

## Once Again, the Alger Hiss Case

John Ehrman

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**Proof that Alger Hiss was not a spy would have significant implications for historical interpretations of the Cold War era.**  
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The Alger Hiss case has again come to public attention, and once more supporters are claiming vindication of the man at the center of one of the most notorious spy cases in US history. This is a remarkable development, because the case against Hiss has steadily grown more damning and complete as researchers have delved into the files of his lawyers, declassified US intelligence documents, and Soviet-bloc archives.

In April 2007, a prominent American historian, Kai Bird, and his Russian collaborator, historian Svetlana Chervonnaya, stepped forward at a conference to claim that the central piece of evidence against Hiss—an intercepted cable in the VENONA series, No. 1822, naming a Soviet asset, ALES—did not refer to Hiss, as the FBI and NSA had judged, but someone else.

If it could be proved, this claim would have significant implications for the history of the case and for historical interpretations of the Cold War era and might affect current politics. In the field of intelligence it would call into question the credibility of US intelligence

efforts of the 1950s and raise new doubts about the validity of its current threat assessments. Under careful examination, however, the Bird-Chervonnaya assertion is built on thin reeds, suppositions, and unsupported “ifs then thats.” But the stubborn efforts to exonerate Hiss, even if unsuccessful, will nevertheless have consequences for innocent bystanders and the conduct of intelligence today.

### ***The Controversy***

The story of the Hiss case is well known and needs only a brief review. In 1948, Whittaker Chambers, a self-confessed former communist and Soviet spy, alleged that Alger Hiss, who had been a high-level official in the State Department during the 1930s and 1940s and who had worked closely with Secretary of State Edward Stettinius, had also been a communist and a spy. After a dramatic series of events and two trials, Hiss was convicted in 1950 of perjury for lying when he denied having passed documents to Chambers in 1938. Hiss served almost four years in a federal prison and for the rest of his life—he

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died in 1996—denied all of Chambers's charges.

The case, meanwhile, took on a life of its own. For more than 50 years, intellectuals, journalists, and political figures have bitterly argued over Hiss's guilt or innocence. All the participants have understood that at stake is not only the question of whether Hiss had been the victim of a miscarriage of justice but also fundamental questions about American liberalism, responsibility for the outbreak and direction of the Cold War, and, later, which side would control the writing of the war's history.

The debate ought to have ended after the publication of Allen Weinstein's definitive history of the case, *Perjury* in 1978, and with the release in the mid-1990s of the VENONA cables in the United States and archival materials in the former East Bloc.<sup>1</sup> As Thomas Powers, one of the most astute observers of US intelligence affairs, wrote in 2000, the "evidence following the publication of VENONA...is simply overwhelming." By then all but a few determined Hiss support-

ers concluded that Hiss had been a spy.<sup>2</sup>

### **Focus on Venona**

Many aspects of the case remain complicated and confusing, however, and academic and journalistic treatments often are off-putting or too one-sided for lay readers. Discussions of the Hiss case since the late 1990s have focused on VENONA 1822, the message from the NKGB residency in Washington to Moscow on 30 March 1945 that named ALES (see facing page). This cable, unlike many of the other materials in the case, is less than a page long and, in clear language, lays out four identifying characteristics of ALES:

- He had worked for the GRU (Neighbors) since 1935.
- He led a small group of spies that included his relatives.

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<sup>2</sup> Thomas Powers, "The Plot Thickens," *New York Review of Books*, 11 May 2000, reprinted in Powers, *Intelligence Wars* (New York: New York Review of Books, 2002). Another standard account, in addition to Weinstein's, is Sam Tannenhaus, *Whittaker Chambers* (New York: Random House, 1997). Also valuable is G. Edward White, *Alger Hiss's Looking-Glass Wars* (New York: Oxford University Press, 2004). For a capsule history of the Hiss case that also reviews the case's historiography and implications for liberalism and modern American politics, see John Ehrman, "The Hiss Case: A Half-Century of Controversy," *Studies in Intelligence* 44 (Summer 2000).

- He passed military information and had been at the Yalta Conference (4-11 February 1945).

- Finally, he had gone to Moscow after the conference.

With the help of footnotes that identify ALES—even though the notes do not explain how the FBI and NSA made the identification—the cable makes for an easily understood case against Hiss, who appears to fit all the criteria. As a result, public debate has tended to overlook the mountain of other evidence and treat the cable as if it were the *only* evidence in the case. Hiss's defenders have encouraged this perception and have made determined efforts to break the link between ALES and Hiss.

The effort to downplay the significance of the ALES cable started in the pages of the *Nation*, which has defended Hiss since the case began, and picked up in October 1995, as the VENONA cables started to become public. In October of that year, lawyer William Kunstler, the late advocate of many radical causes, warned against accepting with "childlike faith" the authenticity of the documents, which turned out to be beyond serious question.

Others, taking a more subtle approach, noted that decrypting the Soviet cables was an extremely difficult task and that gaps in the decrypts, the second- or third-hand nature of much of the information reported in the cables, assump-

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<sup>1</sup> Allen Weinstein, *Perjury*, updated edition (New York: Random House, 1997); National Security Agency and Central Intelligence Agency, *Venona: Soviet Espionage and the American Response, 1939-1957* (Washington, DC: Center for the Study of Intelligence, 1996)

~~TOP SECRET~~ [REDACTED] VENONA

MGB

From: WASHINGTON  
 To: MOSCOW  
 No: 1822

38 March 1945

Further to our telegram No. 283[a]. As a result of "[D% A.'s]"[i] chat with "ALES"[ii] the following has been ascertained:

1. ALES has been working with the NEIGHBORS[SOSEDI][iii] continuously since 1935.
2. For some years past he has been the leader of a small group of the NEIGHBORS' probationers[STAZHERY], for the most part consisting of his relations.
3. The group and ALES himself work on obtaining military information only. Materials on the "BANK"[iv] allegedly interest the NEIGHBORS very little and he does not produce them regularly.
4. All the last few years ALES has been working with "POL"[v] who also meets other members of the group occasionally.
5. Recently ALES and his whole group were awarded Soviet decorations.
6. After the YALTA Conference, when he had gone on to MOSCOW, a Soviet personage in a very responsible position (ALES gave to understand that it was Comrade VYSHINSKIJ) allegedly got in touch with ALES and at the behest of the Military NEIGHBORS passed on to him their gratitude and so on.

No. 431

VADIM[vi]

Notes: [a] Not available.

Comments:

- [i] A.: "A." seems the most likely garble here although "A." has not been confirmed elsewhere in the WASHINGTON traffic.
- [ii] ALES: Probably Alger HISS.
- [iii] SOSEDI: Members of another Soviet Intelligence organization, here probably the GRU.
- [iv] BANK: The U.S. State Department.
- [v] POL: i.e. "PAUL," unidentified cover-name.
- [vi] VADIM: Anatolij Borisovich GROMOV, MGB resident in WASHINGTON.

8 August 1969

~~TOP SECRET~~ [REDACTED] VENONA

Washington to Moscow 1822, the Soviet residency cable of March 1945 that describes agent ALES.

tions by the codebreakers, and the inevitable errors meant that the cables should not be viewed as reliable evidence. Reading VENONA was not a case in which "history was re-enacted before our eyes," wrote Walter and Miriam Schneir, who had defended Ethel and Julius Rosenberg. Indeed, they claimed, those using VENONA to support espionage charges often made their arguments by using a "broad brush, ignoring fine points, and lumping everything together with no thought given to ambiguity or nuance." The clear implication of these arguments was that, regardless of what VENONA seemed to say, no one should accept it as proving anything, let alone Hiss's guilt.<sup>3</sup>

### Who was ALES? Round One

In 2000, one of Hiss's lawyers, John Lowenthal, published an article in the scholarly journal *Intelligence and National Security* that claimed not only to show that ALES was not Hiss, but that all

<sup>3</sup> William Kunstler, "Rosenbergs Redux," *Nation*, 16 October 1995: 406; Walter and Miriam Schneir, "Cables Coming in From the Cold," *Nation*, 5 July 1999: 26-28. For a more sophisticated argument about the need to avoid using VENONA to rush to judgment, see Maurice Isserman and Ellen Schrecker, "Papers of a Dangerous Tendency": From Major Andre's Boot to the VENONA Files," in Ellen Schrecker, ed. *Cold War Triumphalism* (New York: New Press, 2004).

the VENONA cables were unreliable.

- Lowenthal began by trying to show that Hiss did not fit the four identifying criteria of VENONA 1822. Hiss, he pointed out, had been accused of committing espionage only up to 1938; was said to have acted alone except for the aid of his wife and Chambers; and had been said to have passed State Department, not military, documents.

- He cited another VENONA cable, No. 1579 (right), dated 28 September 1943, from the GRU in New York to Moscow that mentioned a State Department official named Hiss (paragraph 2). For the GRU to mention Hiss by name, argued Lowenthal, would have been an unthinkable breach of security had he truly been the spy code-named ALES. "It would seem to be a first-time reference to someone unknown to the GRU and not a spy," concluded Lowenthal.

- Lowenthal went on to assert that the codebreakers had mistranslated the ALES cable. He suggested that a correct translation would have indicated that the cable discussed Soviet Deputy Foreign Minister Vyshinskiy's presence at the Yalta Conference, not that of ALES, and that it was Vyshinskiy who then traveled to Moscow.

- In addition, he accused the codebreakers of distorting the

~~TOP SECRET~~ VENONA

GRU

From: NEW YORK  
 To: MOSCOW  
 No: 1579

28 September 1943

To DIREKTOR.

1. Reference your No. 12527[a].

(a) MATVEJ[1] is requesting a loan to pay off debts which he has incurred as a result of the assistance which he has been giving to his sick father for a long time.

[33 groups unrecoverable]

to TOM[11], who was also [1 group unrecovered] in good time.

(c) The names MATVEJ, FRANK, GUSTAV, SANDI and RICHARD are respectively[b] MILTON SHWARTZ, Arthur MOOSEN, George GORCHOFF, Stephan RICH, Robinson[c] BOBROW.

2. The NEIGHBOR[SOSED][111] has reported that [1 group unrecovered] from the State Department by the name of HISS[iv] (

[121 groups unrecoverable]

No. 243

MOL'ER[v]

Notes: [a] Not available.  
 [b] From here to the end of the sentence the names were spelled out in the Latin alphabet.  
 [c] Sent as "Ribinson".

Comments:

[1] MATVEJ: Identified as MILTON SHWARTZ in paragraph 1(c).  
 [11] TOM: Probably Colonel Aleksei Ivanovich BORVIN of the Tank Department of the Soviet Government Purchasing Commission.  
 [111] NEIGHBOR: Member of another Soviet intelligence organization.  
 [iv] HISS: Spelled out in the Latin alphabet. At this time Alger HISS was Assistant Political Adviser for the Far East, Department of State.  
 [v] MOL'ER: i.e. "MOLLIERE"; Pavel P. MIKHAJLOV, Soviet Vice-Consul in NEW YORK.

8 August 1969

~~TOP SECRET~~ VENONA

cable to show that ALES was Hiss. When Hiss appealed his conviction in 1950, Lowenthal claimed, the “FBI had an urgent need...for new evidence,” and a “Soviet spy-message construed as incriminating Hiss might do.”

- Finally, he concluded, because ALES was falsely identified as Hiss, all VENONA cables had to be treated with “caution and skepticism” because the “professional involvement of intelligence agencies in deception and disinformation” had poisoned their cultures and prevented them from revisiting the translations to fix their errors.<sup>4</sup>

Lowenthal’s argument was, to say the least, selective in its use of evidence. His claim that Hiss had not been charged with spying after 1938 was accurate only because Chambers, who defected in April of that year, never claimed knowledge of Hiss’s activities after that time. The argument that Hiss had not been in a position to pass military information assumed a narrow definition of such information—a cursory glance at the Pumpkin Papers, copies of State Department documents that Hiss passed to Chambers, shows that Hiss had provided papers on military-strategic issues that would have been of great value to the GRU.

Moreover, Lowenthal presented no hard evidence to back

<sup>4</sup> John Lowenthal, “Venona and Alger Hiss,” *Intelligence and National Security* 15 (Autumn 2000): 108, 109, 110, 111, 112, 119, 120.

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*Eduard Mark, an Air Force historian, undertook the task of identifying ALES in 2003.*

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up his claim that the FBI and NSA had distorted the meaning of the cables. Indeed, in making this point, Lowenthal resurrected old, and discredited, claims that the government had framed Hiss. But two of his points still were worth consideration: was it possible that there were important translation errors in the decrypted VENONA cables, and was it possible that the FBI-NSA identification was wrong and ALES was someone other than Hiss?

In 2000, it appeared that the translation issue would not be answered quickly, as NSA was unwilling to release the original Russian versions of the cables. Researching the identity of ALES was possible, however, although it took much more effort than Lowenthal apparently had been willing to expend.

Eduard Mark, a historian for the US Air Force, undertook the task of identifying ALES and published his findings in 2003 in *Intelligence and National Security*. Mark started with the clues in VENONA 1822: ALES was working for the State Department in 1945; most likely had relatives working in the federal government, if not State itself; had been a GRU agent since 1935; had been at Yalta and then met Vyshinskiy in Moscow; and had returned to the United States by 30 March 1945.

Mark combed through the National Archives to track the movements of US officials who attended the Yalta conference and found eight, including Stettinius and Hiss, who had traveled to Moscow immediately afterward. Mark then checked the records of their movements in Moscow, as well as their employment histories.

When Mark was finished, it was clear that only Hiss met all the criteria—he was a State Department employee, not detailed from the military or another agency; had been named by Chambers as involved in espionage in the mid-1930s along with his wife and brother, Donald; would have had several opportunities to speak with Vyshinskiy in Moscow; and had returned to Washington directly from Moscow with Stettinius.

Mark went on to dispose of Lowenthal’s argument that because Hiss was named in VENONA 1579, he could not have been a spy. Mark noted that there are numerous instances in the VENONA cables of the Soviets mistakenly using the true names of assets rather than their cryptonyms, so the reference to Hiss proves nothing one way or another. Thus, concluded Mark, the FBI and NSA’s conclusions were “eminently reasonable,” and the evidence showed that “ALES was *very probably* Hiss.”<sup>5</sup>

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Mark's work essentially quieted the controversy about ALES's identity. With only Hiss reasonably fitting the criteria of VENONA 1822, the accused spy's defenders largely fell silent on the issue of whether he had committed espionage, and instead fell back to discussions about the degree of harm Hiss and other Soviet spies might have done and whether their importance had been exaggerated by overzealous anticommunists.<sup>5</sup> Their case became even weaker in 2005, when NSA finally released the original Russian of the ALES cable, which conclusively showed that its English version had been correctly translated.

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<sup>5</sup> Eduard Mark, "Who was 'Venona's' 'Ales'? Cryptanalysis and the Hiss Case," *Intelligence and National Security*, 18 (Autumn 2003): 54–55, 57–88, 62, 64 (emphasis in the original).

<sup>6</sup> For examples of articles questioning the importance of Hiss and Soviet espionage, see Ellen Schrecker, "McCarthyism: Political Repression and the Fear of Communism," *Social Research* 71 (Winter 2004): 1041–86; and Schrecker and Isserman, "Papers of a Dangerous Tendency." The Web home for Hiss defenders is <http://homepages.nyu.edu/~th15/home.html>. For the original Russian version of VENONA 1822, see John R. Schindler, "Hiss in VENONA: The Continuing Controversy," Center for Cryptologic History Symposium, 27 October 2005, available at <http://www.johnearlhaynes.org/page61.html>. For additional comments on the translation, see the posting on H-HOAC by Mark Kramer, "Alger Hiss and VENONA," 3 November 2005, at <http://www.h-net.org/~hoac/>.

### **Who was ALES? Round Two**

There matters rested until 5 April 2007, when Hiss partisans gathered at New York University at a conference entitled "Alger Hiss and History." It was largely a gathering of the faithful—historian Ronald Radosh complained in the *New Republic* of the conference's one-sided nature—with the keynote address given by long-time *Nation* editor Victor Navasky, and an appearance by Timothy Hobson, Hiss's stepson, at which he denied key elements of Chambers's testimony.

The highlight of the day, however, and the part that generated the most press coverage, was the Bird and Chervonnaya presentation. Indeed, they acknowledged, there had been a Soviet spy at the State Department codenamed ALES, but it was not Hiss. Instead, they argued, it was Wilder Foote. Almost every observer, whether at the conference or reading about it on the Internet or in the international media, must have asked the same question—who was Wilder Foote?<sup>7</sup>

Henry Wilder Foote was born into an old New England family in 1905. He graduated from Harvard in 1927, began working as a journalist, and in 1931 moved to Vermont, where he bought three local weekly news-

papers and became their editor and publisher.

Bird and Chervonnaya pointed out that, like many of his ancestors, Foote was a man of Progressive sympathies—he was a liberal Democrat, admired Franklin Roosevelt and, in the tense times before the United States entered World War II, was an internationalist and supported aid to Britain. In November 1941, Foote moved to Washington to become an information officer with the Office of Emergency Management. In 1942, he moved to the Office of War Information, where he met Stettinius. In February 1944, Foote left the Office of War Information to become a special assistant to Stettinius, who was then under secretary of state.

When Stettinius became secretary of state in December 1944, he made Foote an assistant. Foote was at Yalta and went with Stettinius to Moscow. Because of his presence

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<sup>7</sup> The conference Web site can be found at <http://www.nyu.edu/public.affairs/releases/detail/1488>. For Radosh's preconference arguments, see "Is NYU's Alger Hiss Conference Biased," at the *New Republic's* Web site, <http://www.tnr.com/doc.mhtml?i=w070319&s=radoshprados032307>. Navasky's keynote speech, "Hiss in History," can be found at <http://www.thenation.com/doc/20070430/navasky>. For examples of press coverage of the conference in the United States and abroad, see "Stepping Out of the Shadows," *Washington Post*, 5 April 2007: C1; "Author Suggests Alger Hiss Wasn't a Soviet Spy," <http://www.msnbc.msn.com/id/17988881/>; and "Top Cold War Spy Innocent," *Guardian*, 8 April 2007: 33.

there, Foote was one of the people Eduard Mark had examined as a candidate for ALES. Mark crossed him off the list, however, for the simple reason that Foote had spent the 1930s in Vermont, which Mark believed made it unlikely that Foote would have come to the attention of Soviet intelligence before his arrival in Washington.<sup>8</sup>

If Bird and Chervonnaya were to show that Foote—or anyone other than Hiss—was ALES, they would need new evidence. Fortunately, they found it. Aleksandr Vassiliev, Allen Weinstein's coauthor of *The Haunted Wood* (1999), had sued John Lowenthal for libel after Lowenthal accused him of sloppy research. In the evidence from the trial were notes Vassiliev had taken in the KGB archives on a cable from the Washington Residency, written on 5 March 1945. According to those notes, the 5 March cable stated that ALES had been at Yalta but had since left for Mexico City and had not yet returned to Washington (Weinstein had cited part of this cable, but not the section mentioning that ALES was in Mexico City, in the updated edition of *Perjury*).

<sup>8</sup> Kai Bird and Svetlana Chervonnaya, "The Mystery of Ales," *American Scholar*, Summer 2007: 30–31; Mark, "Who Was 'Venona's' 'Ales?': 55. An expanded and fully documented version of Bird and Chervonnaya's articles can be found at <http://www.theamericanscholar.org/su07/ales-birdlong.html>.

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The importance of this, in Bird and Chervonnaya's account, is that both Hiss and Foote had accompanied Secretary Stettinius to Mexico City on 20 February to attend the Inter-American Conference on the Problems of War and Peace. Stettinius almost immediately sent Hiss back to Washington, however, to work on preparations for the upcoming San Francisco conference for the founding of the United Nations.

Next, on 3 March, Moscow asked in VENONA 195 for information on the San Francisco conference. That evening, as it turned out, Hiss appeared on a State Department radio show broadcast on NBC, and his appearance was reported in the 4 March *Washington Star* and *New York Times*. According to Bird and Chervonnaya, either NKGB Washington Resident Anatoliy Gorskiy, whose cover as a press officer required him to monitor news broadcasts and the papers, or one of his officers "would have been listening" to the broadcast.

Bird and Chervonnaya further note that Hiss participated in a radio press conference on the morning of 5 March, and Gorskiy either should have listened to or been informed of this appearance. Thus, Gorskiy "would have to have been incompetent not to know that Hiss had returned from Mexico City." The 5 March cable that Vassiliev saw in Mos-

cow was Gorskiy's interim response, in which he told the Center that he would obtain the requested information on the San Francisco conference once ALES returned to Washington. Bird and Chervonnaya conclude, therefore, that because Gorskiy knew when he wrote the 5 March cable that Hiss was in Washington, ALES must have been someone else.<sup>9</sup>

Bird and Chervonnaya never say explicitly that Foote was ALES, but they present a detailed circumstantial case that leaves no doubt they believe he was a Soviet spy. They start by turning to Igor Gouzenko, the code clerk at the NKGB's Ottawa Residency who defected to the Canadians in September 1945, and cite his report of a spy at the State Department who was an "assistant to Stettinius."

According to Bird and Chervonnaya, Soviet records consistently refer to Foote as an assistant to the secretary, while Hiss is variously referred to as a deputy director or director at State, depending on his position at any given time. Bird and Chervonnaya also cite examples of classified State Department information found in the Soviet archives to which Foote

<sup>9</sup> Bird and Chervonnaya, 26. Vassiliev's notes are in the Internet version of the article. For the radio show, see "Grew Says World Must Bar Anarchy," *New York Times*, March 4, 1945: 24.

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*insinuating that someone is a spy is an extremely serious matter and needs to be backed with hard evidence.*

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had access, and “so might have been the source.” They also note that Foote later became a high-level adviser and confidant to UN Secretary General Trygve Lie and that the Soviets received numerous documents from a source close to Lie.

Finally, Bird and Chervonnaya presented material from the FBI’s file on Foote, accumulated during several investigations while he was at State during the 1940s and later during the McCarthy period. The files show that Foote not only had progressive sympathies but also long years of friendship with individuals on the left or with communist ties. These ties, Bird and Chernnovaya say, “suggest at a minimum” that he may have been recruited as a spy while he was in Vermont. They acknowledge, however, that the Bureau’s investigations found no evidence to indicate Foote was disloyal.<sup>10</sup>

### ***A Serious Charge with no Evidence***

Making a charge of espionage or insinuating that someone is a spy is an extremely serious matter and needs to be backed

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<sup>10</sup> Bird and Chervonnaya provide details of Gouzenko’s claim, descriptions of Foote and Hiss’s titles, Foote’s access to State and UN documents in Soviet hands, Foote’s friendships, and the FBI investigations in the Internet version of “The Mystery of Ales.”

with hard evidence. Despite their efforts to show that Foote was ALES and spied for the Soviets, Bird and Chervonnaya fail to present that kind of evidence, let alone proof. One supposition follows another in their paper, and Bird and Chervonnaya pile on the “ifs”—“if Gorsky was doing his job,” he listened to the 3 and 5 March broadcasts and knew Hiss was in Washington; Foote “might have been of interest to the Soviets” when he was an editor in Vermont; Foote had the types of friendships and left-wing associations that “sometimes led to the world of Soviet espionage.” It takes the reader awhile to realize it, and the footnotes add an impressive air of authority, but by the end of the article it is clear that Bird and Chervonnaya have nothing approaching true evidence against Foote.<sup>11</sup>

Bird and Chervonnaya cannot present such evidence because, on the key points of their case, it probably does not exist. Consider the likelihood that Foote might have been working for the GRU since 1935, when he was editing his newspapers in Vermont; John Earl Haynes, the leading historian of Soviet espionage in the United States during that period, has noted that there is “no evidence whatsoever that GRU had any operations in

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<sup>11</sup> Bird and Chernnovaya, 26, 30, 33.

Vermont in the 1930s.” With a population at the time of about 360,000 people, few manufacturing establishments, and a National Guard strength of only 2,100 men, the state would have been of almost no interest to the GRU. Similarly, notes Haynes, absolutely no evidence has been found in any archive or record of investigations that connects Foote to the Communist Party. To put it simply, there is no reason to believe that Foote could have been “working with the Neighbors continuously since 1935.”<sup>12</sup>

Bird and Chervonnaya’s efforts to fill the evidentiary gaps with assertions and analogies are so stretched, in fact, that a reader might wonder how much they know about the workings and history of Soviet espionage or the history of the Hiss case. For example:

- Trying to show that Foote would have been of interest to Soviet intelligence while he was in Vermont, Bird and Chervonnaya cited the example of British spy Kim Philby to show that Moscow “placed a premium on the recruitment of journalists” who might move into government service. True as this might have been, it is a poor analogy, given that Philby had been a Communist Party mem-

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<sup>12</sup> On the GRU’s lack of interest in Vermont and Foote’s lack of ties to the Communist Party, see John Earl Haynes, “Ales: Hiss, Foote, Stettinius?” at <http://www.johnearlhaynes.org/page63.html>. For statistical data on Vermont, see *Statistical Abstract of the United States, 1938*, chapters 1 and 31.

ber and active in the European communist underground before the NKVD recruited him to penetrate British intelligence. Philby only went to work as a journalist after his attempt in 1934 to join SIS failed.

- Bird and Chervonnaya's claim that Gorskiy, because of his cover as a press officer, must have heard Hiss's radio appearances shows they do not understand the work of a residency. As NKGB resident, Gorsky was responsible for overseeing numerous clandestine operations, maintaining the security of the Soviet colony in Washington, answering a large volume of routine inquiries from Moscow (like that of 3 March), as well as mundane administrative chores. This would have left little time for cover duties—assuming he even paid attention to them, and it is unlikely that Gorskiy spent his Saturday nights listening to dull State Department broadcasts or combing the Sunday papers for brief mentions of his assets. To have assigned his subordinates to report on Hiss's whereabouts, moreover, would have breached the strict compartmentation that the NKGB practiced in its operations.
- The Soviet references to “an assistant to” Stettinius mean less than Bird and Chervonnaya believe. While Foote had this formal title in 1945 and Hiss did not, given that Hiss worked closely with Stettinius at Yalta, it was by no means unreasonable to describe him as an assistant, especially in a brief cable reference.

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*“The Mystery of Ales” is unlikely to be the last round in the Alger Hiss debate.*

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- Bird and Chervonnaya repeated the erroneous claim that, because Hiss was a “diplomat with a legal background,” it would have been a violation of the “elementary logic of intelligence tradecraft” for the Soviets to have used him as a source for military information. As noted above, a check of the Pumpkin Papers is enough to show that Hiss was an excellent source of such information.<sup>13</sup>

By the end, it is clear that Hiss alone remains the best candidate to be ALES. His espionage career from the mid-1930s has been well documented, and he fits all the other criteria set out by VENONA 1822. As for the 5 March 1945 cable placing ALES in Mexico City, the simple explanation is the strongest. Gorskiy, because he was busy and also to avoid drawing attention to his agents, was unlikely to have kept daily track of the whereabouts of residency assets. When he sent his interim reply to the 3 March cable, Gorskiy believed Hiss still was in Mexico. Like residents and chiefs of station since time immemorial, Gorskiy simply had his facts wrong and sent erroneous information to his headquarters.

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<sup>13</sup> Bird and Chervonnaya, 30, 24.

### **Why It Matters**

“The Mystery of Ales” has much in common with the many efforts to exonerate Hiss since 1950 that have come up with one explanation after another to clear Hiss. Alger Hiss himself claimed that the physical evidence against him had been forged, and other writers have claimed that Whitaker Chambers stole documents from the State Department himself, or that another official was the spy, or that Chambers's tortured psyche drove him to make up the whole story. In each of these efforts, an author invented a scenario and then did his best to prove it through selective use of evidence, bending the facts, or filling in the blanks with unfounded speculation. Like this latest effort, none of these alternative narratives holds up to serious examination.<sup>14</sup>

Regretably, “The Mystery of Ales” is unlikely to be the last

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<sup>14</sup> For various attempts to exonerate Hiss, see Alger Hiss, *In the Court of Public Opinion* (New York: Alfred A. Knopf, 1957); Fred Cook, *The Unfinished Story of Alger Hiss* (New York: William Morrow, 1958); Meyer Zelig, *Friendship and Fratricide* (New York: Viking, 1967); and John Chabot Smith, *Alger Hiss: The True Story* (New York: Holt, Rinehart, and Winston, 1976). For refutations of Zelig and Smith, see Meyer Schapiro, “Dangerous Acquaintances,” *New York Review of Books*, 23 February 1967 and Allen Weinstein, “Was Alger Hiss Framed?” *New York Review of Books*, 1 April 1976.

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*Should the views of Hiss's proponents gain ground in the academy and in popular accounts of the 1940s and 1950s, debate on current issues will be affected.*

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round in the Alger Hiss debate. The case remains too important in American history to be left alone. Arguments about whether the United States or Soviet Union was responsible for the start of the Cold War, debates regarding military and diplomatic strategies, as well as discussions about the role of intelligence and counterintelligence during the era are as vigorous as ever, as are disputes about who can claim credit for the eventual US victory. For today's left, the inheritors of the Progressive tradition that was driven from national politics by the defeat of Henry Wallace in the 1948 presidential campaign and then often presented as treacherous because of its association with Hiss, proving Hiss's innocence would be a big step toward reclaiming a major role in modern American political life. For today's conservatives, Hiss is a demonstration that significant internal threats can exist in the United States and, even if communism is gone as a threat, new dangers exist.

These disputes are not abstract and can intrude into national politics in surprising ways. In 1996, for example, President Clinton's nomination of Anthony Lake to be director of central intelligence failed, in part, because Lake stated in a television interview that he was not sure if Hiss was guilty. Most recently, President George W. Bush's nomination in 2004 of

Allen Weinstein, the author of *Perjury*, to be archivist of the United States, led to an uproar among those still angered by the impact of Weinstein's research and conclusions almost three decades ago.<sup>15</sup>

Intelligence officers now and in the future have a stake in the accuracy of histories of the Hiss case. Many of the critical issues we confront today—terrorism, weapons proliferation, rogue state threats—present questions similar to those of the early Cold War era. Then, as now, public debates focused on the questions of how much responsibility the United States bore for the development of problems overseas, how accurately the government was assessing threats, and whether the government was deliber-

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<sup>15</sup> Navasky, "Hiss in History." The debates about the Cold War are generating an enormous literature; two good starting points are Schrecker and Isserman, *Cold War Triumphalism*, and John Lewis Gaddis, *The Cold War* (New York: Penguin, 2005). For the Lake nomination and Hiss, see *Meet the Press*, 24 November 1996, transcript; "Angry Exchanges Interrupt Lake Questioning," *New York Times*, 14 March 1997: A24; and Jacob Heilbrunn, "The Great Equivocator," *New Republic*, 24 May 1997. On the Weinstein nomination, see "Bush Nominee for Archivist is Criticized for his Secrecy," *New York Times*, 20 April 2004: A14; "Bush's Choice for US Archivist, Known for Book on Alger Hiss, Irks Some Historians," *Chronicle of Higher Education*, 30 April 2004; Jon Wiener, "The Archives and Allen Weinstein," *Nation*, 17 May 2004; and "Guarding the Past," *Washington Post*, 31 March 2005: C1.

ately overstating internal dangers.

The pro-Hiss view, consistent with Progressive views from the late 1940s through the present, fixed responsibility for the start of the Cold War squarely on the United States, argued that the government greatly exaggerated internal and external dangers, and claimed that the Hiss case started the McCarthy period. Should this view gain ground in the academy and in popular accounts of the late 1940s and 1950s, debate on current issues will be affected. Intelligence and security agencies may find their analyses of threat under intense suspicion—if the government framed Hiss as a spy and covered it up for six decades, why should Washington's current claims of internal threats be believed?—because of suspicions that old hysterias are returning. That would be a sad and dangerous development.



BRIDE

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USSR

Ref. No: 3/NBP/2918 (of 11/6/1957)

Issued: 28/3/1958

Copy No. 205

2nd RE-ISSUE

"ALBERT" TO OBTAIN INFORMATION ABOUT PLANS FOR THE  
SAN FRANCISCO CONFERENCE (1945)

From: MOSCOW

To: NEW YORK

No: 195

3 Mar. 45

At the forthcoming meeting with ALBERT<sup>[1]</sup> pass on to him on our behalf the following task:

Jointly with ROBERT<sup>[ii]</sup> take all requisite steps to obtain in good time and pass on to us information about the composition of the delegation to the forthcoming conference<sup>[iii]</sup> which<sup>[a]</sup> is in BABYLON[VAVILON]<sup>[iv]</sup> [5 groups unrecovered]; what tactics the delegation intends to adopt, whom it is counting on for support, what blocs have been prepared already and [Q% formed], how far there will be a united line for the representatives of the Anglo-Saxon world and so on. As the information comes in pass it on to the Centre<sup>[v]</sup> by telegraph without delay.

No. 1302  
3rd March

VIKTOR<sup>[vi]</sup>

Note: [a] I.e. the delegation.

Comments: [i] ALBERT : Unidentified cover-name.  
[ii] ROBERT : Nathan Gregory SILVERMASTER.  
[iii] The United Nations Conference at SAN FRANCISCO opened on 25th April 1945.  
[iv] BABYLON: SAN FRANCISCO.  
[v] Centre : I.e. the MOSCOW Headquarters of the writer's organisation, viz. the MGB.  
[vi] VIKTOR : Lt. Gen. P.M. FITIN.

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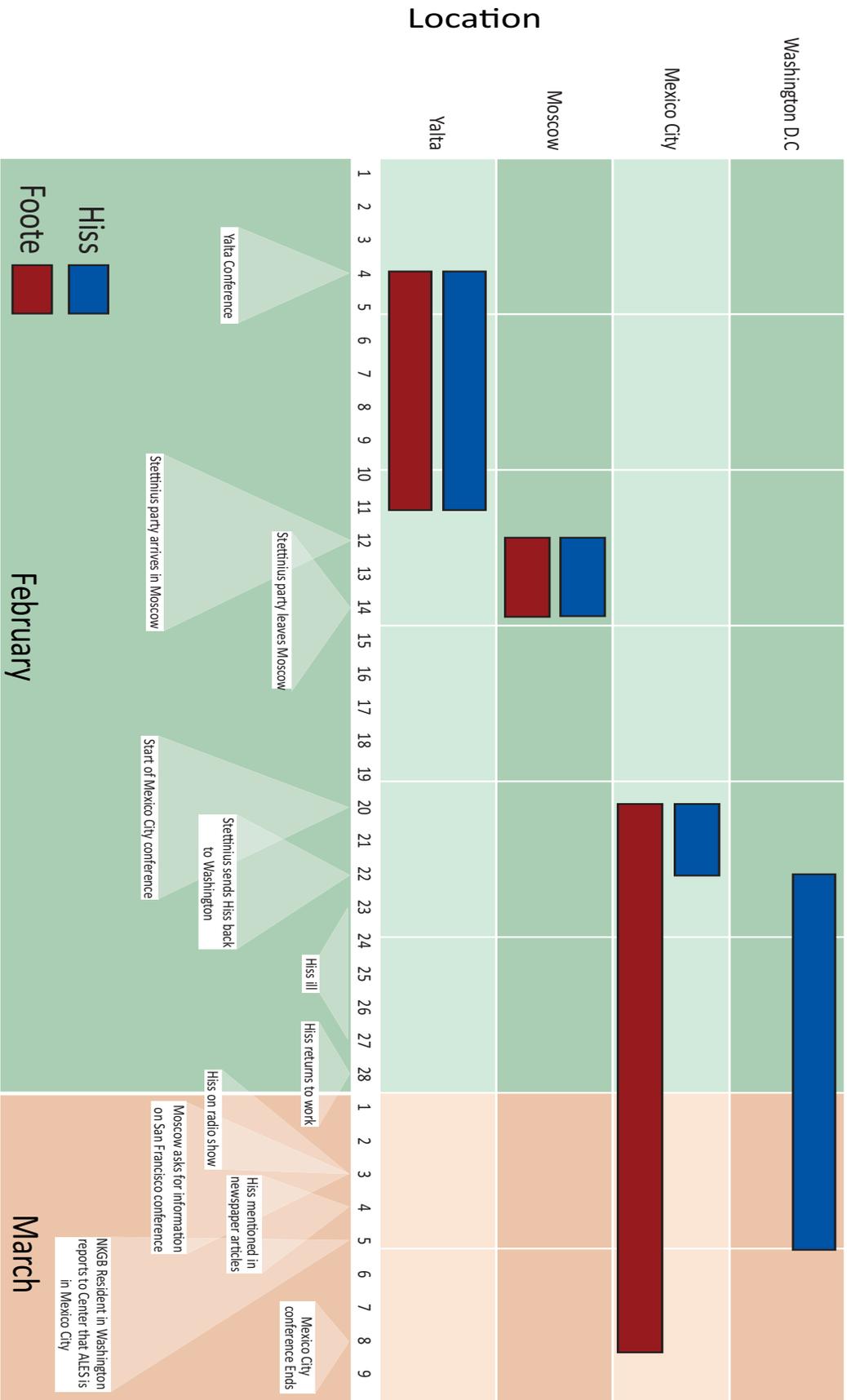
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Moscow's 3 March request for intelligence on the San Francisco conference on the United Nations.

**Timeline of Hiss and Foote Activity, February to March 1945. (U)**



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