Date: August 2, 2021

From: National Archives and Records Administration

Subject: Reconstructed FBI File BH 66-2204, Serials 1-15

To: The File

This memorandum briefly summarizes the status of missing original Federal Bureau of
Investigation (FBI) case files or portions of case files in the President John F. Kennedy
Assassination Records Collection (JFK Collection) and documents the National Archives and
Records Administration's (NARA) efforts to reconstruct these records, where possible, from
duplicate copies of documents located in other FBI files.

As the JFK Collection was first compiled and reviewed in the 1990s, the Assassination Records
Review Board and the FBI designated some records as "not believed relevant" (NBR) or "not
assassination related" (NAR). The FBI retained custody of the NBR/NAR records and
postponed their transfer to NARA until a later date. Every document or group of documents
("serials"), however, received an indexed Record Identification Form (RIF) and FBI inventory
sheet for insertion into the JFK Collection.

After an extensive search, neither the FBI nor the National Archives could locate a small
number of NAR documents or case files.

This compilation represents NARA's efforts to reconstruct the original file or portions of the file,
as completely as possible, with duplicate copies of documents located in the FBI field office and
headquarters files within the JFK Collection. Each reconstructed file or compilation contains a
Record Identification Form, an explanatory cover memo, existing administrative documents
available within the JFK Collection, and copies of identified duplicate documents. The table
below summarizes the status of FBI file BH 66-2204, Serials 1-15.

<table>
<thead>
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Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion (these deletions).

[ ] Deletions were made pursuant to the postponement rationale indicated below with no segregable material available for disclosure. All references relate to Section 6 of the "President John F. Kennedy Assassination Records Collection Act of 1992."

[ ] Subsection 1A (intelligence agent's identity)
[ ] Subsection 1B (intelligence source or method)
[ ] Subsection 1C (other matter relating to military defense, intelligence operations or the conduct of foreign relations)
[ ] Subsection 2 (living person who provided confidential information)
[ ] Subsection 3 (unwarranted invasion of privacy)
[ ] Subsection 4 (cooperating individual or foreign government, currently requiring protection)
[ ] Subsection 5 (security or protective procedure, currently or expected to be utilized)

[ ] Information pertained to a matter unrelated to the JFK Assassination investigation.

[ ] For your information:

[ ] The following number is to be used for reference regarding this page (these pages):

BH 66-2204-1 then 15

XXXXXXXXXX
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### JFK Inventory Sheet
(Committees Files)

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**Section #**: 1  
**Re**: CHURCH COMM.

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TO ALL SACS
FROM DIRECTOR FBI

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

SENATOR FRANK CHURCH, CHAIRMAN OF THE SENATE SELECT
COMMITTEE, TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES HAS MADE AN INITIAL REQUEST FOR INFORMA-
TION FROM THE FBI. AMONG THE ITEMS REQUESTED IS A BREAKDOWN
OF FIELD AGENT PERSONNEL ASSIGNED TO INTERNAL SECURITY AND
COUNTERINTELLIGENCE MATTERS.

ACCORDINGLY, WITHIN FOUR EIGHT HOURS EACH SAC SHOULD
SUTEL TO FBIHQ, ATTENTION: BUDGET AND ACCOUNTING SECTION,
SETTING FORTH SEPARATELY THE NUMBER OF SACS, ASACs, SUPERVISORS
AND AGENTS ASSIGNED TO INTERNAL SECURITY AND COUNTERINTELLI-
IGENCE MATTERS. PERCENTAGES OF AN AGENT'S TIME, WHEN NOT
ASSIGNED FULL-TIME TO THESE ACTIVITIES, SHOULD BE USED IF APPRO-
PRIATE, PARTICULARLY IN THE SUPERVISORY CATEGORIES. THIS
INFORMATION SHOULD BE BROKEN DOWN SEPARATELY BETWEEN INTERNAL

1 - Each Assistant Director

NOTE: By letter dated 3/19/75 Senator Frank Church, Chairman of the Senate
Select Committee To Study Governmental Operations With Respect To Intelli-
gen Activities, made an initial request for data concerning the FBI's legal
authority, jurisdictional agreements, organization and staffing policies and
procedures and studies and reports concerning internal security and counter-
inelligence activities. It is necessary to contact the field offices to obtain
specific information concerning the current agent staff assigned to these
matters.
TELETYPING TO ALL SACS
RE: SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

SECURITY AND COUNTERINTELLIGENCE. YOUR RESPONSE SHOULD BE LIMITED TO AGENT PERSONNEL ONLY.
241 PM NTEL MARCH 25, 1975 DGS

TO: DIRECTOR
FROM: BIRMINGHAM (66-2204)

ATTN: BUDGET AND ACCOUNTING SECTION
SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES.

REBUTEL, 3/24/74, REGARDING PERSONNEL ASSIGNED TO INTERNAL SECURITY (IS) AND COUNTERINTELLIGENCE (CI) MATTERS.

BIRMINGHAM HAS NO AGENT PERSONNEL ASSIGNED FULL-TIME TO THESE MATTERS. FOLLOWING REPRESENT PERCENTAGES OF AGENT TIME:

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TO SACS ALL OFFICES
FROM DIRECTOR FBI (62-116395)

SENSTUDY 75

1 - Mr. T. J. Jenkins 5/2/75
1 - Mr. J. B. Adams
1 - Each Assistant Director
1 - Mr. W. O. Cregar

PERSONAL ATTENTION

CAPTIONED MATTER PERTAINS TO BUREAU'S HANDLING OF REQUESTS FROM SENATE AND HOUSE SELECT COMMITTEES TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES. IN CONNECTION WITH WORK OF THESE COMMITTEES, STAFF MEMBERS MAY SEEK TO INTERVIEW CURRENT AND FORMER FBI EMPLOYEES.

RECENTLY, THE SENATE SELECT COMMITTEE (SSC) STAFF HAS INTERVIEWED SEVERAL FORMER EMPLOYEES AND IT IS ANTICIPATED THAT MANY MORE SUCH PERSONNEL WILL BE CONTACTED.

THE FBI HAS PLEDGED FULL COOPERATION WITH THE COMMITTEE AND WE WISH TO ASSIST AND FACILITATE ANY INVESTIGATIONS UNDER-TAKEN BY THE COMMITTEE WITH RESPECT TO THE FBI. HOWEVER, WE DO HAVE AN OBLIGATION TO INSURE THAT SENSITIVE SOURCES AND METHODS AND ONGOING SENSITIVE INVESTIGATIONS ARE FULLY

REC-16

SEE NOTES PAGE TWO
TELETYPE TO ALL OFFICES
RE: SENSTUDY 75
62-116395

PROTECTED. SHOULD ANY FORMER EMPLOYEE CONTACT YOUR OFFICE AND HAVE ANY QUESTION REGARDING HIS OBLIGATION NOT TO DIVULGE INFORMATION OBTAINED BY VIRTUE OF HIS PAST FBI EMPLOYMENT, HE SHOULD BE INSTRUCTED TO CONTACT LEGAL COUNSEL, FBIHQ, BY COLLECT CALL. YOUR CONVERSATIONS WITH FORMER EMPLOYEES MUST BE IN KEEPING WITH OUR PLEDGE. IT IS BELIEVED SUCH A PROCEDURE WOULD INSURE PROPER PROTECTION AND ALSO FACILITATE THE WORK OF THE SSC.

THE ABOVE PROCEDURE ALSO APPLIES TO CURRENT EMPLOYEES OF YOUR OFFICE. HOWEVER, CONTACT WITH THE LEGAL COUNSEL SHOULD BE HANDLED THROUGH THE SAC.

NOTE: Teletype prepared for all offices to alert SACs to the possibility former employees may contact their offices seeking guidance.

The Office of Legal Counsel in response to requests from former employees will utilize the briefing paper prepared by the Intelligence Community Staff of the Director of Central Intelligence and concurred in by Assistant Attorney General Antonino Scalia.

- 2 -

NW 65994 DocId:32170688 Page 12
TO ALL SACS

FROM DIRECTOR FBI (62-116395)

SENSTUDY - 75.

IN CONNECTION WITH WORK OF THE SENATE AND HOUSE SELECT COMMITTEES, ITS REPRESENTATIVES MAY CONTACT YOUR OFFICE FOR INFORMATION.

IN ONE RECENT INSTANCE, A REPRESENTATIVE OF THE SENATE SELECT COMMITTEE TELEPHONICALLY INQUIRED AS TO IDENTITY OF SAC IN A PARTICULAR OFFICE DURING 1970.

IN HANDLING SUCH INQUIRIES INSURE ESTABLISHING BONA FIDES OF REPRESENTATIVE BY SHOW OF CREDENTIALS ON PERSONAL CONTACT OR, IF TELEPHONIC CONTACT, BY TELEPHONING BACK TO COMMITTEE.

UNLESS INFORMATION IS OF A PUBLIC NATURE, AS IN THE INSTANCE CITED ABOVE, OBTAIN FBITHQ CLEARANCE PRIOR TO SUPPLYING ANY INFORMATION. FBITHQ MUST BE EXPEDITIOUSLY ADVISED OF ALL INFORMATION FURNISHED.

SFP:cmc (19)

NOTE:

Referenced teletype alerted field to work of the Senate and House Select Committees and Bureau's handling of its requests. Also, it pointed out FBI has pledged full cooperation with Committees. San Francisco teletype 5/14/75 advised that on that day Lester B. Seidel, Investigator, Senate Select Committee, telephonically sought and was furnished identities of SACs in San Francisco in 1970. Seidel did not indicate specific nature of his inquiries. Considering the publicity being afforded the work of the Committee, it is not inconceivable some unauthorized persons may attempt to obtain information from the FBI particularly at field level, under guise of one of the committees. It is therefore believed this teletype to all SACs is desirable as a cautionary measure.
MEMORANDUM TO ALL EMPLOYEES

RE: INTERVIEWS OF FBI EMPLOYEES

All employees are advised that Congress is conducting an inquiry into activities of the Federal Bureau of Investigation. Congressional staff members are conducting interviews of former and current FBI employees. This Bureau has pledged its cooperation with the Congress.

You are reminded of the FBI Employment Agreement (copy attached) with which you agreed to comply during your employment in the FBI and following termination of such employment.

Also, you are reminded of Title 28, Code of Federal Regulations, Section 16.22 (copy attached), which reads as follows:

"No employee or former employee of the Department of Justice shall, in response to a demand of a court or other authority, produce any material contained in the files of the Department or disclose any information relating to material contained in the files of the Department, or disclose any information or produce any material acquired as part of the performance of his official duties or because of his official status without prior approval of the appropriate Department official or the Attorney General in accordance with Section 16.24."

Also, you are reminded of Department of Justice Order Number 116-56, dated May 15, 1956, (copy attached) which, among other things, requires an employee upon the completion of his testimony to prepare a memorandum outlining his testimony.

Our cooperative efforts, of course, must be consistent with the above cited authority. Therefore, if you are contacted for purpose of interview or testimony you are to request approval as required by the Employment Agreement and await authorization before furnishing information, testimony, or record material.

Enclosures (3)

Clarence M. Kelley
Director
EMPLOYMENT AGREEMENT

As consideration for employment in the Federal Bureau of Investigation (FBI), United States Department of Justice, and as a condition for continued employment, I hereby declare that I intend to be governed by and I will comply with the following provisions:

(1) That I am hereby advised and I understand that Federal law such as Title 18, United States Code, Sections 793, 794, and 798; Order of the President of the United States (Executive Order 11652); and regulations issued by the Attorney General of the United States (28 Code of Federal Regulations, Sections 16.21 through 16.26) prohibit loss, misuse, or unauthorized disclosure or production of national security information, other classified information and other nonclassified information in the files of the FBI;

(2) I understand that unauthorized disclosure of information in the files of the FBI or information I may acquire as an employee of the FBI could result in impairment of national security, place human life in jeopardy, or result in the denial of due process to a person or persons who are subjects of an FBI investigation, or prevent the FBI from effectively discharging its responsibilities. I understand the need for this secrecy agreement; therefore, as consideration for employment I agree that I will never divulge, publish, or reveal either by word or conduct, or by other means disclose to any unauthorized recipient without official written authorization by the Director of the FBI or his delegate, any information from the investigatory files of the FBI or any information relating to material contained in the files, or disclose any information or produce any material acquired as a part of the performance of my official duties or because of my official status. The burden is on me to determine, prior to disclosure, whether information may be disclosed and in this regard I agree to request approval of the Director of the FBI in each such instance by presenting the full text of my proposed disclosure in writing to the Director of the FBI at least thirty (30) days prior to disclosure. I understand that this agreement is not intended to apply to information which has been placed in the public domain or to prevent me from writing or speaking about the FBI but it is intended to prevent disclosure of information where disclosure would be contrary to law, regulation or public policy. I agree the Director of the FBI is in a better position than I to make that determination;

(3) I agree that all information acquired by me in connection with my official duties with the FBI and all official material to which I have access remains the property of the United States of America, and I will surrender upon demand by the Director of the FBI or his delegate, or upon separation from the FBI, any material relating to such information or property in my possession;

(4) That I understand unauthorized disclosure may be a violation of Federal law and prosecuted as a criminal offense and in addition to this agreement may be enforced by means of an injunction or other civil remedy.

I accept the above provisions as conditions for my employment and continued employment in the FBI. I agree to comply with these provisions both during my employment in the FBI and following termination of such employment.

(Signature)

(Type or print name)

Witnessed and accepted in behalf of the Director, FBI, on

, 19 , by

(Signature)
Title 28—JUDICIAL ADMINISTRATION
Chapter I—Department of Justice
[Order 501-73]

PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

Subpart B—Production or Disclosure in Response to Subpoenas or Demands of Courts or Other Authorities

This order delegates to certain Department of Justice officials the authority to approve the production or disclosure of material or information contained in Department files or information or material acquired by a person while employed by the Department. It applies where a subpoena, order or other demand of a court or other authority, such as an administrative agency, is issued for the production or disclosure of such information.

By virtue of the authority vested in me by 28 U.S.C. 509, 510, and 5 U.S.C. 301, Subpart B of Part 16 of Chapter I of Title 28, Code of Federal Regulations, is revised, and its provisions renumbered, to read as follows:

Subpart B—Production or Disclosure in Response to Subpoenas or Demands of Courts or Other Authorities

Sec.
16.21 Purpose and scope.
16.22 Production or disclosure prohibited unless approved by appropriate Department official.
16.23 Procedure in the event of a demand for production or disclosure.
16.24 Final action by the appropriate Department official or the Attorney General.
16.25 Procedure where a Department decision concerning a demand is not made prior to the time a response to the demand is required.
16.26 Procedure in the event of an adverse ruling.


Subpart B—Production or Disclosure in Response to Subpoenas or Demands of Courts or Other Authorities

§ 16.21 Purpose and scope.

(a) This subpart sets forth the procedures to be followed when a subpoena, order, or other demand (hereinafter referred to as a "demand") of a court or other authority is issued for the production or disclosure of (1) any material contained in the files of the Department, (2) any information relating to material contained in the files of the Department, or (3) any information or material acquired by any person while such person was an employee of the Department as a part of the performance of his official duties or because of his official status.

(b) For purposes of this subpart, the term "employee of the Department" includes all officers and employees of the United States appointed by, or subject to the supervision, jurisdiction, or control of, the Attorney General of the United States, including U.S. attorneys, U.S. marshals, and members of the staff of those officials.

§ 16.22 Production or disclosure prohibited unless approved by appropriate Department official.

No employee or former employee of the Department of Justice shall, in response to a demand of a court or other authority, produce any material contained in the files of the Department or disclose any information relating to material contained in the files of the Department, or disclose any information or produce any material acquired as part of the performance of his official duties or because of his official status without prior approval of the appropriate Department official or the Attorney General in accordance with § 16.24.

§ 16.23 Procedure in the event of a demand for production or disclosure.

(a) Whenever a demand is made upon an employee or former employee of the Department for the production of material or the disclosure of information described in § 16.21(a), he shall immediately notify the U.S. attorney for the district where the issuing authority is located. The U.S. attorney shall immediately request instructions from the appropriate Department official, as designated in paragraph (b) of this section.

(b) The Department officials authorized to approve production or disclosure under this subpart are:

(1) In the event that the case or other matter which gave rise to the demand for material or information is or, if closed, was within the cognizance of a division of the Department, the Assistant Attorney General in charge of that division. This authority may be re-delegated to Deputy Assistant Attorneys General.

(2) In instances of demands that are not covered by paragraph (b)(1) of this
§ 16.26 Procedure in the event of an adverse ruling.

If the court or other authority declines to stay the effect of the demand in response to a request made in accordance with § 16.25 pending receipt of instructions, or if the court or other authority rules that the demand must be complied with irrespective of instructions not to produce the material or disclose the information sought, in accordance with § 16.24, the employee or former employee upon whom the demand has been made shall respectfully decline to comply with the demand. "United States ex rel Touhy v. Ragen," 340 U.S. 462.


RICHARD G. KLEINDIENST, Attorney General.

[FR Doc.73-1071 Filed 1-17-73; 8:45 am]
It is the policy of the Department of Justice to extend the fullest possible cooperation to congressional committees requesting information from departmental files, interviews with department employees, testimony of department personnel, or testimony of Federal prisoners. The following procedures are prescribed in order to effectuate this policy on a basis which will be mutually satisfactory to the congressional committees and to the Department. [This order supersedes the Deputy Attorney General's Memorandum No. 5, dated March 23, 1953; and his Memorandum No. 97, dated August 5, 1954. It formalizes the Attorney General's press release of November 5, 1953, establishing procedures to permit committees of the Congress and their authorized representatives to interview and to take sworn testimony from Federal prisoners. It supplements Order No. 3229 (Revised) dated January 13, 1953, and Order No. 3464, Supplement No. 4 (Revised) dated January 13, 1953 (with Memorandum of "Authorization Under Order No. 3464 Supplement No. 4 (Revised)" dated January 13, 1953), insofar as said orders have reference to procedures to be followed in the Department's relations with congressional committees. In support of this order, reference should be had to the President's letter dated May 17, 1954, addressed to the Secretary of Defense, and to the Attorney General's Memorandum which accompanied it.]

A. REQUESTS FOR INFORMATION FROM DEPARTMENT FILES

1. Congressional committee requests for the examination of files or other confidential information should be reduced to writing, signed by the chairman of the committee, and addressed to the Deputy Attorney General, who is responsible for the coordination of our liaison with Congress and congressional committees. The request shall state the specific information sought as well as the specific objective for which it is sought. The Deputy Attorney General will forward the request to the appropriate division where a reply will be prepared and returned for the Deputy Attorney General's signature and dispatch to the chairman of the committee.

2. If the request concerns a closed case, i.e., one in which there is no litigation or administrative action pending or contemplated, the file may be made available for review in the Department, in the presence of the official or employee having custody thereof. The following procedure shall be followed in such cases:

   a. The reply letter will advise the committee that the file is available for examination and set forth the name, telephone extension number, and room number of the person who will have custody of the file to be reviewed;
b. Before making the file available to the committee representative all reports and memoranda from the FBI as well as investigative reports from any other agency, will be removed from the file and not be made available for examination; provided however that if the committee representative states that it is essential that information from the FBI reports and memoranda be made available, he will be advised that the request will be considered by the Department. Thereafter a summary of the contents of the FBI reports and memoranda involved will be prepared which will not disclose investigative techniques, the identity of confidential informants, or other matters which might jeopardize the investigative operations of the FBI. This summary will be forwarded by the division to the FBI with a request for advice as to whether the FBI has any objection to examination of such summary by the committee representative. The file will not be physically relinquished from the custody of the Department. If the committee representative desires to examine investigative reports from other government agencies, contained in the files of the Department, he will be advised to direct his request to the agency whose reports are concerned.

3. If the request concerns an open case, i.e., one which litigation or administrative action is pending or contemplated, the file may not be made available for examination by the committee's representative. The following procedure shall be followed:

a. The reply letter should advise the committee that its request concerns a case in which litigation or administrative action is pending or contemplated, and state that the file cannot be made available until the case is completed; and

b. Should briefly set forth the status of the case in as much detail as is practicable and prudent without jeopardizing the pending contemplated litigation or administrative action.

B. REQUESTS FOR INTERVIEWS WITH DEPARTMENTAL PERSONNEL

1. Requests for interviews with departmental personnel regarding any official matters within the Department should be reduced to writing, signed by the chairman of the committee, and addressed to the Deputy Attorney General. When the approval of the Deputy Attorney General is given, the employee is expected to discuss such matters freely and cooperatively with the representative, subject to the limitations prescribed in A respecting open cases and data in investigative reports;
2. Upon the completion of the interview with the committee representative the employee will prepare a summary of it for the file, with a copy routed to his division head and a copy routed to the Deputy Attorney General.

C. EMPLOYEES TESTIFYING BEFORE CONGRESSIONAL COMMITTEES

1. When an employee is requested to testify before a congressional committee regarding official matters within the Department the Deputy Attorney General shall be promptly informed. When the Deputy Attorney General's approval is given the employee is expected to testify freely subject to limitations prescribed in a respecting open cases and data in investigative reports;

2. An employee subpoenaed to testify before a congressional committee on official matters within the Department shall promptly notify the Deputy Attorney General. In general he shall be guided in testifying by Order 3229 (Revised) and the President's letter of May 17, 1954, cited at the beginning of this Order.

3. Upon the completion of his testimony the employee will prepare a memorandum outlining his testimony with a copy routed to his division head and a copy routed to the Deputy Attorney General.

D. REQUESTS OF CONGRESSIONAL COMMITTEES FOR THE TESTIMONY OF FEDERAL PRISONERS

Because of the custodial hazards involved and the extent to which their public testimony may affect the discipline and well-being of the institution, it is the policy of the Department not to deliver Federal prisoners outside the penal institution in which they are incarcerated for the purpose of being interviewed or examined under oath by congressional committees. However, when it appears that no pending investigation or legal proceeding will be adversely affected thereby and that the public interest will not be otherwise adversely affected, Federal prisoners may be interviewed or examined under oath by congressional committees in the institution in which they are incarcerated under the following procedures, and with the specific advance approval of the Deputy Attorney General.

1. Arrangements for interviewing and taking of sworn testimony from a Federal prisoner by a committee of the Congress or the authorized representatives of such a committee shall be made in the form of a written request by the chairman of the committee to the Deputy Attorney General.

2. Such written request shall be made at least ten (10) days prior to the requested date for the interview and the taking of testimony and shall be accompanied by written evidence that authorization for the interview or the taking of sworn testimony was approved by vote of the committee. Such request shall contain a statement of the purpose and the subjects upon which the prisoner will be interrogated as well as the names of all persons other than the representatives of the Department of Justice who will be present.

3. A member of the interested committee of the Congress shall be present during the entire time of the interrogation.
4. The warden of the penal institution in which the Federal prisoner is incarcerated shall, at least forty-eight (48) hours prior to the time at which the interview takes place, advise the Federal prisoner concerned of the proposed interview or taking of sworn testimony; and shall further advise that he is under the same, but no greater obligation to answer than any other witness who is not a prisoner.

5. The warden of the penal institution shall have complete authority in conformity with the requirements of security and the maintenance of discipline to limit the number of persons who will be present at the interview and taking of testimony.

6. The warden or his authorized representative shall be present at the interview and at the taking of testimony and the Department of Justice shall have the right to have one of its representatives present throughout the interview and taking of testimony.

7. The committee shall arrange to have a stenographic transcript made of the entire proceedings at committee expense and shall furnish a copy of the transcript to the Department of Justice.

E. OBSERVERS IN ATTENDANCE AT COMMITTEE HEARINGS

In order that the Department may be kept currently advised in matters within its responsibility, and in order that the Deputy Attorney General may properly coordinate the Department's liaison with Congress and its committees, each division that has an observer in attendance at a congressional hearing, will have the observer prepare a written summary of the proceedings which should be sent to the division head and a copy routed to the Deputy Attorney General.

/s/ Herbert Brownell, Jr.

Attorney General
TO SACS ATLANTA
BIRMINGHAM
ALBANY
JACKSONVILLE

TO KNIGHTS ATLANTA
BIRMINGHAM
ALBANY
JACKSONVILLE

PERSONAL ATTENTION
(Attr: T. Brownfield)

FROM DIRECTOR FBI (62-116395)

SENSTUDY 75

REBETEL MAY 2, 1975.

INQUIRIES MADE OF BUREAU BY SENATE SELECT COMMITTEE (SSC)

CONCERNING A NUMBER OF PRESENT AND FORMER FBI EMPLOYEES,
INCLUDING THEIR CURRENT WHEREABOUTS, SUGGESTS THEY MAY BE
INTERVIEWED BY SSC STAFF CONCERNING BUREAU'S FORMER INVESTIGATION
OF MARTIN LUTHER KING, JR. SET OUT BELOW ARE NAMES AND
LAST KNOWN ADDRESSES OF FORMER BUREAU EMPLOYEES AND OFFICE OF
ASSIGNMENT OF INCUMBENTS, ALL OF WHOM SSC HAS INQUIRED ABOUT.

EACH OF THESE FORMER EMPLOYEES IS TO BE IMMEDIATELY
CONTACTED AND ALERTED THAT HE MIGHT BE APPROACHED BY THE SSC

STAFF ABOUT THE KING INVESTIGATION. THEY SHOULD BE TOLD THAT

IN THE EVENT THEY ARE INTERVIEWED AND DURING THE COURSE OF

SFP:1hb

3 JUL 9 1975

MAIL ROOM TELETYPEx UNIT
SAME, QUESTIONS ARE ASKED WHICH RELATE TO SENSITIVE BUREAU OPERATIONS (SOURCES, METHODS, TECHNIQUES, THIRD AGENCY RULE AND ONGOING INVESTIGATIONS), THEY MAY REQUEST THAT AN FBI AGENT BE PRESENT. BUREAU WILL PROVIDE AGENT ON REQUEST OF INTERVIEWEE. AS A PRELUDE TO INTERVIEW, THE FORMER EMPLOYEE MAY, AFTER BEING CONTACTED BY SSC STAFF, CONTACT BUREAU'S LEGAL COUNSEL DIVISION BY COLLECT CALL FOR FULL INFORMATION TO ASSIST HIM, INCLUDING OBLIGATIONS AS TO CONFIDENTIALITY OF INFORMATION ACQUIRED AS FBI EMPLOYEE. IT IS EMPHASIZED THAT BUREAU'S OFFER OF ASSISTANCE IS NOT INTENDED TO IMPEDE SSC WORK BUT IS DONE AS COOPERATIVE GESTURE AND TO SAFEGUARD SENSITIVE BUREAU INFORMATION. CONTACTS WITH THESE FORMER EMPLOYEES TO BE HANDLED PERSONALLY BY SAC OR ASAC. IN EVENT THIS NOT FEASIBLE FOR JUST CAUSE, TO BE HANDLED BY A SENIOR SUPERVISOR.

INCUMBENT EMPLOYEES TO BE ADVISED THAT IF CONTACTED BY SSC STAFF FOR INTERVIEW, LEGAL COUNSEL DIVISION TO BE IMMEDIATELY NOTIFIED THROUGH SAC.

IMMEDIATELY AFTER CONTACT, RESULTS SHOULD BE FURNISHED BUREAU BY TELETEYPE IN ABOVE CAPTION. IF A FORMER EMPLOYEE IS NO LONGER IN YOUR TERRITORY OR TEMPORARILY AWAY, SET OUT LEAD
ATLANTA: INCUMBENTS - DONALD P. BURGESS, RICHARD E.
FUGATT, EDMUND F. HAGGERTY, O. RICHARD HAMILTON, CHARLES T.
HAYNES, WILBUR W. SETZER, ROBERT W. THOMSON. FORMER -
MARION E. CHEEK, 1613 GAIL AVENUE, ALBANY, GEORGIA 31705;
CHARLES T. HARDING, 2243 PINECLIFF DRIVE, NORTHEAST, ATLANTA,
GEORGIA 30345.

BIRMINGHAM: LAURENCE T. CURLEY, 1340 WESTMINISTER
PLACE, BIRMINGHAM, ALABAMA 35235.

ALBANY: HENRY G. ROUSE, JR., 39 NORTH MAIN STREET,
 ENOSBURG FALLS, VERMONT 05450.

JACKSONVILLE: WILLIAM LEE BOLYARD - INCUMBENT.

KNOXVILLE: W. JOHN BENSON - INCUMBENT.

LOS ANGELES: JAMES M. KELLOGG - INCUMBENT.

TAMPA: JAMES E. MCMAHON, 3110 COCOS ROAD, TAMPA,

FLORIDA 33618.

CHICAGO: JOHN BASSETT - INCUMBENT.

NOTE:

Legal Counsel Division has obtained an advanced copy of a letter dated 6/24/75 from John T. Elliff of the SSC Staff to K. William O'Connor of the Deputy AG's Office (copy attached) which makes reference to prior SSC requests concerning the King investigation and asks for the present offices of assignment or last known addresses of 19 individuals. The list had 21 names, two of which were duplicates. Several
NOTE CONTINUED:

of the names were misspelled but we have been able to fairly well establish that the individuals they are interested in are those listed above. Included in the list were the following supervisors presently assigned at FBIHQ: William D. Campbell - Laboratory, Joseph H. O'Rourke - Training Division and Timothy Dorch - INTD. The caution taken herein in alerting former employees, as well as incumbents, is same we have taken by previous teletypes to selected SACs. After dispatch instant teletype, copies will be filed in personnel files of all named herein. The referenced 5/2/75 teletype was to all offices furnishing background regarding Senstudy 75. We are separately handling necessary response to the SSC.
R E B U T E L May 2, 1975.

PURPOSES OF INSTANT TELETYPE ARE TO (1) REITERATE THAT FBI HAS PLEDGED FULL COOPERATION WITH THE SENATE SELECT COMMITTEE (SSC) AND "WISHES TO ASSIST AND FACILITATE ANY INVESTIGATIONS UNDERTAKEN BY THE SSC WITH RESPECT TO THE FBI; AND (2) SET FORTH NEW PROCEDURE RELATING TO SSC STAFF INTERVIEWS OF CURRENT AND FORMER FBI EMPLOYEES.

FOR INFORMATION OF THOSE OFFICES WHICH HAVE NOT PREVIOUSLY HAD CURRENT OR FORMER EMPLOYEES IN ITS TERRITORY INTERVIEWED BY THE SSC, THE BUREAU FREQUENTLY LEARNS FROM THE SSC OR OTHERWISE THAT FORMER EMPLOYEES ARE BEING CONSIDERED FOR INTERVIEW BY THE SSC STAFF. INSTRUCTIONS ARE ISSUED FOR THE FIELD OFFICE TO CONTACT THE FORMER EMPLOYEE TO ALERT HIM AS TO POSSIBLE INTERVIEW, REMIND HIM OF HIS CONFIDENTIALITY AGREEMENT WITH THE BUREAU AND SUGGEST THAT IF HE IS CONTACTED FOR

ASAC
GILBERT
KEEFE
LONERGAN

SEP 4 1975
FBI-ALBANY

62-8368-9
INTERVIEW, HE MAY CONTACT THE LEGAL COUNSEL DIVISION BY
COLLECT CALL FOR FURTHER INFORMATION. IN THE USUAL CASE,
AS CIRCUMSTANCES UNFOLD, THE FORMER EMPLOYEE IS TOLD(1)
THAT HE HAS A RIGHT TO LEGAL COUNSEL, BUT THAT THE BUREAU
CANNOT PROVIDE SAME; (2) THAT THE BUREAU HAS WAIVED THE
CONFIDENTIALITY AGREEMENT FOR THE INTERVIEW WITHIN SPECIFIED
PARAMETERS; AND (3) THAT THERE ARE FOUR PRIVILEGED AREAS IN
WHICH HE IS NOT REQUIRED TO ANSWER QUESTION. THESE AREAS
ARE RELATING TO INFORMATION WHICH MAY (A) IDENTIFY BUREAU
SOURCES; (B) REVEAL SENSITIVE METHODS/TECHNIQUES; (C) REVEAL
IDENTITIES OF THIRD AGENCIES, INCLUDING FOREIGN INTELLIGENCE
AGENCIES, OR INFORMATION FROM SUCH AGENCIES; AND (D) ADVERSELY
AFFECT ONGOING BUREAU INVESTIGATIONS.

HEREFORE, BUREAU HAS OFFERED INTERVIEWEES CONSULTATION
PRIVILEGES WHEREBY A BUREAU SUPERVISOR WOULD BE AVAILABLE
NEARBY, ALTHOUGH NOT ACTUALLY AT INTERVIEW, SO INTERVIEWEE
MIGHT CONSULT WITH HIM SHOULD QUESTIONS ARISE AS TO PARAMETERS
OF INTERVIEW OR PRIVILEGED AREAS. THE CONSULTANT DID NOT ACT
AS A LEGAL ADVISOR.

EFFECTIVE IMMEDIATELY, BUREAU WILL NO LONGER PROVIDE
PAGE THREE

ON-THE-SCENE PERSONNEL FOR CONSULTATION PURPOSES TO ASSIST EITHER CURRENT OR FORMER EMPLOYEES. PROSPECTIVE INTERVIEWEES SHOULD BE TOLD THAT, IF THEY DESIRE ASSISTANCE OF THIS NATURE DURING AN INTERVIEW, THEY MAY CONTACT EITHER PERSONALLY (IF INTERVIEW IS IN WASHINGTON, D. C.) OR BY COLLECT CALL, THE ASSISTANT DIRECTOR OF THE INTELLIGENCE DIVISION, MR. W. R. WARWICK, OR, IN HIS ABSENCE, SECTION CHIEF W. O. CREGAR.

THIS CHANGE IN PROCEDURE SHOULD NOT BE CONSTRUED AS LESSENING THE ASSISTANCE WE ARE FURNISHING TO CURRENT AND FORMER EMPLOYEES.

FOR YOUR ADDITIONAL INFORMATION, I AM WORKING WITH THE DEPARTMENT IN EXPLORING AVENUES TO ARRANGE LEGAL REPRESENTATION, WHEN NEEDED, FOR CURRENT AND FORMER EMPLOYEES WITHOUT EXPENSE TO THEM. YOU WILL BE KEPT ADVISED OF DEVELOPMENTS IN THIS REGARD.

END

LVV FBI ALBANY

CLR
NR 030 WA CODE

615PM NITEL 9/5/75 PMJ

TO: ALEXANDRIA  BALTIMORE  BIRMINGHAM
BOSTON  CHICAGO  CINCINNATI
DALLAS  EL PASO  INDIANAPOLIS
JACKSON  JACKSONVILLE  LOUISVILLE
LOS ANGELES  MEMPHIS  MIAMI
NEW YORK  OKLAHOMA CITY  OMAHA
PHILADELPHIA  PHOENIX  ST. LOUIS
SAN DIEGO  SAN FRANCISCO  SAVANNAH
SEATTLE

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENNTRY 75


SENATE SELECT COMMITTEE (SSC) HAS REQUESTED WHEREABOUTS
OF A NUMBER OF FORMER FBI EMPLOYEES INDICATING THEY MAY BE
INTERVIEWED BY THE SSC STAFF. LISTED BELOW, BY FIELD OFFICE
TERRITORY, ARE THESE FORMER EMPLOYEES AND THEIR LAST KNOWN
ADDRESSES AS CONTAINED IN BUREAU FILES.
PAGE TWO

INFORMATION FROM SSC INDICATES NAMES OF FORMER SA'S
LITRENTO AND STEWART DEVELOPED AS HAVING BEEN RESPONSIBLE FOR
SUPERVISING COMMUNICATIONS BETWEEN THE FBI AND CIA CONCERNING
MAIL OPENING ACTIVITIES. ALL OTHERS IN LIST BELOW WERE EITHER
SAC, ASAC, OR BOTH, DURING PERIOD 1959 - 1966 IN ONE OR MORE
OF THE FOLLOWING OFFICES: BOSTON, DETROIT, LOS ANGELES, MIAMI,
NEW YORK, SAN FRANCISCO, SEATTLE, AND WASHINGTON FIELD. THEY
PRESUMABLY ARE ALSO KNOWLEDGEABLE CONCERNING MAIL OPENINGS.

EACH OF THESE FORMER EMPLOYEES IS TO BE IMMEDIATELY
CONTACTED AND ALERTED THAT HE MIGHT BE APPROACHED BY THE SSC
STAFF FOR INTERVIEW. THE FORMER EMPLOYEE MAY, AFTER BEING
CONTACTED BY SSC STAFF, CONTACT BUREAU'S LEGAL COUNSEL DIVISION
BY COLLECT CALL FOR FULL INFORMATION TO ASSIST HIM INCLUDING
OBLIGATIONS AS TO CONFIDENTIALITY OF INFORMATION ACQUIRED AS
FBI EMPLOYEE. IT IS EMPHASIZED THAT BUREAU'S OFFER OF
ASSISTANCE IS NOT INTENDED TO IMPede SSC WORK, BUT IS DONE
AS COOPERATIVE GESTURE AND TO SAFEGUARD SENSITIVE BUREAU
INFORMATION.
CONTACTS WITH THESE FORMER EMPLOYEES TO BE HANDLED PERSONALLY BY SAC OR ASAC. IN EVENT THIS IS NOT FEASIBLE FOR JUST CAUSE, TO BE HANDLED BY A SENIOR SUPERVISOR.

IMMEDIATELY AFTER CONTACT, RESULTS SHOULD BE FURNISHED BUREAU BY NITEL IN ABOVE CAPTION, BRIEFLY INCLUDING REACTION OF FORMER EMPLOYEES CONTACTED. IF A FORMER EMPLOYEE NO LONGER IN YOUR TERRITORY OR TEMPORARILY AWAY, SET OUT LEAD TO OTHER OFFICE IMMEDIATELY WITH COPY TO FBIHQ.

ALEXANDRIA:

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PAGE FOUR

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JAMES E. MILNES, 4317 - 50TH AVENUE, N.E., SEATTLE, WASHINGTON

PAUL R. BIBLER, 15.134 - 38TH AVENUE, N.E., SEATTLE, WASHINGTON

END
REDUNITEL 9-5-75.

EFFORTS TO LOCATE JOHN D. POPE, JR. TO DATE NEGATIVE AND IT APPEARS THAT HE IS TEMPORARILY AWAY FROM HIS BIRMINGHAM RESIDENCE; WHEREABOUTS UNKNOWN. EFFORTS TO LOCATE WILL CONTINUE AND BUREAU ADVISED PROMPTLY BY NITEL.

END

LSG FDIHQ CLR FOR UNE AND TKS

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED.

DATE 10-17-76 BY DF41505

ST. 100

REC-16 62 11-25 667

5 SEP 16 1975

7 9 SEP 17 1975
REBUNITEL 9-5-75 AND BH NITEL 9-11-75.

JOHN DAVID POPE, JR., 221 REMINGTON ROAD, BIRMINGHAM, ALABAMA, TELEPHONE 205-853-8396, RETURNED FROM VACATION THIS DATE AND WAS ALERTED THAT HE MIGHT BE CONTACTED BY SSC STAFF FOR INTERVIEW RE MAIL OPENINGS. POPE COULD NOT RECALL ANY ACTION DURING BUREAU EMPLOYMENT WHICH WOULD SERVE AS BASIS FOR SSC STAFF CONTACT. HOWEVER, HE WAS MOST APPRECIATIVE OF BUREAU'S OFFER OF ASSISTANCE AND INDICATED HE WOULD RESPECT ALL AGREEMENTS WITH THE BUREAU RE CONFIDENTIALITY OF BUREAU WORK.

CG FBIHQ CLR FOR TWO AND TKS

EX-101

57 MAY 1975

COPY RETAINED, IN PERSONAL FILES

RE0-36 62-116395-1538

C/KE 17 APR 1976

INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6-6-75 BY

1/5/76
TO ALL SACs
FROM DIRECTOR

LEGAL ADVICE FOR PRESENT OR FORMER BUREAU EMPLOYEES.

IN RESPONSE TO OUR REQUEST, THE ATTORNEY GENERAL ADVISED THAT LEGAL REPRESENTATION FOR EMPLOYEES WOULD BE MADE AVAILABLE FOR PRELIMINARY ADVICE. SHOULD CASES ArISE WHERE A FORMER OR PRESENT EMPLOYEE REQUIRES MORE PROTRACTED AND SUBSTANTIAL LEGAL REPRESENTATION, IT IS THE POSITION OF THE DEPARTMENT THAT SPECIAL COUNSEL MAY BE RETAINED FOR SUCH EMPLOYEES AT DEPARTMENT EXPENSE. GUIDELINES ARE BEING DRAWN BY THE DEPARTMENT TO GOVERN THESE MATTERS.

HOWEVER, SHOULD THE DEPARTMENT SUBSEQUENTLY CONCLUDE THAT SUCH CASES INVOLVE MATTERS OUTSIDE THE SCOPE OF A PRESENT OR FORMER EMPLOYEE'S DUTIES, OTHER CONSIDERATIONS WOULD APPLY.

ALL LEGALS ADVISED SEPARATELY.

END.

SSP FBI ATLANTA

TKS/CLR
TO ALL EMPLOYEES

FROM DIRECTOR

INTERVIEWS OF FBI EMPLOYEES BY CONGRESSIONAL COMMITTEES

MEMORANDUM TO ALL EMPLOYEES DATED MAY 20, 1975, CAPTIONED "INTERVIEWS OF FBI EMPLOYEES," ALL EMPLOYEES WERE ADVISED OF THE NECESSITY OF SECURING FBI HEADQUARTERS APPROVAL PRIOR TO SUBMITTING TO INTERVIEWS BY REPRESENTATIVES OF CONGRESSIONAL COMMITTEES. THE NECESSITY OF SECURING THIS APPROVAL IS PROMPTED BY THE EMPLOYMENT AGREEMENT ALL EMPLOYEES HAVE SIGNED.

YOU WERE ADVISED THAT CONGRESSIONAL STAFF MEMBERS WERE CONDUCTING INTERVIEWS OF FORMER AND/OR CURRENT EMPLOYEES AND THAT THIS BUREAU HAD PLEDGED ITS COOPERATION WITH CONGRESS. OUR COOPERATIVE EFFORTS, OF COURSE, MUST BE CONSISTENT WITH BUREAU PROCEDURES.

RECENTLY, WE HAVE HAD ATTEMPTS BY CONGRESSIONAL COMMITTEE STAFF MEMBERS TO INTERVIEW CURRENT EMPLOYEES WITHOUT PRIOR CONTACT WITH FBI HEADQUARTERS. YOU ARE AGAIN REMINDED...
PAGE TWO

THAT IF A REPRESENTATIVE OF A CONGRESSIONAL COMMITTEE SHOULD CONTACT A BUREAU EMPLOYEE, THAT EMPLOYEE SHOULD DECLINE TO RESPOND TO QUESTIONS POSED TO HIM AND ADVISE THE CONGRESSIONAL STAFF MEMBER OF THE NECESSITY OF RECEIVING FBI HEADQUARTERS' APPROVAL BEFORE RESPONDING TO QUESTIONS.

END

LVV FBI ALBANY

ACK FOR THREE
Mr. Church's Cover-Up

By William Safire

WASHINGTON, Nov. 19—On Oct. 19, 1963, the then-Attorney General of the United States put his personal signature on a document that launched and legitimized one of the most horrendous abuses of Federal police power in this century.

In Senator Frank Church's subcommittee hearing room this week, the authorized wiretapping and subsequent unauthorized bugging and attempted blackmauling of Martin Luther King Jr. is being gingerly examined, with the investigation conducted in such a way as not to unduly embarrass officials of the Kennedy or Johnson Administrations.

With great care, the committee has focused on the F.B.I. Yesterday, when the committee counsel first set forth the result of shuffling through press clips, it seemed as if no Justice Department had existed in 1962; today, an F.B.I. witness pointed out that it was Robert Kennedy who authorized the wiretap of Dr. King, and that the President of the United States and the Attorney General specifically discussed their concern of Communist influence with Dr. King.

But the Church committee showed no zest for getting further to the Kennedy root of this precedent to Watergate eavesdropping. If Senator Church were willing to let the chips fall where they may, he would call some knowledgeable witnesses into the glare of the camera lights and ask them some questions that have gone unasked for thirteen years.

For example, he could call Nicholas Katzenbach, Attorney General Kennedy's deputy and successor, and ask what he knows of the Kennedy decision to wiretap Dr. King. Who at Justice concurred in the recommendation? How does the F.B.I. know the President was consulted or informed?

After Mr. Katzenbach assumed office, and the wiretapping continued, he was told by angry newsmen that the F.B.I. was leaking scurrilous information about Dr. King. Why did he wait for four months, and for a thousand telephone interceptions, to discontinue the officially approved tap?

Of course, this sort of testimony would erode Senator Church's political base. That is why we do not see former Assistant F.B.I. director Carlos (Dok) Delano. Lyndon Johnson's personal contact with the F.B.I. in the witness chair. What did President Johnson know about the character-assassination plot and when did he know it? What conversations took place between Mr. Delano and President Johnson or the tapping of Dr. King, or about the use of the F.B.I. in any other interrogations into the lives of public figures?

The committee is not asking embarrassing questions even when answers are readily available. A couple of weeks ago, at an open hearing, an F.B.I. man inadvertently started to blurt out an episode about newsmen who were wiretapping in 1962 with the apparent knowledge of Attorney General Kennedy. The too-willing witness was promptly shooed into silence, and told that such information would be developed only in executive session. Nobody raised an eyebrow.

That pattern of containment by the Church committee is vividly shown by the handling of the buggings at the 1964 Republican and Democratic conventions which were ordered by Lyndon Johnson. Such invasions of political headquarters were worse than the crime committed at Watergate, since they involved the use of the F.B.I., but the Church investigators seem to be determined not to probe too deeply.

If F.B.I. documents say that reports were made to specific Johnson aides, why are those men not given the same opportunity to publicly tell their story so avidly given the next President's men? If Lyndon Johnson committed this impeachable high crime of using the F.B.I. to spy on political opponents, who can be brought forward to tell us all about it?

But that would cause embarrassment to Democrats, and Senator Church wants to embarrass professional employees of investigative agencies only. A new sense of Congressional decorum exists, far from the sense of outrage expressed in the Senate Watergate committee's hearing room. When it is revealed that the management of NBC News gave press credentials to L.B.J.'s spies at the 1964 convention, everybody blushes demurely—and nobody demands to know which network executive made what decision under what pressure.

I have been haranguing patient readers for years about the double standard applied to Democratic and Republican political crimes, and had hoped the day would come when the hardball precedents set by the Kennedy and Johnson men would be laid before the public in damning detail.

Obviously, Democratic Frank Church is not the man to do it. His jowling indignation is all too selective; the trail of high-level responsibility for the crimes committed against Dr. King and others is evidently going to be allowed to cool.

Pity. You'd think that after all the nation has been through in the past few years our political leaders would have learned that the one thing that brings you down is the act of covering up.

ESSAY

Mr. Church's Cover-Up

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