

SECRET SERVICE CONTROVERSY

President Liven It Up With Vigorous and Lengthy Reply to Those Who Attacked It

HEMENWAY CHIEF OFFENDER.

Calls His Report "Inaccurate and Misleading in Various Important Respects."

Washington, Feb. 21.—President Roosevelt today added another stirring chapter to the secret service controversy in a vigorous and lengthy reply to the attacks made on this branch of the government in a report made recently by Senator Hemenway of the senate committee on appropriations. Senator Hemenway, in this report, upholding the limitation in the size of the secret service, asserted that it never had been the intention of congress to build up a "spy" system, and with evident reference to this part of the report, the president declared that if the limitation of the size of the secret service had been in force when the sensational land frauds were unearthed a few years ago, a senator, a representative and various other officials with political influence, who at that time were convicted, would all have escaped punishment. The president's letter is addressed to Acting Chairman Hale of the senate appropriations committee.

THE PRESIDENT'S LETTER.

The president's letter, dated Feb. 16, follows: "I have seen the report presented by Senator Hemenway on behalf of your committee in reference to the secret service. The report is inaccurate and misleading in various important respects, and I desire to make certain corrections in reference to statements which appear there and in the subsequent debate.

"Until last year the secret service, a small body of 60 or 70 men in the treasury department, under Chief Wilkie, was practically the only body of public servants engaged almost purely in criminal investigation. The secret service men were assigned at different times to different departments to investigate criminal activity. They were then assigned on different occasions for instance, to the state and navy departments; but above all to the interior department and to the department of justice. During the seven years of my administration they were instrumental in bringing to justice a great number of criminals.

INVALUABLE SERVICE.

"I append herewith the occasions on which they were sent to the department of justice during the year 1907, and the first six months of 1908. They rendered invaluable assistance in investigating criminal activity, and in securing the conviction of many criminals of desperate character and of many other offenders of great wealth and of social and political prominence. In not one single instance during these seven years has it been shown that their action jeopardized any man who was not connected with illegal transactions. In not a single instance has it been shown that they took any but proper steps against a criminal. No man has been sent to prison who did not deserve it, and against criminals efficiently. I desire to put on record my emphatic belief that the secret service under Chief Wilkie has been composed of men of an exceptional high grade of character and capacity, and who have rendered exceptional service to the public, and that Chief Wilkie himself, in a very trying and responsible position, has shown qualities of the highest order, and has been one of the main stay of the government. No other man in the government employ is so dreaded and hated by lawbreakers and those who especially desire to see his activities and those of the men under his every eye.

CONGRESS HAMPERED JUSTICE.

"Congress last year forbade by law, the use of the secret service men to stop a step to crime, and counterfeiting, and thereby not only hampered justice in other departments, but deprived the secretary of the treasury, the official guardian of a billion and a half of the nation's actual money, of the power effectively to exert that guardianship. Moreover, the Congress provided no substitute whatever for the secret service. In consequence the department of justice was obliged to depend as specifically as possible in the course of special detectives to take the place of the secret service agents, which it had previously used for the nucleus of this force and trained in such manner that I call your special attention to the fact that if the department of justice had not taken this action, there would have been a complete failure to enforce the law against many types of criminals and wars in the early months of the present fiscal year during the Morse prosecution in New York and in connection with certain important cases, serious inconvenience and anxiety were caused to the prosecuting officers by the action of Congress in depriving them of the aid of the experienced operatives of the secret service on whom they had been accustomed to rely. I call your attention to the further fact that the department of justice had never taken any steps to organize this force so long as it could get men detailed to it from the secret service. In other words, the action of the Congress in regard to the secret service would have caused gross miscarriage of justice had it not been in large part nullified by the prompt action of the department of justice in its own initiative and without further legislation of any kind by Congress, in providing a species of secret service within the department of justice itself.

THE SPY SYSTEM.

"Your committee, in its report, states that it has never been the intention of the Congress to build up a 'spy' system, and in the next sentence, however, it ventures the building up of precisely this 'spy' system in the department of justice. Not only have I again and again insisted that the secret service be placed under the department of justice, but the chief of the secret service has himself specifically requested on different occasions that the same course be followed, therefore, your committee has declared for the policy of the adoption of which I have urged and all difficulties would be met by providing specifically and amply for

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carrying out that policy. Chief Wilkie should be transferred to the department of justice and put at the head of the force thereby required.

"But in your report and the subsequent debate, direct and indirect attacks are made upon the secret service, which are based upon a curious indifference to the fact that your committee recommends that a precisely similar secret service to the one attacked be now established in the department of justice, and be it observed that no limitation is proposed on this new secret service; so that the limitation is only imposed upon the secret service which has already shown its efficiency and has already become an object of terror to criminals. Senator Hemenway states that 'there are more than 2,000 men now in the secret service and inspection work of the government' and that in the last five years the number has tripled, and that if they were to march through the streets of Washington they would make an army' while it was also stated in the same debate that at the close of President McKinley's administration there were only 150 such men on the pay roll, whereas it was alleged that we now have over 2,000, and that the appropriations on that account for last year amounted to about \$1,000,000. These statements are not in accordance with the facts.

NUMBER EMPLOYED.

"I submit to you herewith a substantially although not entirely accurate statement of the number of men employed on secret service work during the year that has just passed, as compared with the years 1901-02. Owing to the very brief period which has been given to get the figures, it was impossible to get them with entire accuracy, but they are not off of the way more than a score or so in either direction. According to these figures the number of men employed on secret service work during the year 1908 was 1,200 men; whereas in the year 1901-02, there were only 150 men. This is an increase of nearly eightfold in number, as one of the statements made above, instead of having increased nearly 20 fold in accordance with the other statement, they have increased but a little over 10 per cent. However, of this increase, considerably over half was in the number of men used in securing the punishment of violators of the internal revenue laws, a matter wholly outside of that discussed by your committee, who have objected to the use of the secret service. The remaining increase is due to such causes as the natural growth of the postoffice, appointment of individuals to enforce the laws of justice and the most important laws, the more rigorous enforcement of the safety appliance act, the suppression of the liquor traffic among the Indians, the protection of the public lands and the timber and the like.

"I call your special attention to the fact that the great majority of these men are not primarily or mainly, or indeed ordinarily engaged on secret service or criminal investigation or inspection work at all. I have employed these men merely because they were so employed by members of your committee and others in the course of the debate in the house of senate, and they are entirely misleading so far as they give an impression that chief work of the men mentioned was of the character assigned it by Senator Hemenway and others in the statements made above and in similar statements. As regards nineteen-twentieths of these men, the proportion of their time given to secret service work or criminal investigation is altogether insignificant, and is only a seasonal incident to their ordinary duties.

THIRTY-FOLD EXAGGERATION.

"To speak of these men as having become an army of 2,000 men engaged in secret service and similar work, is completely out of accord with the actual facts. The increase was 100 men, of whom but a score or two are habitually engaged in secret service. As for the amount expended, the statements in the debate in both houses are so exaggerated as to be beyond reference whatever to the actual figures. This it was stated that the department of justice was spent in criminal investigation. As a matter of fact, the attorney-general reports to me that the appropriation for the secret service was in the fiscal year 1908, was \$1,000,000, or 10 per cent. of the total appropriation for the department of justice, which was \$10,000,000. In the same it was stated that \$10,000,000, or 10 per cent. of the total appropriation for the department of justice, was expended for this secret service work, while the total of another set of figures amounted to \$2,000,000 as money which could have been expended for such work. A table appended to the report of the attorney-general, shows that the amount actually expended during the first six months of the present fiscal year in all work that can be any properly be called secret service, was \$1,000,000, an estimated total for the entire fiscal year of approximately \$1,600,000, which goes to show that the statements as to the amount of money expended for secret service work are in fact, 10 per cent. of what is in fact.

WHERE HEMENWAY ERRED.

"Senator Hemenway quoted the secretary of the interior as stating that the secret service men were ever detailed to the interior department. This statement of Senator Hemenway is especially misleading. The secret service men were detailed to the interior department cases at the request of the secretary of the interior, but for convenience in operation they were assigned to and paid by the department of justice. This has been the case from the time the secret service was organized and again in the reports of the interior department. As promulgated to be carried on by the department of justice, it was detailed that the secret service men should work with and under the department of justice officials. By turning to the list to which I have already alluded, you will see that in the year 1907, the department of justice, on Jan. 1, asked for one man to handle a fraud case; that on Jan. 25 it asked for five men to be detailed for timber entry frauds; on Jan. 30 four additional men to assist in land fraud investigations; on Feb. 2, six more men; on March 4, two more men; on April 2, three more men; on April 10, six more men; on May 28 and June 10, one additional man; on Aug. 2, three additional men; and on Aug. 10, one additional man. The total was 23 men assigned to the interior department, but they were used for the interior department cases under the department of justice. That such officers discharged their duties in a previous case of which

NEBRASKA CASES.

"Department of Justice, Dec. 25, 1908. To the Chief of the United States Secret Service, Washington, D. C. Sir:—The department is in receipt of a letter, dated the 21st inst., from the United States attorney for the district of Nebraska, representing the trial and conviction of Bartlett Richards, and other defendants on the charge of conspiring to defraud the United States of public lands. This is one of the cases in which special operatives of your office have been employed under Operative Lucien C. Wheeler, and the United States attorney takes occasion to make his report in commendatory terms of the very able service of the operative in charge, Mr. Lucien C. Wheeler, and his secret service agents."

"The department is also in receipt of a letter from the secretary of the interior, dated the 22nd inst., expressing his appreciation of the splendid work done by the United States attorney, his special assistant and Mr. Wheeler, in the case of the trial and conviction of Bartlett Richards, on the 21st inst., as follows: "I congratulate you most heartily on the splendid work you have done in connection with the case of Bartlett Richards, and the confidence in all those who believe that the law must be obeyed."

ALFRED W. COOLEY.

"Acting Attorney General."

LIMITATION ACTUAL.

"The limitation of the use of the secret service was not in the least degree technical; it was real and actual. If such a condition as arose in the interior department some four years ago, it was not the department which was limited, but the secret service. The limitation was should be prevented from employing the secret service and the result would be harmful to the government and of benefit only to the criminals, unless, of course, we are able to build up a precisely similar secret service in the department of justice, in which case the action of the Congress would have been effective only in showing its disapproval of the admirable work done by Chief Wilkie and his division. Unless the new secret service in the department of justice does its work in precisely similar fashion to Chief Wilkie's secret service, it will not do good and effective work, and I call your attention to the fact that the result of the action of Congress has hitherto been by the creation of the secret service, markedly to increase the total cost of this class of work."

"The facts in reference to the detection and suppression of the land frauds and the punishment of criminals engaged in them have been made public again, and again, but in view of the report of your committee it is as well to refer to them once more. Secy. Hitchcock has made a statement, which is a widespread fraud in his department and that his own force was unable to deal with them. Through the department of justice he had a number of secret service operatives assigned to work on the interior department cases, together with one secret service operative who was assigned direct to the interior department. Mr. Hemenway speaks as if the secret service and the secretary of the interior had not known of such assignments; as a matter of fact every such assignment was made on the written request of the head of the department. The first result of the work in question was to find that various departmental officials had failed in their duty and some of them were accordingly removed."

WOULD HAVE ESCAPED.

"The results of the assignment of the secret service men taken of course, in connection with the activity of the reorganized force of special agents from the interior department, are found in the conviction of many defendants. This is the case with the secret service and the most influential people in their communities; others standing high in the political world, one of them being a senator and another a representative in Congress, who are taken of course, in connection with the activity of the reorganized force of special agents from the interior department, are found in the conviction of many defendants. 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