open him to

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attack by his foes within the Republican Party.

A few days after his meeting with Nixon, Dulles met with Hiss and subsequently with some of the Carnegie Endowment trustees. Dulles reported that he talked with Hiss on August 18 "with a view to my getting, if possible, his resignation."

Dulles' later involvement in the Hiss case includes a letter from Bert Andrews on December 2 (the day Chambers produced the Pumpkin Papers, although the letter was written, obviously, before Chambers produced them) telling Dulles that "new information makes me strongly believe you should personally get off hook on our endowment friend." This would indicate either that Andrews had been tipped about the Pumpkin Papers or had been told of the documents Chambers had produced at the pre-trial examination in Baltimore. The date of the letter and its urgent tone seem to point to the former supposition.

#### Conclusion

The material in these notes seem to me to strengthen the theory I advanced in the earlier notes. A basic point is that Mandel, Levine and Kohlberg were instrumental in exerting pressure on John Foster Dulles to get rid of Hiss, using Davidow and Judd as well in this effort. A number of FBI agents and former agents were also involved. The incident relating to Larsen seems interesting as part of Levine and Kohlberg's campaign against what were seen as anti-Chiang elements in the State Department.

#### Another Point

It may be well known to all of those to whom I am sending these notes, but I was struck by a couple of stories in the New York Times in December, 1948 relating to the Woodstock typewriter. Nixon had written in Six Crises that FBI agents had found the typewriter on December 13 and typed copies of the Baltimore papers on them which they showed to the grand jury on December 15. Nixon later repudiated this account (although the White House transcripts indicate that it was true). On December 16, C. P. Trussell wrote in the Times that "The typewriter on which, according to testimony by Mr. Chambers, many secret State Department documents were copied after temporary removal from files for delivery to Soviet agents, probably has been found." On December 19, Alexander Feinberg wrote in the Times that "An unquestioned Government source said definitely that the Department of Justice was not now in possession of the typewriter." (underlining added) The spokesman "now says he has no knowledge of its whereabouts." The equivocal language of these stories certainly seems to indicate that the denials were very conditional and that the typewriter might well have been in government possession.