

# File #:

62-116395

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# Serial Scope:

430 THRU 435

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436

437 THRU 440

UNITED STATES GOVERNMENT

# Memorandum

K

TO : Mr. W. R. Wannall

- 2 - Mr. J. A. Mintz  
(J. B. Hotis)
  - 1 - Mr. W. V. Cleveland  
(Route through for Review)
- DATE: 7/24/75

FROM : W. O. Cregar

- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
- 1 - Mr. R. L. Moore

SUBJECT: UNITED STATES SENATE SELECT COMMITTEE  
TO STUDY GOVERNMENTAL OPERATIONS WITH  
RESPECT TO INTELLIGENCE ACTIVITIES

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 10/2/00 BY SP2 ALM/STB

#MOR 16

- Assoc. Dir.
- Dep. AD Adm.
- Dep. AD Inv.
- Asst. Dir.
- Admin.
- Comp. Syst.
- Ext. Affairs
- Files & Com.
- Gen. Inv.
- Ident.
- Inspection
- Intell.
- Laboratory
- Legal Coun.
- Plan. & Eval.
- Spec. Inv.
- Training
- Telephone Rm.
- Director Sec'y

This is to recommend attached letter be sent to the Attorney General in response to his memorandum of 7/16/75, also attached. For your information, there are additional attachments relating to prior correspondence with the Attorney General on the matter of direct operational liaison with the White House.

In attached letter to the Attorney General the response to the first matter was prepared by the Special Investigative Division (R. J. McCarthy memorandum to Mr. Cleveland, 7/21/75, captioned as above).

It is to be noted that attached memorandum of N. P. Callahan to the Director dated 4/24/74 captioned "Proposed Management Changes in the Department of Justice" indicates on page 2, item number 5, Department opposition to the FBI exercising any policy-type liaison with the White House. Director Kelley on page 3 of this memorandum wrote, "The President told me the Director of the FBI has direct access to him and he with the Drtr. He described this as a traditional relationship. I do not contemplate bypassing the AG but on the other hand may not be able to keep him completely informed at all times. This may possibly be pertinent to number 5. If not, I see no reason to mention it." In this Bureau's reply to the Department, copy attached, dated 5/2/74 captioned "Revision of the Department of Justice Organization Regulations (28 CFR Part 0)" in which the need for Bureau operational liaison with the White House is documented, the above comments were not mentioned, and there does not appear to be any need for elaboration on this point in our current letter to the Attorney General.

REC-88

CONTINUED - OVER

RLM:mam  
(7) mam

Enclosures (7) - Sent 7-29-75

3 JUL 31 1975

62-117315-440  
*[Handwritten signature]*

84 JUL 31 1975

ENCLOSURE

Memorandum to Mr. W. R. Wannall  
Re: UNITED STATES SENATE SELECT COMMITTEE  
TO STUDY GOVERNMENTAL OPERATIONS WITH  
RESPECT TO INTELLIGENCE ACTIVITIES

While our current policy is to send the Attorney General copies of all communications to the White House except special inquiry and name check replies there may be exceptions to this rule. This could only be determined by a complete review of all correspondence to the White House which could be extremely difficult and time consuming. Similarly, there is no control file containing copies of all communications from the White House to this Bureau, and, short of a file by file review, there is no means of determining whether or not such communications bypassed the Attorney General.

ACTION:

The attached letter be sent to the Attorney General.

RLM

B

WUC  
J

Mc

wra

PLM

JH

OK

~~NBC~~  
J

Jma

UNITED STATES GOVERNMENT

# Memorandum

*Cregar*

TO : Clarence M. Kelley, Director  
Federal Bureau of Investigation

DATE: July 16, 1975

FROM : Edward H. Levi  
Attorney General *EL*

SUBJECT: United States Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities.

The United States Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (the "Church Committee") has recently requested certain information regarding the functions of the Attorney General with respect to the supervision of and policy-making for internal security and intelligence activities. I would appreciate it if you would prepare by July 25, 1975 the fullest possible response to the following questions:

1. What standards and procedures has the Attorney General adopted for the collection, analysis, use, and dissemination of organized crime intelligence?
2. To what extent have communications between the White House and the FBI or other agencies under the jurisdiction of the Attorney General bypassed the Attorney General? To what extent should such communications be channeled through the Attorney General?

EXP. PROC.  
30 JUL 17 1975

*#MDR/6*

16-2-00

*SP-2 ALM/18*

14 JUL 17 1975

*W. W. W. W.*

ENCLOSURE

*62-116395-440*

**FIVE**



UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

# Memorandum

TO : Clarence M. Kelley  
Director, Federal Bureau  
of Investigation

DATE: MAY 16 1974

Assoc. Dir.	<input checked="" type="checkbox"/>
Dep. Asst. Dir.:	<input checked="" type="checkbox"/>
Adm. Inv.	<input checked="" type="checkbox"/>
Asst. Dir.:	
Admin.	<input type="checkbox"/>
Comp. Syst.	<input checked="" type="checkbox"/>
Ext. Affairs	<input checked="" type="checkbox"/>
Files & Com.	<input type="checkbox"/>
Gen. Inv.	<input type="checkbox"/>
Ident.	<input type="checkbox"/>
Inspection	<input checked="" type="checkbox"/>
Intell.	<input checked="" type="checkbox"/>
Laboratory	<input type="checkbox"/>
Plan. & Eval.	<input type="checkbox"/>
Training	<input type="checkbox"/>
Legal Coun.	<input type="checkbox"/>
Telephone Rm.	<input type="checkbox"/>
Director's Sec'y	<input type="checkbox"/>

FROM : The Attorney General

SUBJECT: ~~Direct operational liaison with the White House~~

The Federal Bureau of Investigation may continue to maintain direct operational liaison with the White House Office, for the purposes described in your memorandum of May 2, 1974. As provided in 28 CFR 0.15 (b)(7), the Deputy Attorney General will coordinate Departmental liaison with the White House staff and the Executive Office of the President with respect to policy matters.

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1/1

*Zub*

*WJH*

*B.B. [Signature]*  
*[Signature]*

EXP. PROC.

MAY 17 1974

#31  
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EX-110

REC-48

62-48771-563

MAY 16 1974

cc R-1010  
MAY 10 1974

CONTAINING  
#MDL 16  
SP-2 ALM/JTG  
10/100

COMM. SYSTEMS

ENCLOSURE

62-116395-440

UNITED STATES GOVERNMENT

# Memorandum

- Assoc. Dir.
- Dep. AD Adm.
- Dep. AD Inv.
- Asst. Dir.:
- Admin.
- Comp. Syst.
- Ext. Affairs
- Files & Com.
- Gen. Inv.
- Ident.
- Inspection
- Intell.
- Laboratory
- Plan. & Eval.
- Spec. Inv.
- Training
- Legal Coun.
- Telephone Rm.
- Director Sec'y

TO: *[Handwritten initials]*

Mr. Walsh

DATE: 5-2-74

FROM: R. G. Hunsinger

SUBJECT: REVISION OF THE DEPARTMENT OF JUSTICE ORGANIZATION REGULATIONS (28 CFR Part 0)

*DEPARTMENT OF JUSTICE*

*[Handwritten signature]*

By attached memorandum of 4-26-74, Attorney General (AG) has responded to two of our communications concerning revisions we requested in Justice regulations. In note on attached copy Director has asked Mr. Callahan: "paragraph 1, pg. 2 - are you going to handle? K."

Cited paragraph deals with two items, our request for revision of regulations to delegate authority to FBI for direct liaison with Office of Management and Budget (OMB) on FBI budget matters, and our request that FBI's operational liaison with White House be excepted from scope of regulation under which Departmental liaison with White House staff and Executive Office of the President is to be coordinated under Deputy Attorney General (DAG). It is noted that as a result of reorganization by former AG Richardson this function was placed under the Associate Attorney General, a position the AG has indicated is to be abolished.

AG believes it desirable the same language in regulations be applied to FBI as it does with respect to other organization units of the Department.

REC-102

REC-89 62-55147-1956

In regard to first item above, no further response or request is considered necessary, as we have been assured by DAG that we will be able to make necessary contacts with OMB examiners relative to FBI budget matters, where necessary, after clearance with DAG.

MAY 10 1974

As to second item, AG says our request for direct operational liaison with White House is reasonable and he believes our request can be accomodated by further correspondence without change

*[Handwritten initials]*

- JMF:pdf (10)
- Enc. - sent 5-7-74
- 1 - Mr. Callahan
- 1 - Mr. Jenkins
- 1 - Mr. Miller
- 1 - Mr. Walsh

- 1 - Mr. Wannall
- 1 - Mr. Boynton
- 1 - Mr. Haynes
- 1 - Mr. D. J. Green

*[Handwritten signature]* (OVER..)

58 MAY 21 1974  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 10/2/00 BY SP-2 ALM/jlc

MAY 14 1974 ENCLOSURE

62-116395-440

Memo Hunsinger to Walsh  
RE: REVISION OF THE DEPARTMENT OF JUSTICE  
ORGANIZATION REGULATIONS (28 CFR Part 0)

in regulations. However, he adds, Department needs clarification as to what we regard as "operational" as distinguished from policy matters. Accordingly, a detailed memorandum (attached) has been prepared describing our liaison functions and spelling out our need for continued operational liaison with the White House.

RECOMMENDATION:

That attached memorandum be forwarded to the AG, with copy to the DAG.

*HW*

*HW*

*HW*

*HW*

*Return to  
Mr. Haynes  
1006 9/14/74*

The Attorney General

May 2, 1974

Director, FBI

*W.H.*

REVISION OF THE DEPARTMENT OF  
JUSTICE ORGANIZATION REGULATIONS  
(28 CFR Part 0)

#MDR 16  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 10/2/00 BY SP2 AMT/16

Reference is made to proposed management changes in the Department of Justice as discussed by Associate Attorney General J. D. Sawyer and FBI Associate Director N. P. Callahan on April 23, 1974, specifically with regard to our request that the FBI's operational liaison with the White House be excepted from the scope of Section 0.6(e), Title 28, Code of Federal Regulations, which is to become Section 0.15(b)(7) under your proposed Order. The following is in response to your memorandum of April 23, 1974, titled as above, requesting clarification as to what we regard as "operational" as distinguished from policy matters:

A Special Agent-Liaison Officer is assigned to handle the day-to-day operational liaison matters with the White House Staff. In addition to these duties, he handles liaison with several other agencies of the Executive Branch of Government. By volume, his principal contact is with the White House Security Office. This office requests approximately 1,000 full-field background investigations per year on Presidential appointees, members of the White House Staff and other persons having regular access to the White House complex. Regular operational problems arise relating to deadlines, the scope of the investigations and expeditious transmission of developments in these cases to the White House when such is required. The handling of these problems requires regular, direct, personal liaison. In addition to these investigations, the White House Security Office requests approximately 13,000 name checks per year concerning persons who visit the White House complex and who could pose a physical threat or possible embarrassment to the President, members of his family or officials of the White House Staff. Due to sometimes extremely short deadlines, personal direct liaison is maintained in order to be responsive to the White House needs.

- 1 - Mr. Callahan
- 1 - Mr. Jenkins
- 1 - Mr. Miller
- 1 - Mr. Walsh
- 1 - Mr. Wannall
- 1 - Mr. Boynton
- 1 - Mr. Haynes
- 1 - Mr. D. J. Green

*1955  
62-55047-1956*

*ENCLOSURE 62-116395-940*



## The Attorney General

Liaison is also maintained with the National Security Council (NSC) Staff member responsible for personnel security matters similar to that of the White House Security Office but on a more limited basis. Also, liaison contact is maintained with other NSC Staff members concerning matters of very sensitive intelligence involving foreign nationals.

Liaison is maintained with the Vice President's Staff to assist them in dealing with Soviet-bloc nationals who have shown an interest in developing contacts with that office and also to provide name checks on certain persons contacting the office by correspondence or personally.

The availability of a regularly designated Liaison Officer facilitates the prompt handling of requests of other offices in the White House relating to FBI matters. For example, the President's Foreign Intelligence Advisory Board requests information and briefings on intelligence matters; the Correspondence Unit requests information to assist in responding to citizens' mail concerning matters of which the FBI has jurisdiction; and the Visitors Office requests visits to the FBI by persons of interest to the White House.

From time to time, FBI investigative matters develop a requirement for information from the White House Staff. These are handled by the Liaison Officer.

In summary, there is a need for direct personal liaison with various offices in the White House complex to handle operational problems on a daily basis and with specific individuals because of the sensitivity of the matters involved, both of a personnel security and intelligence nature. Matters of a policy nature are not referred to or handled by the Liaison Officer. It is therefore requested that the FBI's operational liaison with the White House be permitted to continue in the manner and for the purposes described above.

1 - The Deputy Attorney General

NOTE:

See memorandum Hunsinger to Walsh dated 5/2/74, prepared by JMF:slm.

UNITED STATES GOVERNMENT

# Memorandum

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Admin. Serv. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
- Ext. Affairs \_\_\_\_\_
- Files & Com. \_\_\_\_\_
- Gen. Inv. \_\_\_\_\_
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- Inspection \_\_\_\_\_
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- Plan. & Eval. \_\_\_\_\_
- Spec. Inv. \_\_\_\_\_
- Training \_\_\_\_\_
- Legal Coun. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director Sec'y \_\_\_\_\_

TO : The Director

DATE: April 24, 1974

FROM : N. P. Callahan

SUBJECT: PROPOSED MANAGEMENT CHANGES  
IN THE DEPARTMENT OF JUSTICE

At 10 a. m. , Monday, 4/22/74, I delivered to Associate Attorney General J. D. Sawyer the Bureau's memorandum containing our comments on the proposed Order which would amend Title 28, Code of Federal Regulations.

I expressed our appreciation for being given the opportunity to present the Bureau's reaction to the proposed Order and at that time briefly discussed the points raised in our memorandum to the Attorney General. Mr. Sawyer indicated that he would review our memorandum and discuss it with the people in the Department who were working on the proposed Order and be back in touch with me.

On the afternoon of 4/23/74, at about 4 p. m. , Mr. Sawyer asked me to stop by his office, which I did. The following points were covered:

1. We had requested specific assurance that the Director of the FBI, would be permitted to continue to exercise complete control over FBI personnel, including making assignment to Supergrade positions except those of Associate Director, Assistant to the Director, and Assistant Director, which would be submitted to the Attorney General for approval. Mr. Sawyer stated that the proposed Order would be revised to specify that delegation of authority to the Director.

2. As to continuance of the FBI to be excepted from the Department's Executive Development Program and that no FBI personnel or positions would be included in any intra-Departmental personnel exchange program, Mr. Sawyer stated that he agreed that the Bureau should be excepted but it was not thought desirable to provide for this in the Executive Order. Instead, it was their

- 1 - Mr. Jenkins (Sent Direct)
- 1 - Mr. Miller (Sent Direct)
- 1 - Mr. Mintz (Sent Direct)
- 1 - Mr. Feeny (Sent Direct)
- 1 - Mr. Fitzgerald (Sent Direct)
- 1 - Mr. Green (Sent Direct)
- 1 - Each Assistant Director (Sent Direct)

NPC:sch (21)

# 16  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 10/2/00 BY SP2 ALM/STB

REC-100

1954

MAY 9 1974

5-1144  
12/2/74  
3-1144  
FERN REC. UNIT  
XEROX  
MAY 15 1974  
62 116 395-440

Memo to the Director from N. P. Callahan  
Re: Proposed Management Changes in the  
Department of Justice

intention to provide the exception for the Bureau in a separate memorandum which the Office of the Legal Counsel of the Department will prepare.

3. Mr. Sawyer referred to Section 0.190 regarding the provision that the Attorney General's approval must be secured for the proposed establishment, transfer, or reorganization of major functions, sections, or other sub-units, these being defined as any organizational activities under the supervision or proposed supervision of an individual at or above the GS-15 or equivalent level. We proposed that this item be revised to read, "The head of each office, division, Bureau, or board may from time to time propose the establishment, transfer, reorganization, or termination of major functions." Mr. Sawyer stated that the new Order would adopt our proposed language.

4. As to the Bureau's request that we be delegated authority to continue unobstructed direct liaison with the Office of Management and Budget (OMB) on FBI budget matters, Mr. Sawyer stated that there would be no change in the proposed Order but that there would be an understanding that the FBI would have direct access to OMB after clearing with the Deputy Attorney General.

5. As to our request that the FBI's operational liaison with the White House be excepted from the scope of Section 0.6(e), Mr. Sawyer advised that he was opposed to the FBI exercising any policy-type liaison. He suggested that we prepare a communication to the Attorney General and to the Deputy spelling out our need for operational liaison so that a decision could be made based on the specifics we would furnish. This will be prepared by the Intelligence Division and sent through for approval. *\*Handled by memo Boynton to Warrall 4/25/74 and Ltr to A.G. 4/26/74 RWC*

6. As to the request that the FBI be specifically excepted from Section 0.75(k) dealing with the functions of the Assistant Attorney General for Administration in regard to Automatic Data Processing (ADP), Mr. Sawyer stated that there would be no change except that the Order will specify that security is to be maintained as to operations. He stated that the Department wants to know specifically what these items are and would like to have a separate advisory memorandum. This will be prepared by the Computer Systems Division and sent through for approval.

*Done 4/27/74*

OVER

\* Memo and outgoing not sent but - 2 -  
was replaced by memo Hunsinger to  
Walt 5/2/74 and outgoing memo to A.G. + DAG  
both titled "Revision of the Department of Justice  
Regulations (28 CFR Part 0)" Jan 5/13/74  
NW 65994 DocId 32989626 Page 11

Memorandum N. P. Callahan to The Director  
Re: Proposed Management Changes in the  
Department of Justice

Mr. Sawyer indicated that the Order will be announced on 4/24/74, to be effective 5/11/74. In this regard, however, the elimination of the functions of the Associate Attorney General would be effective immediately and the Office of Management and Finance, which is headed by the Assistant Attorney General for Administration, will commence operating under the Deputy Attorney General immediately.

RECOMMENDATION:

This is prepared for the immediate information of the Director. I will follow closely to see that the information which Mr. Sawyer requested is promptly prepared and sent through for your approval.

The President told me the Director of the F.B.I. has direct access to him and he with the Dir. He described this as a traditional relationship. I do not contemplate by passing the A.G. but on the other hand may not be able to keep him completely informed at all times. This may possibly be pertinent to #5. I don't see the reason to maintain it.

UNITED STATES GOVERNMENT

DEPARTMENT

# Memorandum

TO : Clarence M. Kelley  
Director, Federal Bureau  
of Investigation

DATE: A

FROM : The Attorney General

SUBJECT: Revision of the Department of Justice Org  
Regulations (28 CFR Part 0)

Assoc. Dir.	<input checked="" type="checkbox"/>
Dep. AD Adm.	<input checked="" type="checkbox"/>
Dep. AD Inv.	<input checked="" type="checkbox"/>
Asst. Dir.:	
Adm. Serv.	<input checked="" type="checkbox"/>
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Spec. Inv.	<input checked="" type="checkbox"/>
Training	<input checked="" type="checkbox"/>
Legal Coun.	<input checked="" type="checkbox"/>
Telephone Rm.	<input checked="" type="checkbox"/>
Director Sec'y	<input checked="" type="checkbox"/>

I respond to your memorandum of April 18, 1974, and your earlier memorandum of April 2, 1974, concerning the revision of the Department of Justice organization regulations. (28 CFR Part 0).

After reviewing your memoranda in light of policies I wish to pursue for supervising the work of the Department, I believe that some of your concerns can be met without specific changes in the regulations. Supergrade positions in the FBI will continue to be controlled by the Director, although any personnel action by any officer of the Department is subject to the discretionary review of the Deputy Attorney General under section 0.15(c). The FBI will continue to be excepted from the Department's Executive Development Program but since that program is not referred to in the regulations, it was not necessary to spell out an FBI exemption.

With respect to the provision in the regulations for approval of changes within organizational units (\$0.190), your suggestion for a clarification of the language has been incorporated in the new order. That section is intended to apply only to the establishment, transfer, reorganization or termination of major functions, and further guidance will be provided in an internal departmental directive.

#MDE/6  
APR 26 1974  
SP-2 ALM/716

EXP. PROC.  
APR 26 1974

Memorandum to Walsh  
5/2/74 JMT: paf  
memo to AG and PAF  
5/2/74 JMT: tmc

MAY 10 1974

XEROX 3 - JMT

1cc held for Director

MAY 14 1974

4-26-74 62-116395-447

With respect to your requests that the FBI be given authority for direct liaison with the Office of Management and Budget on FBI budget matters (§0.76(v)) and with the White House on operational matters (§0.15(b)(7)), I believe it desirable to have the same language in the regulations apply to the FBI as applies with respect to other organizational units of the Department. Your request for direct operational liaison with the White House Office is reasonable, but we would need clarification as to what you regard as "operational" as distinguished from policy matters. I believe this request can be accommodated by further correspondence without a change in the regulations.

Because of the desirability for uniform treatment of the various units of the Department in the regulations, I do not believe that the FBI should be exempt from section 0.75(k), relating to policies and procedures applicable to automatic data processing. However, the FBI's security interests will, of course, be protected.

I appreciate your concern in these matters and assure you that the FBI will have an opportunity to submit its views before any policy changes affecting it are finalized.

