File #:

62-116395

Serial Scope:

1-50

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Case#:NW 65360 Date: 11-17-2022

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

CONFIDENTIAL

1 - Mr. Callahan
1 - Mr. Adams

TO : Mr. W. R. Wannall

DATE: 3/10/75

1 - Each Assistant Director

FROM : W. O. Cregar

1 - Mr. Cregar

SUBJECT: SENSTUDY 75

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.
DECLASSIFIED BY SP2 RLM/ #mdr/6 ON 11-7-00

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Director Sec'y ___

This memorandum reports the results of a meeting of the Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community, (hereafter referred to as the Group), held on 3/7/75.

The Group is chaired by Mr. John Clarke, Associate Deputy to the Director of Central Intelligence, and is made up of representatives of agencies and departments having membership on the United States Intelligence Board (USIB). Its purpose is to serve as a coordinating mechanism for future testimony before various Congressional committees.

At the meeting of the Group on 3/7/75 the following items were discussed:

Congressman Robert McClory has been designated as the minority leader of the House Select Committee. Copies of the annexes prepared by various members of the Intelligence Community have been delivered to both the majority and minority leader of the House Select Committee. Congressman McClory is very security conscious, is concerned that sensitive relationships are not inadvertently disclosed during forthcoming hearings and according to Mr. John Clarke appears to have no questions regarding FBI authority to engage in domestic surveillances. CIA has prepared a draft letter to Senator Church releasing CIA employees from any obligations imposed upon them by CIA's Secrecy Agreement (draft copy furnished the Legal Counsel Division). Prior to releasing the letter to Senator Church, CIA is having it reviewed by the White House to determine if they have any objections to its content.

REC-37

CIA anticipates that staff employees of the Senate Select Committee (SSC) will have direct access to CIA buildings but will not have direct access to CIA files or CIA personnel. Arrangements for the staff of the SSC to interview CIA personnel will be made through Mr. John Clarke.

WOC:ebc
(17)

XEROX
JUN 11 1975

CONTINUED - OVER

APR 11 1975

CONFIDENTIAL

LEGAL COUNSEL

Memorandum for Mr. Wannall
RE: SENSTUDY 75

CONFIDENTIAL

Mr. James Wilderotter, Associate Deputy Attorney General, and Mr. John Warner, General Counsel, CIA, will have a meeting with the Counsel of the SSC on Tuesday, 3/11/75, to work out precise wording for a Secrecy Agreement that all members of the SSC staff have agreed to sign.

On 3/10/75 the staff of the SSC will convene to develop a list of requirements that they expect to levy on all agencies making up the Intelligence Community. Hopefully Mr. Clarke will have some information on these requirements prior to the time they are levied on the individual agencies.

As a result of Mr. Colby's appearance before the House Government Information in Individual Rights Subcommittee, Government Operations Committee, 3/5/75, CIA is getting many, many, calls from Senators and Congressmen asking how they can find out whether CIA has a file on them and what its contents are. Mr. Clarke noted that members of the Group should anticipate receiving similar calls from Congressmen. (U)

Mr. Hank Knocke, who heads up the CIA task force responsive to the Rockefeller Commission, advised that staff members of the Rockefeller Commission have been issued CIA badges, occupy CIA office space, and have authority to personally contact any CIA employee without clearing such contact with CIA officials. In addition, the Rockefeller Commission staff employees have been granted access to CIA files. After reviewing these files, if the staff decides to make certain portions of the files a matter of official Commission business, CIA has a right to excise the names of any sensitive sources. In the event information contained in these files originates with another Agency of the Government CIA has insisted and the staff concurs that the originating Agency must be consulted before such information can be released to the staff. (U)

Mr. Knocke also advised that it is his understanding that both Mr. Kelley and Mr. Colby will receive in the mail shortly a request from the Commission to prepare a joint response covering the activities of foreign intelligence officials in the U. S. (U)

CONFIDENTIAL

CONTINUED - OVER

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Memorandum for Mr. Wannall
RE: SENSTUDY 75

CONFIDENTIAL

CIA as well as the rest of the Intelligence Community is concerned over requests received ~~by~~ from Morton Halperin under the Freedom of Information Act. Treasury, National Security Council, Defense Intelligence Agency, CIA, State Department and the Office of Management and Budget (OMB), have received requests from Halperin. According to Mr. Clarke, a meeting will be convened by the OMB involving interested parties in an effort to coordinate a response. Mr. Colby, in his role as the Director of Central Intelligence, is very concerned that in responding to Halperin's requests one Agency does not deny providing information to Halperin that another Agency expects to give Halperin. To date the Bureau has not received a request from Halperin under the Freedom of Information Act. ~~X~~ (U)

ACTION:

For information and record purposes.

WRW/TOL

JBH

This may possibly be considered a conspiracy to deny FOI rights. We should avoid all such implications.

Noted & Cregar & Legal Counsel people advised 3/14/75 JCF

CONFIDENTIAL

NW 65360 DocId:32989530 Page 4

Assistant Attorney General for Administration March 7, 1975

Nicholas P. Callahan
Associate Director, FBI

SENSTUDY 75

INQUIRY BY GENERAL ACCOUNTING OFFICE (GAO) AND THE OFFICE OF MANAGEMENT AND BUDGET (OMB) CONCERNING INTELLIGENCE ACTIVITIES

APPROPRIATIONS - 1974

On the afternoon of March 7, 1975, Mr. James F. Hoobler, Director, Management Programs and Budget Staff, furnished a copy of a memorandum from GAO to the Deputy Director of the OMB which requested information concerning appropriations, outlays and legislative authority for such appropriations and expenditures.

With regard to the FBI's Intelligence Division, a response was requested concerning the amounts of budget authority for fiscal years 1974 and 1975 and actual outlays for fiscal year 1974; an indication of where in the Federal budget these amounts or any portion of them appear; any language in the budget which explains or indicates the purpose or purposes for which such amounts will be spent; and the legislative authority for each of the listed appropriations and expenditures.

EX 104

The FBI does not receive budget authority or account for budget outlays specifically for internal security or intelligence activities or for any organizational component handling such matters. The FBI's budget request for funds to handle internal security or intelligence matters is set forth under the budget activity "Security and Criminal Investigations." Based on manpower utilization surveys which have been conducted, it is estimated that approximately 23 percent of the FBI's resources go to support activities under the supervision of the Intelligence Division. It is estimated, therefore, that in the fiscal year 1974 the FBI's budget authority contained funds amounting to some $91 million and that it had outlays of about $83 million to support these activities. The amount contained in the FBI's budget authority for the fiscal year 1975 is estimated to be $102 million.

The purposes for which these funds are expended are set forth in justification material accompanying budget estimates submitted to the Congress.

LCG:jmb

62-116395-

See designated and note on page two....

2 ENCLOSURE

NOT RECORDED
MAY 1 1975

Original Filed in 66-19125-94

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Dep. AD Adm. ___
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MAY 1 1975 MAIL ROOM TELETYPE UNIT

Assistant Attorney General for Administration

In the FBI's material for fiscal years 1974 and 1975 these purposes are set forth under the section "Objective" and they are captioned "Domestic Intelligence" and "Coordination and Dissemination of Security Data." Additional data is furnished in each of those years under the section "Status of Base Program" and is captioned "Internal Security Operations."

The legislative authority for the appropriation and expenditures for the fiscal year 1974 is contained in the Departments of State, Justice, Commerce, and The Judiciary, and Related Agencies Appropriation Act, 1974 (Public Law 93-162). The legislative authority for fiscal year 1975 is contained in the Appropriation Act for the same agencies (Public Law 93-433).

1 - Mr. James F. Hoobler, Director
Management Programs and Budget Staff

1 - Mr. Wannall - Enclosure
1 - Mr. Mintz - Enclosure
1 - Mr. Moore - Enclosure

NOTE: The attached inquiry from GAO is being coordinated by the OMB. It was received by us from the Department at 1:14 p.m., 3/7/75, with a request that the information be furnished by the close of business the same date.

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OFFICE OF MANAGEMENT AND BUDGET
ROUTE SLIP

TO Mr. Hoobler

Take necessary action	☐
Approval or signature	☐
Comment	☐
Prepare reply	☐
Discuss with me	☐
For your information	☐
See remarks below	☐

FROM Jim Purcell Jim Purcell DATE 3-7-75

REMARKS

Mr. Hoobler:

Will you please provide the requested information indicated by Mr. Scantleburg's memo of February 24 pertaining to the FBI. Item "8" which refers to the FBI Internal Security Division should be interpreted as the FBI's Intelligence Division.

I would appreciate having this information, if possible, by close of business, today.

#MDR16

ALL FBI INFORMATION CONTAINED
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DATE 11-7-00 BY SP-2 ALM/JTG

OMB FORM 4
REV AUG 71

62-116395-

ENCLOSURE

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

DIVISION OF FINANCIAL AND
GENERAL MANAGEMENT STUDIES

FEB 24 1975

Mr. Paul H. O'Neill
Deputy Director
Office of Management and Budget

Dear Mr. O'Neill:

We have recently received a request from a Member of the Senate Budget Committee for our assistance in obtaining budget data with respect to various intelligence activities of the Federal Government. We have the budget data that is publicly available. However, as you are aware, most of the requested information is not readily available and is usually provided to the Congress in limited briefings. We have discussed this matter with representatives of the Senate Budget Committee and it is their desire to obtain the requested data by other than oral briefings.

The request involves amounts of budget authority for fiscal years 1974 and 1975 by each of the following agencies, and the actual outlays by each such agency during FY 1974.

1. Central Intelligence Agency
2. National Security Agency
3. Defense Intelligence Agency
4. Army Intelligence
5. Naval Intelligence
6. Air Force Intelligence (including the National Reconnaissance Office)
7. State Department Bureau of Intelligence and Research
8. Federal Bureau of Investigation Internal Security Division

62-116395-

ENCLOSURE

9. Atomic Energy Commission Division of Intelligence

10. Treasury Department Intelligence Division

The Committee would also like to know the following:

> "Where in the federal budget does each or any portion of the above-mentioned amounts appear? Indicate to the closest possible degree of specificity, designating such amounts by the accounts or line items, or combinations of accounts or line items, under which the amounts are included, and any language in the budget which explains or indicates the purpose or purposes for which such amounts will be spent.
>
> "What is the legislative authority for each of the above-listed appropriations and expenditures?"

We would appreciate your reviewing these items and responding at your earliest convenience. We have advised members of your staff of this request. We will be happy to work directly with your staff to meet this congressional need. To the extent that any of this information is not available, we will need, in writing, the legislative citations or precedents for not supplying the data.

Sincerely yours,

D. L. Scantlebury

D. L. Scantlebury
Director

NW 65360 DocId:32989530 Page 9

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : MR. CALLAHAN

DATE: 3/7/75

FROM : J. B. ADAMS

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-7-00 BY SP2ALM/JTG

Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Admin.
Comp. Syst.
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Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

SUBJECT: CONGRESSIONAL TESTIMONY

(Senstudy - 75)

Mr. Kelley asked that in connection with future testimony we prepare two papers. (1) One is to be a dissertation about our procedures in opening and closing domestic security cases, including the application of criteria for opening such cases and determining how long the cases should remain in a pending status. (2) The second paper is to involve the jurisdiction of the President to authorize unusual investigative techniques in foreign intelligence investigations such as wiretaps, microphones and surreptitious entries. This should include a definition of his Constitutional powers and the derivative authority invested in the Attorney General and the FBI.

In connection with these two papers, it is desired that there be coordination between the Intelligence Division, Legal Counsel Division and writers in the External Affairs Division, who should participate in the basic research and discussions and prepare the final paper outlining the research and analysis of the other two divisions.

Mr. Kelley's purpose is to have papers available on various topics such as this which reduce technical dissertations to a style which can be used for argumentative purposes in an easily understood form. The types of questions he receives generally do not require a highly technical response but a concise presentation of the issues involved and the propriety of our procedures.

62-116395-

NOT RECORDED
46 APR 17 1975
MAR 28 1975

ACTION:

For information.

JBA:ams
(6)
1 - Mr. Jenkins
1 - Mr. Moore
1 - Mr. Mintz
1 - Mr. Wannall

(1) T. Haddock, Dive & Lab Div
(2) Whitley, Dive & G. [illegible] Div

84 APR 18 1975

ORIGINAL FILED IN 62-116395-13

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

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Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. J. B. Adams

DATE: 3-6-75

FROM : Legal Counsel

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-7-00 BY SP2 ALM/PTG #MDR16

SUBJECT: HOUSE GOVERNMENT INFORMATION IN INDIVIDUAL RIGHTS SUBCOMMITTEE THE GOVERNMENT OPERATIONS COMMITTEE HEARING, MARCH 5, 1975

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

This Committee which is chaired by Congresswoman Bella S. Abzug (D-N.Y.) convened on March 5th to hear testimony from Director of the CIA, William E. Colby. It was brought out at the hearing that the Central Intelligence Agency had furnished information in their files pertaining to Congresswoman Abzug the previous evening, March 4th, with the exception of information which could not be disclosed without compromising a sensitive source or intelligence gathering procedure. Director Colby also advised Congresswoman Abzug in response to her inquiry that the source of some items that she was in receipt of had been concealed because it was from another agency. Colby did not disclose the identity of that agency.

ORIGINAL FILED IN

Congresswoman Abzug asked Colby, and he agreed to communicate with that agency and have them contact Congresswoman Abzug concerning the aforementioned information. By way of background according to a memorandum captioned "Bella S. Abzug (D-N.Y.)," dated 3-4-75, the CIA asked for and received permission from this Bureau to release the PORTION OF contents of unclassified reports furnished the CIA by the FBI and could be furnished by the CIA to Congresswoman Abzug. From the remarks made by Director Colby, it would appear that the topic of discussion between Congresswoman Abzug and Director Colby pertained to these documents and that we can expect some communication from the CIA in accordance with Congresswoman Abzug's request.

REC-46 62-97029-216

During the question and answer portion of Director Colby's testimony, Director Colby stated that the CIA would obtain information pertaining to American citizens in only two instances in the future. (1) Information developed incidental to their surveillance of a foreign target.

1 - Mr. Adams
1 - Mr. Wannall
1 - Mr. Mintz
1 - Mr. McCreight
1 - Mr. Daly
1 - Mr. Hotis

21 APR 1 1975

PVD:dkg (8)

62-116395
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MAY 28 1975

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MAY 28 1975

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(2) Investigations conducted pursuant to FBI requests. He was asked what the CIA's response would be to an improper request for investigation concerning American citizens. He indicated that they would refuse such a request and had done so in the past. The implication being from the context of the question that the FBI had made an improper request of the CIA.

In view of the wide scope of authority enjoyed by Congresswoman Abzug's Committee and the realistic expectation the FBI will have to testify before this Committee, it would be to our advantage for the Intelligence Division, through liaison, with the Central Intelligence Agency to obtain a transcript of this Committee hearing so that same might be reviewed and possible questions contained therein concerning FBI investigations be analyzed and responses prepared.

RECOMMENDATION:

Intelligence Division take action in line with the above.

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FD-350 (Rev. 7-16-63)

#MDR16
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DATE 9/25/00 BY SP2ALM/JG

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Dep. A.D.-Adm.
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Telephone Rm.
Director Sec'y

In Our Opinion

Assign Congress To Hunt Bombers

(Indicate page, name of newspaper, city and state.)
Pg. 4
The Star Beacon
Ashtabula, Ohio

Here we go again.

The bombing of a State Department restroom and followup phone call from someone calling itself the "Weather Underground" is reminiscent of times past.

The bombers are apparently protesting any economic aid to non-Communists in South Vietnam and Cambodia.

There's a certain irony in the timing. At the very moment the CIA and FBI are being raked over the coals by self-righteous members of Congress, a radical group like the ones under surveillance in the late '60s and early '70s pulls off a terrorist act.

We wouldn't blame the FBI for turning the investigation of the latest bombing over to the congressional committee investigating government surveillance. Let the legislators handle it.

Some measure of watchfulness must be maintained over agencies like the FBI and CIA. The repugnant aspect of it all is congressmen leading the media bandwagon to roast the agencies.

Senstudy-'75

Many of these congressmen and senators knew bloody well what these agencies were doing in years past, but never raised a whisper, let alone a howl. Now, with home-grown terrorism seemingly behind us, the legislators play dumb and feign shock or outrage over what they call "disturbing revelations."

You can bet if a bomb went off in the Senate or House chambers, Congress would call out the FBI, CIA and any other agency versed in intelligence gathering.

What's more, the legislators would wonder why the FBI and CIA couldn't immediately produce the 10 most likely suspects.

"Where's your surveillance mechanism," some senator would demand.

What we have, folks, is Congress at its hypocritical worst.

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☐ Being Investigated

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NOT RECORDED
46 MAR 28 1975

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Callahan
1 - Mr. Adams

TO : Mr. W. R. Wannall

DATE: 3/21/75

1 - Each Assistant Director

FROM : W. O. Cregar

1 - Mr. Cregar

SUBJECT: SENSTUDY 75

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
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Director Sec'y ___

This memorandum reports the results of a meeting of the Executive Committee of the Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community, (hereafter referred to as the Group), held at CIA Headquarters on the evening of 3/20/75.

This meeting was chaired by Mr. Colby in his role as the Director of Central Intelligence (DCI). In attendance were Mr. Philip Buchen, Counsel to the President; Deputy AG Laurence Silberman; Associate Deputy AG James Wilderotter; Mr. John Clarke, Associate Deputy to the DCI, as well as officials from Defense, Treasury and the Energy Research and Development Administration (formerly the Atomic Energy Commission).

The meeting was called to have all agencies identify (1) Types of information that could not be disclosed to Congressional Committees, (2) Types of information the disclosure of which was arguable, and (3) Types of information that could be disclosed to Congressional Committees. The FBI was asked to lead off the presentation. The Group was informed that we were reluctant to discuss sensitive matters in such a large group and we asked that the Group be reduced to a select few people who would have to have knowledge of sensitive FBI operations. After some discussion, the White House agreed this was a good procedure and it now appears that Mr. Buchen of the White House, one of his associates and probably Mr. Silberman will arrange at some future date to discuss the sensitive type information embraced in the above three questions. No definite date was set for this review and presumably either Mr. Clarke's office or Mr. Silberman will be in contact with the Bureau regarding this.

REC-28 62-116395-49

Enclosed herewith is a paper prepared by Mr. Clarke which attempts to outline a course the DCI can take in coordinating inquiries from the Senate and House Select Committees. Although

01 APR 9 1975

Enclosure
WOC:ebc
(17)

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APR 16 1975

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this paper was on the agenda for this meeting, it was never discussed because of the length of meeting, concluding at approximately 8:30 p.m. Following the meeting, Assistant Director Mintz and Mr. Cregar had a discussion with Mr. Wilderotter. During this discussion Mr. Mintz pointed out to Mr. Wilderotter that it was imperative that this Executive Committee clearly define how responses to the Select Committees would be coordinated and how matters dealing with policy would be cleared with the White House. Mr. Wilderotter described the following procedure. All questions received by agencies of the Intelligence Community from Select Committees would be furnished to Mr. Clarke. As a matter of fact, Mr. Wilderotter advised a copy of the questions received by the Department from the Senate Select Committee requiring responses from the FBI had already been turned over to Mr. Clarke by Mr. Wilderotter. Upon receipt of a copy of such questions, Mr. Clarke would review them and attempt to identify which questions involve policy matters of interest to the White House. He would then inform all agencies involved in such a response that such a question involved policy. Those agencies would be obliged to discuss the response between themselves and arrive at a coordinated answer. That answer would then be furnished to Mr. Clarke who would in turn make a decision as to whether it should go forward to the White House forresolution. Answers to questions which did not involve policy matters would also have to be furnished to Mr. Clarke to insure that there was some coordinating mechanism in the Community and to insure that this mechanism was in possession of all questions and all answers which might be provided the Select Committees.

Mr. Mintz made it quite clear to Mr. Wilderotter that this was not the Bureau's understanding of how the coordination process would work and was of the belief that no other agency represented on the Executive Committee was aware of this procedure. Mr. Wilderotter was asked to develop such a procedure for presentation to the Group to insure everybody was in agreement as to how this process would work.

On the morning of 3/21/75, Mr. Clarke advised that as a result of the meeting during the evening of 3/20/75 he was completely confused and was at a loss as to how the coordination process was going to work. He advised Mr. Cregar that he would

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Memorandum for Mr. Wannall
RE: SENSTUDY 75

attempt to get some clarification and hopefully be in a position to provide some information as to how the White House, Mr. Silberman and Mr. Wilderotter wanted to proceed.

It is the opinion of both Mr. Mintz and Mr. Wannall that the Bureau must immediately set up a Task Force to handle the tremendous amount of information that will be required from the FBI, including the coordination of our responses with other agencies who might be involved in such an answer, as well as to insure that both the Department of Justice and the White House are fully informed. We can anticipate very short deadlines and requests for information that are not readily retrievable from Bureau records without considerable research involving several divisions in the Bureau.

ACTION:

That a Task Force be immediately created within the Bureau to facilitate the collation of information as well as the coordination of such information responsive to the requests we can anticipate receiving from Select Committees of the Congress.

FOL

Memo prepared Cregarke Wangold 3/27/75 wrd/bcw

It appears we are gearing ourselves to quick response - Why can't we get an agreement as to a reasonable response time -

wRW

Note: Principal responsibility for the Task Force would be the Intelligence Division in terms of personnel and collection and review of information and documents, however, an individual should be designated in each other division as contacts to handle receipt of requests of the division and to expedite responses from his division. Those designated should be briefed as to the roles of the Senate and House Select Committees and the urgency of the requests anticipated. Files Div. should consider development of special services that would assist in this effort. Legal Counsel will continue to deal with the committees and help elsewhere as necessary.

JM

PLM

JMA

NW 65360 DocId:32989530 Page 16

FBI

Mr Cregar

INTELLIGENCE COMMUNITY STAFF

20 March 1975

This represents a working paper. It attempts to outline a course the DCI can take in dealing with the Senate/House Select Committees' inquiries. The details herein have not yet been discussed or coordinated with representatives of the Ad Hoc Group of USIB.

John M. Clarke
AD/DCI/IC

USIB also plan to take at 5 pm session today

#MDR16
9/26/00 SP-2 ALM/JTG

ACTION

62-116395-49

A. RESPONSIBILITIES AND SUPPORT

In treating with Congressional inquiries, the Director of Central Intelligence will provide leadership to the Intelligence Community. The Associate Deputy to the DCI for the Intelligence Community, supported by the Intelligence Community Staff, will provide the principal staff direction and congressional liaison for the DCI in these matters. He will serve as a focal point for coordination among Community entities and assure communication with the Executive Office as appropriate. The IC Staff with the assistance of USIB Agencies will provide legal, security, substantive, and registry support structured so as to assure appropriate support to the DCI and the Intelligence Community. The AD/DCI/IC will chair an Ad Hoc Coordinating Group of USIB as a principal mechanism for exchanging information and coordinating USIB activities with respect to the inquiry where needed. The AD/DCI/IC and the USIB Ad Hoc Coordinating Group will establish periodic and special time sensitive reporting to keep the DCI, the USIB principals, and involved Executive Branch agencies advised on USIB Agencies' liaison relationships with the Select Committees and on substantive exchanges in response to Select Committee inquiries. Where useful, common standards and procedures will be developed by the USIB Ad Hoc Coordinating Group.

B. COORDINATION

1. Physical security is proceeding well. The Chairman of the Security Committee of USIB has been assigned as the principal Intelligence Community officer on physical security and clearance matters. Agreements have been reached with the Senate Select Committee on physical security standards. These standards have been provided to the House Select Committee Staff. The Senate has arranged for central facilities which meet the physical security standards and has appointed a full-time security officer who will provide certification of personnel clearances. The House at the present time is not planning central facilities and we understand will be dispersed in at least three different locations.

Discussion of classified information will occur outside of the security-approved Committee rooms and particularly in the offices of the members of the Select Committee. Agreement has been reached that the FBI will approach the House and Senate Staff Directors and offer technical sweep services for the Congressional offices involved.

ENCLOSURE

62-116395-44

2. Personnel security investigations on Select Committee Staff are under way by the FBI. It is understood that upon completion of Staff investigations, the Select Committee Chairman will certify to the DCI the Top Secret clearances of Committee Staff. The DCI, through his Intelligence Community Staff, will pass along the certification to the security elements of the respective agencies. Compartmented clearance arrangements and certification also have been agreed with the Senate Select Committee Staff. Similar arrangements have been discussed with the House Select Committee Staff.

3. Secrecy agreements for the Senate Select Committee Staff employees are being drafted and the AD/DCI/IC, supported by the CIA General Counsel and the Associate Deputy Attorney General, will negotiate similar arrangements with the House. The DCI policy is to insist upon secrecy agreements.

4. Arrangements will be established by the USIB Ad Hoc Coordinating Group for the recording of documents, testimony and transcripts, and for procedures to protect sources and methods which may be contained in the material flowing to the Select Committees from all agencies. A central index service will be provided by the Intelligence Community Staff to serve the DCI and USIB Agencies. The following describes the general content of this central index.

a. All requests received by USIB Agencies from the Select Committees.

b. All other communications from Select Committees on subject of interest to more than one agency.

c. Reports and responses by other non-intelligence elements of the Executive Branch (if desired by those elements).

d. Identification of document responses provided to the requests and listing of subjects covered.

e. Prepared statements and transcripts of testimony made to Select Committees.

f. Selective material released or denied under the Freedom of Information legislation which relates to subjects of interest to the Select Committees.

NW 65360 DocId:32989530 Page 19

Under this concept, all USIB Agencies would have a reporting responsibility to keep the central index current. Procedures will be developed. All agencies would retain responsibility for the physical possession and accessibility of their documents. The third agency rule will apply in providing documents to the Select Committees.

C. PROTECTION AND HANDLING OF MATERIALS

1. It is suggested that in general there are four levels of security applied to documents supplied to the Committees.

a. The bulk of historical data, organizational directives, budgets, cash flow, command and control procedures, etc. should be made available to the Committees on request and transmitted by the agencies concerned directly to the Select Committees. This material will be under the control of the Select Committees. It should be properly classified as appropriate to assure downgrading under the Freedom of Information Act is consistent with the judgment of the originating agency. The agencies will inform the central registry of the IC Staff of such transmissions and provide a description of the materials. The record file will be maintained by the originating agency so that it may be retrieved if necessary for use by authorized persons.

b. A second level of material will involve more sensitive data where sanitization or compartmented arrangements may be desired. Agencies will be responsible for these determinations. The IC Staff and the USIB Security Committee will develop general guidelines for application of sanitization procedures. Emphasis will be placed on protecting sources and methods while providing meaningful response and documentation to the Select Committees. The record copy of all such material will be available in the originating agencies. The existence of the original file and its sanitized version and location will be recorded with the registry. Keys to sanitized versions will be held by the agencies concerned.

c. A third type of material will be made available to Select Committee members or staff at the originating agency or if desirable at a central point to be determined. (Facilities for a central reading room can be established by the IC Staff, if desired.) This material would be provided in the presence of an authorized representative of the originating

NW 65360 DocId:32989530 Page 20

agency. These "fondling" files may have specific limiations placed upon them by the agencies concerned. Where such search limitations are determined, they should be consistent with the agreements contained in the DCI letter to Senator Church or with ground rules agreed among responsible agencies or with the Select Committees. The Ad Hoc Coordinating Group provides one forum for such determinations where interagency discussions are useful.

A fourth type of material for numerous reasons will not be available to Select Committee Staff in its raw form, e.g., memoranda to or from the President, especially sensitive matters where Executive Branch prerogatives are involved. This material can be used to prepare briefs or provide briefings to Select Committee Staff or members bur specific documentations normally will not be provided. If such briefs or briefings do not satisfy the Select Committees, negotiations will be undertaken with the Committees. The DCI should be kept advised in all such instances. Normally, if after negotiations there is provision of raw data, such data will be hand-carried to the Committees and read by the Committee or Staff members in the presence of an authorized representative of the originating agency as in c. above. This shall be made a matter of record by memorandum of the originating agency to the DCI and recorded in the IC registry along with the ground rules negotiated with the committees and the agencies in their negotiations. These ground rules will normally be an agenda item on the Ad Hoc Coordinating Group agenda.

2. Testimony given in informal interview with Select Committee Staff will be recorded normally in a memorandum of record and filed in the agency concerned. Employees not wishing to report such testimony are free from doing so. Notification will be given to the IC central index of the existence of the file, its location and access rules. To the degree possible, the registry will cross-reference all materials provided the Committees and will prepare current reports on such materials.

D. LEGAL SUPPORT AND QUALITY CONTROLS

1. The Intelligence Community Staff has several lawyers who will be assigned to provide support to legal matters relating to this inquiry. The leader of this group will be expected to have regular consultation with the

NW 65360 DocId:32989530 Page 21

General Counsels of all USIB Agencies and the Department of Justice, the NSC, the OMB, and other Executive Branch elements involved in the inquiry. Since the inquiry can result in the introduction of legislation, the IC Staff lawyers will also provide to the DCI appropriate legal briefs for his use. The recording of these briefs will also be made by the central index. The lawyers will also assist the DCI and USIB in ensuring that the Select Committees' procedures are developed in consideration of the legal and constitutional position of the USIB agencies and employees thereof.

2. We can anticipate the Select Committees will have 40-50 staff personnel involved in the inquiries and that they will normally proceed directly to the agencies concerned within their functional areas of interest. Cross agency activity coordination and substantive comparisons will occur within the Select Committees' staffs. It is in the interest of the USIB Agencies to assure equally good coordination between and among the members and Executive Branch elements as appropriate in the material and testimony provided and that a general quality control of the product is exercised. The Ad Hoc Coordinating Group provides the forum for keeping USIB Agencies informed on responses provided in the course of the inquiry and avoiding surprise. Further, the IC Staff will establish a small quality control and evaluative function and be alert to the indicators available as the investigations proceed of potential actions or further inquiries that could derive from materials or testimony provided by the various agencies.

3. There will be a range of "skeletons" and allegations which may surface in the course of the inquiry. USIB Agencies will seek to assure that all the facts are found and addressed so as to be responsive to the Select Committee inquiry and in consideration of the Administration.

E. ALLEGATIONS AND PUBLICITY

1. The nature of the investigation will undoubtedly continue to afford considerable public discourse. Many press allegations will cause further inquiry. A system to check the veracity of such allegations should be established by each USIB Agency. The IC Staff will also undertake to monitor press allegations and discuss them with the agencies involved as appropriate.

NW 65360 DocId:32989530 Page 22

2. Senator Church intends to provide the press with commentary on selective testimony or facts pertaining to the inquiry. He has advised that he will clear with the Director these releases to avoid inadvertent disclosure harmful to U.S. intelligence agencies. Review of such releases will be undertaken by the IC Staff in concert with appropriate agencies.

3. In preparing statements or testimony to be given in open or closed hearings, senior intelligence officials should avail themselves of all previous related testimony or material furnished by other sources.

4. The DCI, through his IC Staff, will assure regular consultation with Executive Branch agencies on press matters and take steps to foster good communication between USIB entities and political officials.

Notification of all inquiries from press officials to intelligence agencies concerned should be provided to the IC Staff and a record of these inquiries maintained in the central registry.

NW 65360 DocId:32989530 Page 23

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. N.P. Callahan
1 - Mr. J.B. Adams

TO : Mr. W.R. Wannall WRW/TVL

DATE: March 27, 1975

1 - Each Assistant Director

FROM : W.O. Cregar

1 - Mr. W.O. Cregar

SUBJECT: SENSTUDY 75

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 ___

This memorandum is responsive to a request by the Director, that is, "It appears we are gearing ourselves to quick responses--why can't we get an agreement as to a reasonable response time?"

Memorandum W.O. Cregar to Mr. W.R. Wannall, dated 3/21/75, captioned as above, described in considerable detail problems concerned with coordinating responses to the Select Committees of Congress. One of the significant problems is the very short deadlines we anticipate receiving from the Select Committees.

Responsive to the Director's question, should we get unreasonable deadlines from the Select Committees requiring extensive file reviews, our legislative liaison will personally contact Senator Church or Congressman Nedzi, pointing out to them the problems attendant to the short deadline and ~~requesting~~ negotiating an extension in order that we may be completely responsive to their requests.

ACTION:

REC-28 62-116395-48

21 APR 9 1975

For the Director's information.

WOC:bcw
(17)

bcw

#MDR16
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/26/00 BY SP2 ALM/JTG

PLM

WRW

54 APR 1 1975

5-W06

#MDR 16
[illegible] ON THIS ENVELOPE
[illegible]
DATE 9/26/00 BY SP-2 ALM/JTG

62-1 1395 47

DIRECTOR

Federal Bureau of Investigation

United States Department of Justice

Washington, D. C.

August 24, 1936.

#MDR 16
DECLASSIFIED BY SP2 ALM/JTG
ON 9/25/00

CONFIDENTIAL MEMORANDUM

ROOSEVELT

This morning, in accordance with the request of the President conveyed to me personally by him last Wednesday in New York City, I called at the White House at 9:15 and was with the President until 10:15.

He was desirous of discussing the question of the subversive activities in the United States, particularly Fascism and Communism. He had previously received the memorandum which I had prepared covering my conversation with General Smedley Butler and the effort of Father Coughlin to have General Butler head an expedition to Mexico. I informed the President concerning certain recent developments in the Communist activities in the country, particularly the efforts of the Bridges organization in San Francisco and their progressive control of the shipping on the Pacific Coast, the Gulf Coast and their recent expansion to shipping operations on the Atlantic Coast. I told him that while their contract will expire on September 30, 1936, they are endeavoring to have it temporarily extended until April 1, 1937, in order to conform to the same date that the United Mine Workers' contract expires, which organization is headed by John L. Lewis. I told him that the Bridges organization was practically controlled by Communists and that the Communists had now decided to make very definite plans to get control of the Lewis organization.

I called his attention to the activities of the Newspaper Guild headed by Heywood Broun, which has strong Communistic leanings, and which has been responsible for putting out of operation the Seattle Post Intelligencer. I told him that my information was that the Communists had planned to get control of these three groups and by doing so they would be able at any time to paralyze the country in that they could stop all shipping in and out through the Bridges organization; stop the operation of industry through the Mining Union of Lewis; and stop publication of any newspapers of the country through the Newspaper Guild.

I also related to him the activities which have recently occurred within Governmental service inspired by Communists, particularly in some of the Departments and in the National Labor Relations Board.

I likewise informed him that I had received information to the effect that the Communist Internationale in Moscow has recently issued instructions for all Communists in the United States to vote for President Roosevelt for reelection and against Governor Landon because of the fact that Governor Landon is opposed to class warfare.

The President stated that he had been considerably concerned about the movements of the Communists and of Fascism in the United States and that while the Secret Service of the Treasury Department had assured him that they had informants in every Communist group, he believed that if that was true it was solely for the purpose of getting any information upon plots upon his life, whereas what he was interested in was obtaining a broad picture of the general movement and its activities as may affect the economic and political life of the country as a whole. I told him that there is at the present time no governmental organization which is getting any so-called "general intelligence information" upon this subject. He inquired what suggestions I might offer relative to this matter. I told him that the appropriation of the Federal Bureau of Investigation contains a provision that it might investigate any matters referred to it by the Department of State and that if the State Department should ask for us to conduct such an investigation we could do so under our present authority in the appropriation already granted. He stated that he is reluctant to have a formal request come through the State Department because of the many leaks therein, but that what he would do would be to put a handwritten memorandum of his own in his safe in the White House, stating he had instructed the Secretary of State to request this information to be obtained by the Department of Justice. He stated he would have the Secretary of State at the White House tomorrow afternoon, and asked me to call at the White House at 1:45 p.m. to see him, the President, and the Secretary of State, at which time the matter could be further discussed and an oral request could be made of me by the Secretary of State for investigation so as to avoid any possibility of any leak.

He suggested that I endeavor to coordinate any investigation along similar lines which might be made by the Military or Naval Intelligence Services. He stated that the Secret Service was not being brought in on this investigation as they should confine themselves strictly to the matter of protecting his life and the survey which he desired to have made was on a much broader field.

John Edgar Hoover.

JOHN EDGAR
DIRECTOR

Federal Bureau of Investigation

United States Department of Justice

Washington, D. C.

August 25, 1936.

#MDR16
DECLASSIFIED BY SP2 ALM/JTG
9-25-00

CONFIDENTIAL MEMORANDUM

Today, in line with the request of the President, I called at the White House at 1:45 p.m., and present at the conference were the President, the Secretary of State and myself. The President related to the Secretary of State his concern relative to Communist activities in this country, as well as Fascist activities. He stated that he was very desirous of having a survey made of these conditions and informed the Secretary of State that this survey could be made by the Department of Justice if the Secretary of State requested the Department to conduct the inquiry, as under the Appropriation Act this Bureau would have authority to make such investigation if asked to do so by the Secretary of State. The President pointed out that both of these movements were international in scope and that Communism particularly was directed from Moscow, and that there had been certain indications that Oumansky, attached to the Russian Soviet Embassy, was a leading figure in some of the activities in this country, so consequently, it was a matter which fell within the scope of foreign affairs over which the State Department would have a right to request an inquiry to be made.

The Secretary of State inquired if a request should be made in writing. The President indicated that it should not be since he desired the matter to be handled quite confidentially and that it would be sufficient that the President, the Secretary of State and I should be the ones aware of this request.

The Secretary of State asked that the investigation be made and then made several suggestions - one, relative to the making of a protest, either formally or informally, to the Russian Government relative to its interference with affairs in this country. Discussion was also had as to the information obtained indicating that the Third Internationale had indicated preference for Roosevelt as against Landon. It was the opinion of the President that some statement should be made along this line by the Attorney General at an early date. The President asked that I speak to the Attorney General, upon his return to the city, about this matter, and he suggested to the Secretary of State that he talk over the technique to be followed in this particular aspect, with the Attorney General.

John Edgar Hoover.

x Subversive activities investigations

Ack. in V.7

62-116395-47

Office of the Attorney General
Washington, D.C.

September 14, 1967

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/25/00 BY SP2 ALM/JTG

MEMORANDUM FOR THE DIRECTOR, FEDERAL
BUREAU OF INVESTIGATION

Although the bulk of criminal offenses occurring in the course of recent riots have been local rather than federal in nature, the question as to whether there was an organization which (a) had made advanced plans for, and (b) was active during any of the riots in the summer of 1967 is one that cannot always be readily resolved by local authorities. In view of the seriousness of the riot activity across the country, it is most important that you use the maximum available resources, investigative and intelligence, to collect and report all facts bearing upon the question as to whether there has been or is a scheme or conspiracy by any group of whatever size, effectiveness or affiliation, to plan, promote or aggravate riot activity.

In this connection the following federal statutes could be applicable depending, of course, upon the factual situation that develops:

Title 18, USC, Section 2383, which proscribes the inciting or engaging in any rebellion or insurrection against the authority of the United States.

Title 18, USC, Section 2384, which proscribes conspiring to overthrow or to destroy by force the Government of the United States or to oppose by force the authority thereof or by force to prevent, hinder or delay the execution of any law of the United States.

Title 18, USC, Section 2385, which proscribes, inter alia, advocacy of overthrowing the Government of the United States or the Government of any state, territory, District or possession thereof, or the Government of any political subdivision therein by force or violence.

Activities Affecting Armed Forces, 18 USC 2388

Selective Service, 50 USC (App.) 462

Travel and Interstate Transportation,
18 USC 1952 (Arson)
18 USC 831-33 (Explosive)

Assault and Killing of Federal Officers and Employees, 18 USC 111, 114 and 2231

Destruction of Government Property, 18 USC 1361 et al.

Federal Firearms Act, 15 USC 901-909

Crimes on Federal Reservations, 18 USC 13, 81 et al.

I appreciate that the Bureau has constantly been alert to this problem and is currently submitting intelligence reports to us about riots and about the activity of certain groups and individuals before, during and after a riot. Indeed, the President has said both publicly and privately that the FBI is conducting extensive and comprehensive investigations of these matters.

There persists, however, a widespread belief that there is more organized activity in the riots than we presently know about. We must recognize, I believe, that this is a relatively new area of investigation and intelligence reporting for the FBI and the Department of Justice. We have not heretofore had to deal with the possibility of an organized pattern of violence, constituting a violation of federal law, by a group of persons who make the urban ghetto their base of operation and whose activities may not have been regularly monitored by existing intelligence sources.

In these circumstances, we must be certain that every attempt is being made to get all information bearing upon these problems; to take every step possible

to determine whether the rioting is pre-planned or organized; and, if so, to determine the identity of the people and interests involved; and to deter this activity by prompt and vigorous legal action.

As a part of the broad investigation which must necessarily be conducted, it is requested that all available information be reported and analyzed regarding each sniper caught in any riot or extremist activity and regarding those arrested during the course of a riot or significant racial disturbances who were not residents of the general area. Moreover, sources or informants in black nationalist organizations, SNCC and other less publicized groups should be developed and expanded to determine the size and purpose of these groups and their relationship to other groups, and also to determine the whereabouts of persons who might be involved in instigating riot activity in violation of federal law. Further, we need to investigate fully allegations of conspiratorial activity that come to our attention from outside sources such as those reported regarding Newark in Life Magazine for July 28, 1967, and those regarding the Detroit riot which were furnished to the Department by Walter Sheridan of the National Broadcasting Company (summary of latter is attached).

Ramsey Clark

RAMSEY CLARK
Attorney General

#MDR16
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-7-00 BY SP2 ALM/JTG

DIRECTIVE OF THE PRESIDENT OF THE UNITED STATES

DECEMBER 15, 1953

"On September 6, 1939, January 8, 1943, and July 24, 1950, Presidential Directives were issued requesting all enforcement officers, both Federal and State, to report promptly all information relating to espionage, sabotage, subversive activities and related matters to the nearest field representative of the Federal Bureau of Investigation.

"The Federal Bureau of Investigation is charged with investigating all violations of the Atomic Energy Act, including the illegal export or import of fissionable material, the illegal possession or transportation of fissionable material and the illegal production, transfer, or possession of any equipment or device utilizing fissionable material or atomic energy as a military weapon. 'Fissionable material' means plutonium, uranium-235 or other material which the Atomic Energy Commission has determined to be capable of releasing substantial quantities of energy through nuclear chain reaction. I am requesting that all enforcement officers, both Federal and State, report all information relating to violations of the Atomic Energy Act to the nearest field representative of the Federal Bureau of Investigation.

"I suggest that all patriotic organizations and individuals likewise report all such information to the Federal Bureau of Investigation in the same manner."

THE WHITE HOUSE
WASHINGTON

July 24, 1950

FBI
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/25/00 BY SP2 ALM/ITG

INFORMATION RELATING TO DOMESTIC ESPIONAGE, SABOTAGE, SUBVERSIVE ACTIVITIES AND RELATED MATTERS

On September 6, 1939 and January 8, 1943 a Presidential Directive was issued providing that the Federal Bureau of Investigation of the Department of Justice should take charge of investigative work in matters relating to espionage, sabotage, subversive activities and related matters. It was pointed out that the investigations must be conducted in a comprehensive manner on a National basis and all information carefully sifted out and correlated in order to avoid confusion. I should like to again call the attention of all Enforcement Officers, both Federal and State, to the request that they report all information in the above enumerated fields promptly to the nearest Field Representative of the Federal Bureau of Investigation, which is charged with the responsibility of correlating this material and referring matters which are under the jurisdiction of any other Federal Agency with responsibilities in this field to the appropriate agency.

I suggest that all patriotic organizations and individuals likewise report all such information relating to espionage, sabotage and subversive activities to the Federal Bureau of Investigation in this same manner.

Harry Truman

REPORT SECURITY MATTERS TO FBI

"On September 6, 1939, I issued a directive providing that the Federal Bureau of Investigation of the Department of Justice should take charge of investigative work in matters relating to espionage, sabotage and violations of the neutrality regulations, pointing out that the investigations must be conducted in a comprehensive manner, on a national basis, and all information carefully sifted out and correlated in order to avoid confusion and irresponsibility. I then requested all police officers, sheriffs, and other law enforcement officers in the United States, promptly to turn over to the nearest representative of the Federal Bureau of Investigation any such information.

"I am again calling the attention of all enforcement officers to the request that they report all such information promptly to the nearest field representative of the Federal Bureau of Investigation, which is charged with the responsibility of correlating this material and referring matters which are under the jurisdiction of any other Federal agency with responsibilities in this field to the appropriate agency.

"I suggest that all patriotic organizations and individuals likewise report all such information relating to espionage and related matters to the Federal Bureau of Investigation in the same manner.

"I am confident that all law enforcement officers, who are now rendering such invaluable assistance toward the success of the internal safety of our country will cooperate in this matter."

Franklin D. Roosevelt

January 8, 1943

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9-25-00 BY SP2 ALM/LTR

DIRECTIVE OF THE PRESIDENT OF THE UNITED STATES

SEPTEMBER 6, 1939

"The Attorney General has been requested by me to instruct the Federal Bureau of Investigation of the Department of Justice to take charge of investigative work in matters relating to espionage sabotage, and violations of the neutrality regulations.

"This task must be conducted in a comprehensive and effective manner on a national basis, and all information must be carefully sifted out and correlated in order to avoid confusion and irresponsibility.

"To this end I request all police officers, sheriffs, and all other law enforcement officers in the United States promptly to turn over to the nearest representative of the Federal Bureau of Investigation any information obtained by them relating to espionage, counterespionage, sabotage, subversive activities and violations of the neutrality laws."

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP3 ALM/STG

JEH:HCB

#MDR16 SP-2 ALM/JTG
9-25-00

September 10, 1936.

Strictly Confidential

MEMORANDUM FOR MR. TAMM

In talking with the Attorney General today concerning the radical situation, I informed him of the conference which I had with the President on September 1, 1936, at which time the Secretary of State was present, and at which time the Secretary of State, at the President's suggestion, requested of me, the representative of the Department of Justice, to have investigation made of the subversive activities in this country, including communism and fascism. I transmitted this request to the Attorney General, and the Attorney General verbally directed me to proceed with this investigation and to coordinate, as the President suggested, information upon these matters in the possession of the Military Intelligence Divsion, the Naval Intelligence Division, and the State Department. This, therefore, is the authority upon which to proceed in the conduct of this investigation, which should, of course, be handled in a most discreet and confidential manner.

Very truly yours,

John Edgar Hoover,
Director.

The Attorney General

April 4, 1975

Director, FBI

1 - Legal Counsel Division
1 - Mr. W. O. Cregar

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES

Reference is made to a letter from the Senate Select Committee dated March 19, 1975, requesting certain documents and other information from the Federal Bureau of Investigation.

Attached for your approval and forwarding to the Committee is the original of a memorandum which constitutes an initial response to the various requests set forth in referenced letter. A copy of this memorandum is enclosed for your records. Processing of the additional requests is continuing on an expeditious basis and further responses will be forthcoming.

Enclosures (10)

EWL:jvl
(5)

REC-23

2-ENCLOSURE

ST-112

APR 8 1975

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

70 APR 17 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

1 - Legal Counsel Division
1 - Mr. W. O. Cregar

April 4, 1975

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

Reference is made to letter dated March 19, 1975, to the Attorney General from the Chairman of captioned Committee, which enclosed certain requests for documents and other information from the Federal Bureau of Investigation (FBI).

Attached are various documents which constitute an initial and partial response to the Committee's request. These documents are described as follows:

1. A memorandum from Attorney General Ramsey Clark to FBI Director J. Edgar Hoover, dated September 14, 1967.

2. Two FBI memoranda recording instructions received from President Franklin D. Roosevelt by FBI Director Hoover concerning FBI investigations of subversive activities and which indicate meetings between President Roosevelt and Director Hoover on August 24 and 25, 1936.

3. A memorandum from Director Hoover to FBI Associate Director E. A. Tamm, dated September 10, 1936.

4. Presidential directives dated September 6, 1939; January 8, 1943; July 24, 1950; and December 15, 1953.

The various other requests contained in the Committee's letter of March 19, 1975, are receiving attention and response will be forthcoming at the earliest possible time.

Enclosures (8)

1 - The Attorney General

EWL:jvl
(5)

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

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

GPO 954-546

NW 65360 DocId:32989530 Page 39

The Attorney General

March 31, 1975

REC-46

Director, FBI

1 - Mr. N.P. Callahan
1 - Mr. J.B. Adams
1 - Mr. J.A. Mintz
1 - Mr. W.R. Wannall
1 - Mr. W.O. Cregar

SENATE SELECT COMMITTEE

Reference is made to a telephone conversation between Associate Deputy Attorney General James A. Wilderotter and Inspector John B. Hotis on March 25, 1975.

This will confirm the authorization provided by Mr. Wilderotter to Mr. Hotis with regard to permitting CIA to furnish a memorandum dated February 7, 1966, entitled "CIA Operations in the United States," to the staff of the Senate Select Committee.

It is our understanding that Mr. William G. Miller, Staff Director, Senate Select Committee, telephonically contacted Mr. John Clarke, Associate Deputy to the Director of Central Intelligence, and requested a copy of the above-described memorandum.

1 - The Deputy Attorney General

WOC:bcw
(9)

NOTE:

See memorandum W.O. Cregar to Mr. W.R. Wannall, dated 3/24/75, captioned "Senstudy 75," prepared by WOC:cbc.

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
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Telephone Rm.
Director Sec'y

MAILED 6
MAR 31 1975
FBI

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NW 65360 DocId:32989530 Page 40

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
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Legal/Coun. ✓
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. W. R. Wannall

DATE: 3/24/75

FROM : W. O. Cregar

1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Cregar

SUBJECT: SENSTUDY 75

This memorandum reports that on the morning of 3/24/75 Mr. John Clarke, Chairman of the Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community, telephonically advised Section Chief William O. Cregar, the Bureau's representative on this Group, that the Senate Select Committee (SSC) has requested a copy of the 2/7/66 FBI - CIA Understanding, entitled "CIA Operations in the United States."

We have previously received requests from the House Appropriations Committee as well as the Rockefeller Commission for copies of the FBI - CIA Understanding dated 2/7/66. In both instances, Deputy AG Laurence Silberman authorized the release of the FBI - CIA Understanding to the House Appropriations Committee as well as the Rockefeller Commission.

On the morning of 3/24/75 Mr. John Clarke telephonically advised that CIA has received a request from the SSC to provide the SSC with a copy of the FBI - CIA Understanding. Inasmuch as we have previously provided a copy of this Understanding to another Congressional committee, it would appear that we have no choice but to furnish a copy of this Understanding to the SSC; however, clearance should be obtained from Deputy AG Silberman.

Inasmuch as a timely response to the SSC is desired, it would appear reasonable for the Legal Counsel Division to telephonically inquire from Mr. Silberman whether he interposes any objection to CIA furnishing a copy of the Understanding to the SSC. If oral authority is obtained, the Intelligence Division will confirm such authority from the Deputy AG in writing.

REC-46 62-116395-46

9 APR 1 1975

ACTION:

If approved, the Legal Counsel Division will attempt to obtain Mr. Silberman's authority for FBI to advise CIA that this Bureau interposes no objection to CIA furnishing a copy of the FBI - CIA Understanding dated 2/7/66 to the SSC staff. This authority will be confirmed in writing if granted.

WOC:ebc
(5)

On 3/25/75, Assoc Deputy AG James Wilderotter authorized dissemination of FBI-CIA memorandum of understanding dtd 2/7/66 to SSC.

LEGAL COUNSEL

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP2 ACM

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

Assoc. Dir. ___
Dep.-A.D./Adm. ✓
Dep.-A.D./Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
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Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

#MDR16
9/25/00 SP2 ALM/JTG

20 March 1975

The Honorable Clarence M. Kelley
Director
Federal Bureau of Investigation
Washington, D.C. 20535

Dear Mr. Kelley:

Thank you for forwarding me a copy of your letter to Bill Cotter covering postal-related matters which might come up in the Select Committees' review of U.S. intelligence. I have passed this communication to John Clarke and can reaffirm that John will be in touch with Bill as these matters evolve. I want to assure that subjects dealing with any postal relationships are properly coordinated.

I am furnishing Mr. Cotter with a copy of this letter.

Sincerely,

W. E. Colby
Director

REC-19 EX-110

62-116395-45

APR 1 1975

cc: Mr. Cotter

EXP. PROC.
MAR 21 1975

58 APR 8 1975

CODE TELETYPE NITEL

#MDR 16

9/25/00 SP-2 ALM/JTG

FEDERAL BUREAU OF INVESTIGATION
3-24-75
COMMUNICATIONS SECTION

MAR 24 1975

TELETYPE

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 INFORMATION 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 COUNTERINTELLIGENCE MATTERS. PERCENTAGES OF AN AGENT'S TIME, WHEN NOT ASSIGNED FULL-TIME TO THESE ACTIVITIES, SHOULD BE USED IF APPROPRIATE, PARTICULARLY IN THE SUPERVISORY CATEGORIES. THIS INFORMATION SHOULD BE BROKEN DOWN SEPARATELY BETWEEN INTERNAL

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

1 - Each Assistant Director

62-116395-44

NOTE: By letter dated 3/19/75 Senator Frank Church, Chairman of the Senate Select Committee To Study Governmental Operations With Respect To Intelligence 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 counterintelligence activities. It is necessary to contact the field offices to obtain specific information concerning the current agent staff assigned to these matters.

DWA:jmb

MAR 26 1975

MAIL ROOM ☐ TELETYPE UNIT ☑

TELETYPE TO ALL SACS
RE: SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

SECURITY AND COUNTERINTELLIGENCE. YOUR RESPONSE SHOULD BE LIMITED TO AGENT PERSONNEL ONLY.

NW 65360 DocId:32989530 Page 44

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall

FROM : W. O. Cregar

SUBJECT: SENSTUDY 75

1 - Mr. Callahan
1 - Mr. Adams

DATE: 3/18/75

1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Farrington
1 - Mr. Cregar

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

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-7-00 BY SP2 [illegible]

This memorandum reports the results of a meeting of the Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community, (hereafter referred to as the Group), held on 3/14/75.

The Group is chaired by Mr. John Clarke, Associate Deputy to the Director of Central Intelligence, and is made up of representatives of agencies and departments having membership on the United States Intelligence Board (USIB). Its purpose is to serve as a coordinating mechanism for future testimony before various Congressional committees.

At a meeting of the Group on 3/14/75 the following items were discussed:

Freedom of Information:

Mr. Clarke asked all agencies to report on the volume of requests that are received under the Freedom of Information Act. The CIA representative pointed out that as of 3/10/75 CIA had received 93 requests. Since 3/10/75 the requests are averaging approximately 50 per day. The National Security Agency has received approximately 35 requests. None of the other agencies reported any high volume of requests and those requests that had been received did not impact on the Intelligence Community.

EX 104

REC-38 62-116395-43

Security Arrangements:

CIA's Director of Security, Mr. Charles Kane, and the Chairman of the USIB Security Committee, Mr. Donald E. Moore, have met with Mr. Ben Marshall, Security Officer for the Senate Select Committee (SSC), and are encouraged by the physical and document security arrangements the SSC intends to employ. Attached is a letter from Senator Church to Mr. Colby expressing Senator Church's appreciation for the help provided by Mr. Colby's staff in developing security precautions.

Enclosures
WOC:ebc
(7)

ENCLOSURE

CONTINUED - OVER

Memorandum for Mr. Wannall
RE: SENSTUDY 75

The FBI - CIA 1966 Understanding:

Mr. Clarke advised that the Rockefeller Commission requested a copy of the FBI - CIA Understanding of 1966 and inquired whether one could be made available to the Commission. I advised Mr. Clarke that we had made the 1966 Understanding available to Congressional committees and I saw no reason why a copy of the Understanding could not be furnished to the Rockefeller Commission but I would have to defer to Deputy AG Silberman (also in attendance). Mr. Silberman said by all means we would have to respond to the Rockefeller Commission and he authorized Clarke to furnish a copy of the Understanding to the Rockefeller Commission.

Clearances for Staff Members of the SSC:

Attached hereto is a copy of a letter to the Staff Director of the SSC from Mr. Clarke outlining procedures for the certification of clearances granted to SSC staff members. As an enclosure to this attachment is a suggested format which the SSC could use in certifying that staff members who have received a security investigation by the FBI meet the requirements of Executive Order 10450 for access to classified information up to and including "Top Secret." A second enclosure to Clarke's letter to Miller contains a copy of Director of Central Intelligence Directive (DCID) 1/14 which sets up the Uniform Personnel Security Standards and Practices Governing Access to Sensitive Compartmented Information. Clearances for access to compartmented information are the responsibility of CIA and such clearances will be issued to select members of the SSC on a "need-to-know" basis.

Staff Members on Whom Substantial Derogatory Information is Developed:

Mr. Clarke asked if I could describe for the Group what procedures had been worked out with Senator Church when information was developed of a significant derogatory nature regarding potential staff employees. I advised the Group that upon such a determination a Bureau official would bring the

CONTINUED - OVER

NW 65360 DocId:32989530 Page 46

written results of the investigation personally to the attention of Senator Church or his Staff Director. Following that a copy of this investigation would be made available to Mr. Colby as the Director of Central Intelligence and that Senator Church or the Staff Director would welcome any comments from Mr. Colby as to the security ramifications attendant to the employment of this person. Mr. Clarke agreed this was a very desirable procedure and the Group fully endorsed this arrangement.

Organization of the SSC:

Attached is Mr. Clarke's understanding of how the SSC will be organized. It is noted it will be broken down into four Task Forces, each with a Task Force Director, a lawyer or lawyers assigned, each with several researchers. As noted from this enclosure, Task Force three concerns domestic activities including the FBI and those parts of the CIA that relate to domestic matters. Army counterintelligence activities may also come under the cognizance of this Task Force. Staffing for Task Force number three is still in process and no Task Force Director has yet been appointed.

CIA Secrecy Agreement and Employee Bulletin:

Attached hereto is a letter to Senator Church from Mr. Colby designed to relieve current CIA employees from any obligation of secrecy. It is noted all CIA employees sign a Secrecy Agreement as a prerequisite to employment. Also attached is a copy of an Employee Bulletin, dated 3/12/75, advising CIA employees as to the procedures he should follow if he is selected to be interviewed by a member of the SSC or its staff. It is to be noted that both the Employee Bulletin and Colby's letter to Senator Church were reviewed by the White House and the Department of Justice.

CONTINUED - OVER

NW 65360 DocId:32989530 Page 47

Memorandum for Mr. Wannall
RE: SENSTUDY 75

CIA Requirements Received from the SSC:

Attached herewith is a letter from Senator Church to Mr. Colby enclosing the initial request for CIA documents for transmittal to the SSC. According to Mr. Clarke, it is his understanding that similar requests if not already received are being prepared by the SSC for other members of the Group.

Executive Session:

At the conclusion of the formal meeting, Mr. Clarke asked for an executive meeting to include the following persons: Deputy AG Laurence Silberman, Associate Deputy AG James Wilderotter; Mr. Philip Buchen, Counsel to the President; Mr. Chamberlain, Inspector General, CIA; Mr. Thomas Latimer, Department of Defense and myself.

According to Mr. Clarke the purpose of this meeting was to develop strategy as to how the Group would respond to the anticipated requests from the SSC. Both Mr. Buchen of the White House and Mr. Silberman,acting in his capacity as the President's Counsel for Congressional Inquiries, insisted that all requests as well as the responses to all such requests be coordinated through the above Group. Much discussion was had as to how this could be accomplished. No definitive decision was arrived at. However, it was agreed that the CIA would prepare a paper outlining how they would respond to the questions that they had already received, defining the level of response, the area of coordination and identification of sensitive problems. It was not quite clear to the Group as to exactly what form CIA's paper would take. It was proposed by Mr. Buchen and agreed that the same Executive Group would meet at CIA Headquarters on 3/19/75 to review the paper developed by CIA.

In view of the various legal questions involved and because of the direct involvement of Congressional committees, the question of the Bureau's representation was discussed with Mr. Adams. It was agreed that in addition to Mr. Cregar, the Bureau would be represented by Assistant Director Mintz. This proposal was discussed with Mr. Clarke and he readily agreed that certainly Mr. Mintz' presence would be a valuable asset to the Group.

CONTINUED - OVER

NW 65360 DocId:32989530 Page 48

As a result, Mr. Mintz and Mr. Cregar will attend the meeting of the Group on Wednesday, 3/19/75, at CIA Headquarters, at 10:30 a.m.

Senator Towers had requested the Bureau to conduct a counteraudio sweep of his personal office inasmuch as he anticipated having sensitive conversations in his office concerning the business of the SSC. Mr. Cregar was asked to raise the question of a counteraudio sweep during the executive session to get an expression from the Group as to whether counteraudio sweeps should be done. Both Mr. Silberman and Mr. Buchen felt it was desirable to conduct such sweeps and strongly recommended that they be done. No commitment was made as to who would do the sweeps at the time. However, after consultation with Assistant Directors Wannall and White, Mr. Adams and Mr. Callahan, it was agreed that the Bureau should do the sweeps inasmuch as it was a domestic matter. Mr. White indicated that he did have the personnel and the equipment to conduct such sweeps. As a result of that decision Mr. Clarke was telephonically advised that the Bureau would conduct counteraudio sweeps of the personal offices of both the Senate and House Select Committees providing such was in accord with the desires of both Committees. Our Legislative Liaison is currently contacting both Senator Church and Congressman Nedzi to confirm that both Committees desire this counteraudio check. It is to be noted that these sweeps will not include the outer offices of the Senators or Congressmen and will not include the offices of the employees of both staffs.

ACTION:

For information and record purposes.

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FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH. HOWARD H. BAKER, JR., TENN.
WALTER F. MONDALE, MINN. BARRY GOLDWATER, ARIZ.
WALTER D. HUDDLESTON, KY. CHARLES MCC. MATHIAS, JR., MD.
ROBERT MORGAN, N.C. RICHARD S. SCHWEIKER, PA.
GARY HART, COLO.
WILLIAM G. MILLER, STAFF DIRECTOR

Executive Registry
75-1266

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES
(PURSUANT TO S. RES. 21, 94TH CONGRESS)
WASHINGTON, D.C. 20510

Ad Hoc Staff
75-103

March 12, 1975

#MDR16
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-7-00 BY SP-2ALM/JTG

Mr. William E. Colby
Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Colby:

On behalf of the Senate Select Committee To Study Governmental Operations With Respect to Intelligence Activities, I want to thank your for your letter of March 11, and the copy of the Employee Bulletin you have issued to all CIA employees. As we jointly recognize, in order for the Committee to carry out a thorough inquiry, in accordance with the mandate contained in S. Res. 21, the Agency's full cooperation will be necessary. Your recognition that our mandate authorizes all, past and present, agency employees to cooperate fully, and without impediment due to secrecy agreements, will serve to facilitate our expeditious collection of material relative to that mandate.

I particularly appreciate your statement recognizing our security precautions. As you know, your staff was very helpful to the Committee's staff in designing those precautions.

The Staff Director and the Chief Counsel will, under the direction of the Committee, notify Mr. John Clarke of the members of the Committee who have been designated to carry out studies, inquiries and investigations required to meet the tasks specified in S. Res. 21.

It is the Committee's understanding that the members of the Committee and designated staff will have access to any and all information which the Committee determines is necessary for its inquiry. We recognize, however, that the Committee inquiry may touch on sensitive areas, such as the identity of CIA personnel, sources, or cooperating organizations whose disclosure could place persons in actual jeopardy. In the event that the Committee inquiry touches on such sensitive areas, which matters we have already discussed in our meeting of February 27, we should discuss jointly, and as you suggest quickly, what procedures might be followed should the Committee decide it requires more information in these specific areas.

I welcome these first steps in close cooperation and hope that it forecasts an expeditious and thorough inquiry that will result in the strengthening of our nation's intelligence activities under the law.

Sincerely,

Frank Church

Frank Church
Chairman

~~CONFIDENTIAL~~

THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

13 March 1975

ALL DCI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-7-00 BY SP2 ALM/ZTG

Mr. William G. Miller
Staff Director
Select Committee to Study Governmental
Operations With Respect to Intelligence Activities
United States Senate
Washington, D. C. 20510

Dear Bill:

Following up on our brief discussion Tuesday on the clearances of Committee Staff, I thought it might be helpful to outline a procedure which you may consider reasonable to use.

As I understand your current ground rules, you are submitting your staff applicants to the FBI for full field security investigation and on report from the Bureau, under the authority of Senate Resolution 21, the Chairman and/or the Committee will take action to grant or deny clearance.

The next step requires a notification to the Director of Central Intelligence of the Chairman's decision and certification of the clearances granted. I've attached a suggested format for this which you could use. On receipt of the certification we will advise the USIB security elements of the people so certified.

I also promised to go over with you the range of compartmented clearances that exist and I am prepared to do that when we next get together. You will recall these are the clearances for which you will want to determine the "need-to-know" for selected members of your staff. We need to establish agreed procedures here as well. Access to this information requires that an individual meet security standards set forth in DCID 1/14, a copy of which is attached.

Classified by 006805
Exempt from General Declassification Schedule of E.O. 11652, Exemption Category: 5B (1), (2), (3) or (4)
Declassified only on approval of the Director of Central Intelligence

62-116375-43

NATIONAL SECURITY INFORMATION
Unauthorized Disclosure Subject to Criminal Sanctions.

ENCLOSURE

This document may be downgraded to Unclassified when enclosure is detached.

~~CONFIDENTIAL~~

I would like to suggest that you appoint a member of your staff - say, Ben Marshall - as a focal point for handling compartmented information access approvals and assign him the responsibility of insuring that these security standards are met by persons selected to participate in this sensitive area.

The CIA operates a Compartmented Information Branch as a service of common concern to the intelligence community which records the names of all individuals in the Government with access to compartmented information. Your personnel would be similarly recorded which would considerably ease the access certifications to all organizations for the duration of your inquiry.

As indicated, I am prepared to discuss this with you at any time.

Sincerely,

John M. Clarke
Associate Deputy to the DCI
for the Intelligence Community

Attachments:
1 - DCID 1/14
2 - Suggested Format

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DIRECTOR OF CENTRAL INTELLIGENCE DIRECTIVE NO. 1/14

UNIFORM PERSONNEL SECURITY STANDARDS AND PRACTICES GOVERNING ACCESS TO SENSITIVE COMPARTMENTED INFORMATION[1]

(Effective 1 July 1968*)

Pursuant to the provisions of NSCID No. 1 (New Series, revised 4 March 1964), paragraph 2, subparagraph a. (5) and in order to ensure uniform protection of sensitive compartmented information, the following personnel security standards and practices are established for all United States Government civilian and military personnel, Government consultants, and employees of Government contractors who require access to sensitive compartmented information or to information which reveals the manner, methods and operational details by which sensitive compartmented information is collected. The standards and practices established herein are to be considered minimal and the departments and agencies may establish internally such additional security steps as may be considered necessary and appropriate to ensure that effective security is maintained. Access to sensitive compartmented information shall be under the strictest application of the "need-to-know" principle and in full accordance with the existing authorities and regulations which govern access thereto.

Purpose

1. The continued protection of sensitive compartmented information within any one participating agency or among Government contractors affects and is a matter of serious security concern to all participating agencies. The provisions of this Directive shall apply to all persons under the jurisdiction or cognizance of the Executive Branch, without regard to civilian or military status, form of employment, official rank or position, or length of service. The establishment of uniform personnel security standards and practices as well as continuing security programs should enhance the security protection of such information and at the same time facilitate the security certification process among

[1] The term "Sensitive compartmented information" as used in this Directive is intended to include all information and materials bearing special community controls indicating restricted handling within present and future community intelligence collection programs and their end products for which community systems of compartmentation have been or will be formally established. The term does not include Restricted Data as defined in Section 11, Public Law 585, Atomic Energy Act of 1954, as amended.

* This directive supersedes DCID 1/14, approved 23 June 1967.

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DATE 11-7-00 BY SP2 ALM/JTG

ENCLOSURE

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The following Staff officials of the Senate Select Committee as identified below by date and place of birth and social security number have received a security investigation by the Federal Bureau of Investigation within the past five years and are hereby certified as meeting the requirements of Executive Order 10450 for access to classified information up to and including Top Secret.

NW 65360 DocId:32989530 Page 55

Government departments and agencies when access to sensitive compartmented information is required.

2. Individuals who do not meet the minimum security criteria contained herein and who are, therefore, denied access to sensitive compartmented information shall not, solely for this reason, be considered ineligible for access to other classified information. However, individuals whose access to sensitive compartmented information has been authorized as an exception granted in accordance with paragraph 5, shall not solely for that reason be considered eligible for access to other classified information.

Personnel Security Approval Criteria

3. Criteria for security approval of an individual on a need-to-know basis for access to sensitive compartmented information are as follows:

a. The individual shall be stable, of excellent character and discretion and of unquestioned loyalty to the United States.

b. Except where there is a compelling need and a determination has been made by competent authority as described in paragraph 5 below that every reasonable assurance has been obtained that under the circumstances the security risk is negligible.

(1) Both the individual and the members of his immediate family shall be U.S. citizens. For these purposes, "immediate family" is defined as including the individual's spouse, parents, brothers, sisters and children.

(2) The members of the individual's family and those persons to whom he is bound by affection or obligation should neither be subject to physical, mental and other forms of duress by a foreign power nor advocate the use of force or violence to overthrow the Government of the United States nor the alteration of the form of Government of the United States by unconstitutional means.

4. When there is compelling need to grant access to sensitive compartmented information prior to completion of the full prescribed investigation, such investigative checks as are immediately possible shall be made at once, and shall include a personal interview by trained security or counterintelligence personnel whenever feasible. Access in such cases shall be strictly controlled, and the full prescribed investigation and final evaluation shall be completed at the earliest practicable moment.

Exceptions

5. The exceptions to paragraph 3.b. (1) (2) above may be granted only by the Senior Intelligence Officer of the parent organization represented on the United States Intelligence Board (USIB), including military departments, or his designee, unless such authority has been specifically

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delegated to the head of an office or organization as set forth in interdepartmental agreements. All exceptions granted will be a common sense determination based on all available information, and shall be recorded by the agency making the exception. In those cases in which the individual has lived outside of the United States for a substantial period of his life, a thorough assessment of the adequacy of the investigation in terms of fulfillment of the minimum investigative requirements, and a judicious review of the information therein must be made before an exception is considered.

Investigative Requirements

6. The investigation conducted on an individual under consideration for access to sensitive compartmented information shall be thorough and shall be designed to develop information as to whether the individual clearly meets the above Personnel Security Approval Criteria.

7. The investigation shall be accomplished through personal interviews by trained investigative personnel and shall establish affirmatively to the adjudicating agency complete continuity of identity to include birth, residences, education, emloyments and military service. Where the circumstances of a case indicate, the investigation shall exceed the basic requirements set out below to ensure that those responsible for adjudicating access eligibility have in their possession all the relevant facts available.

8. During the course of the investigation the individual shall furnish a signed personal history statement and a certificate of non-affiliation with those organizations designated by the Attorney General pursuant to Executive Order 10450. Fingerprints of a quality acceptable to the Federal Bureau of Investigation shall be obtained. Photographs of the individual shall also be obtained where additional corroboration of identity is required.

9. The individual under investigation shall be given a personal interview by trained security or counterintelligence personnel whenever feasible.

10. Minimum standards for the investigation are as follows:

a. Verification of date and place of birth and citizenship of the individual.

b. Check of the subversive and criminal files of the Federal Bureau of Investigation, including submission of fingerprint charts, and other national agencies as appropriate. An additional check of Immigration and Naturalization Service records shall be made if members of the individual's immediate family are other than United States citizens by birth.

c. Local checks in all areas of the United States where the individual has resided for at least six (6) months during the past fifteen years

For Committee guidance in basic determinations on clearances for compartmented access.

GROUP 1
Excluded from automatic downgrading and declassification

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NW 65360 DocId:32989530 Page 57

or since age eighteen, whichever is the shorter period. Such period of coverage shall include the following:

(1) Check of police and credit records. where feasible?

(2) Interviews with neighbors at present residence regardless of duration and, to the extent considered to be productive and practical, any other address at which the individual has resided.

d. Confirmation of all employment during the past fifteen years or since age eighteen, whichever is the shorter period. Personal interviews with supervisors and co-workers who had personal contact with the individual shall be accomplished to the extent possible and practical.

e. Attendance at institutes of higher learning or at the most recently attended secondary school shall be verified in all instances. During these inquiries collateral verification of prior educational records shall be made and personal interviews with faculty members who had personal contact with the individual shall be accomplished to the extent possible and practical.

f. Review of appropriate military records.

g. Interviews with a sufficient number of personal references given by the individual and with a minimum of two other persons who can furnish information on the basis of personal knowledge concerning the individual's character, discretion and loyalty.

h. When employment, education or residence, except U.S. Government service, has occurred overseas during the past fifteen years, or since age eighteen, a check of the records will be made at the Passport Office/Department of State, Central Intelligence Agency and other appropriate agencies. Efforts shall be made to develop informants who knew the individual overseas in order to cover employment, education or residence during this period.

i. The spouse of the individual and members of the immediate family shall be investigated to the extent necessary and appropriate to permit affirmative determination by the adjudicating agency that the provisions of paragraph 3, Personnel Security Approval Criteria, above, are met. In all cases, the spouse shall be checked through the subversive files of the Federal Bureau of Investigation and other national agencies, as appropriate.

Previous Investigation

11. Where a previous investigation has been conducted within the past five years which substantially meets the above minimum standards, it may serve as a basis for granting access approval provided a review of the personnel and security files does not reveal substantive changes in the individual's security eligibility. If a previous investigation does not substantially meet the minimum standards or if it is more than five years

old, a current investigation shall be required but may be limited to that necessary to bring the individual's file up to date in accordance with the investigative requirements set forth in paragraph 4, above. Should new information be developed during the current investigation which bears unfavorably upon the individual's activities covered by the previous investigation, the current inquiries shall be expanded as necessary to develop full details of this new information.

Evaluation

12. The evaluation of the information developed by investigation on an individual's loyalty and suitability shall be performed by analysts of broad knowledge, good judgment and wide experience in security and counterintelligence. When all other information developed on an individual is favorable, a minor investigative requirement which has not been met will not preclude favorable adjudication. In all evaluations the protection of the national interest is paramount. Any doubt concerning personnel having access to sensitive compartmented information shall be resolved in favor of the national security. The ultimate determination of whether the granting of access is clearly consistent with the interests of national security shall be an over-all common sense determination based on all available information.

Security Programs

13. In order to facilitate the attainment of the highest standard of personnel security and to augment both the access approval criteria and the investigative requirements established by this Directive, member departments and agencies shall institute continuing Security Programs for all individuals having access to compartmented information. In addition to security indoctrinations, these programs shall be tailored to create mutually supporting procedures under which no issue will escape notice or be left unresolved which brings into question an individual's loyalty and integrity or suggests the possibility of his being subject to undue influence or duress through foreign relationships or exploitable personal conduct. When an individual is assigned to perform sensitive compartmented work requiring access to sensitive compartmented information and operations, the department, agency or Government program to which he is assigned shall assume a continuing security and counterintelligence responsibility for that individual throughout the period of his assignment.

14. The Security Programs shall include the following:

a. Security Education Programs to ensure that individuals who are granted access to sensitive compartmented information are initially and periodically thereafter indoctrinated as to its unique sensitivity and that they understand their personal responsibility for its protection. These indoctrinations should be conducted by individuals having

GROUP 1
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COPY № 301

NW 65360 DocId:32989530 Page 59

extensive background and experience regarding the nature and special vulnerabilities of the particular type of compartmented information involved.

b. Security Supervisory Programs to ensure that supervisory personnel recognize and discharge their special responsibility for maintaining the security of sensitive information. Such programs shall provide practical guidance as to indicators which may signal matters of security concern. Specific instructions concerning reporting procedures shall be disseminated to enable the appropriate authority to take timely corrective action to safeguard the security of the United States as well as to provide all necessary help to the individual concerned to neutralize his vulnerability.

c. Security Review Programs to ensure that appropriate security authorities invariably receive and exchange, in a timely manner, all information bearing on the security posture of persons having access to sensitive information. Personnel history information shall be kept current. Security and related files shall be kept under continuing review. Departments and agencies shall develop security programs under which at intervals no greater than 5 years, checks are made with the Federal Bureau of Investigation as well as all relevant police and credit sources and, where feasible, each individual is given a personal interview by trained security or counterintelligence personnel.

15. Whenever indicated during the course of these Security Programs, appropriate investigations shall be conducted on a timely basis. In the absence of such indication the tempo of additional investigation shall be tailored by the adjudicating agency to the circumstances surrounding the individual under consideration as well as the breadth of knowledge and degree of sensitivity involved in his access. The investigation shall be sufficient in scope to ensure that continued utilization of the individual in activities requiring sensitive compartmented information is clearly consistent with the interests of the national security.

Effective Date

16. This Directive declares the policy of USIB concerning Uniform Personnel Security Standards and Practices for Access to Sensitive Compartmented Information. This policy shall become effective as soon as practicable after approval of this Directive but in no case later than 1 July 1968. Existing directives,[2] regulations, agreements, and such other references governing access to sensitive compartmented information as defined herein shall be revised accordingly.

Richard Helms
Director of Central Intelligence

[2] These include pertinent provisions of the Clearance Standards and Investigation and Evaluation sections of DCID 6/3.

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This is a preliminary view and is provided as a report for information to the Ad Hoc Group.

#m9e16
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HEREIN IS UNCLASSIFIED
DATE 11-2-00 BY SP-2 ALM/LTG

ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-7-00 BY SP-5 PLM 1376

The Organization of the Senate Select Committee - Rough Structure

The Committee will organize into four Task Forces - each with a Task Force Director, each with a lawyer or lawyers assigned and each with several researchers. Total professionals - 30/40.

Task Force One - Foreign Intelligence

This will deal with the CIA as a line Agency and with the institution of the Director of Central Intelligence in his responsibility under NSCID #1. USIB intelligence entities, i.e., State, Treasury, AEC and the military establishments collecting, processing or producing foreign intelligence will be reviewed in this context as well. CIA covert action is also covered here.

They plan to begin with basic papers being prepared on USIB agencies - their missions, functions, organizations and general contribution so as to provide the Committee with a "sound understanding on the role, nature, performance and structure of intelligence looking toward legislation which would address national intelligence needs, and provide adequate oversight of national and defense intelligence entities and their relationships in foreign policy generally." William Bator is designated the Task Force Director.

Task Force Two - Military Intelligence

This Task Force will deal with the organizational entities within the Department of Defense collecting, processing, or producing intelligence including the DIA, the Services Agencies, and the National Security Agency, the NRO, and other collection entities such as AEDS, Attaches, etc. The interrelationships between Task Force One and Task Force Two according to the Staff Director will be accommodated by regular communication among the Select Committee staff and be addressed by the Committee in the broader context of considering possible legislation for alternative structures. The staffing for this Task Force is still in process and no Task Force Director has yet been appointed.

Task Force Three - Domestic Activities

This Task Force will concern itself with intelligence organizations engaged in domestic activities and including the FBI, those parts of the CIA that relate to domestic matters, and possibly Army counterintelligence activities. The staffing for this Task Force is still in process and no Task Force Director has yet been appointed.

Task Force Four - Executive Branch Command and Control

This Task Force will be concerned with the tasking of the intelligence community - its oversight, the use of intelligence, and the adequacy thereof and mesh with the DCI's role as principal intelligence advisor to the President. It will treat with the National Security Council's activities, functions, and structure. It will address the variety of sub-committees thereunder as well as the President's Foreign Intelligence Advisory Board (PFIAB). David Aaron will be the Task Force Director. Note: Covert Action direction and oversight is also included herein.

The Staff Director has indicated that the Committee is interested in dealing with Agencies and documents therefrom in the most efficient fashion consistent with security and economy of time. He is not committed at this time to any particular procedure. He has stated a desire to work selectively inside the Agencies where access and screening of selective records could take place. He wishes to avoid shipping in loads of data to the Committee.

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

11 MAR 1975

#MDR16
[illegible]
[illegible] 11-7-00 [illegible] SP2 ALM/JTG

The Honorable Frank Church
Chairman
Select Committee to Study Governmental
Operations with Respect to Intelligence
Activities
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

This letter will confirm and reduce to writing some of the matters agreed upon at our recent meeting.

At the outset, I should like to express my deep personal appreciation for the candor and helpfulness of you and Senator Tower in that meeting and for your sensitivity to the respective responsibilities under our Constitutional framework of the Select Committee and the Central Intelligence Agency in the area of your review. For my part, I should like to renew again, for myself and the CIA, my promise of cooperation with respect to the important work of the Select Committee. In my judgment, a spirit of good faith and cooperative effort is not only necessary to enable your Committee to discharge its responsibilities fully and expeditiously, but is indeed in the best interests of the intelligence community as well. I am convinced that a responsible and thorough review of U.S. intelligence activities will serve to vindicate the CIA and enhance the public's understanding of the important contribution that the intelligence efforts of this nation can make toward the goal of preserving and strengthening our democracy.

ENCLOSURE
62-116395---

I am particularly appreciative of your recognition that certain sensitive aspects of our intelligence activities must receive special consideration and treatment by the Select Committee in the course of your work. As we discussed, such matters as the identities of our sensitive sources, the material provided to us by cooperating foreign intelligence services, the details of technical devices and systems and of operational methods, the identities of certain of our employees who could be targets of kidnapping or assassination, the identities of American citizens and organizations who have cooperated with U.S. intelligence, and some additional materials the public disclosure of which would create serious foreign policy or national security problems, should be protected not only from exposure, but indeed from the risk of exposure. We should also work together to protect certain other information which, if improperly disclosed, might impair the privacy rights of individuals. Where these kinds of considerations are present, I anticipate that appropriate understandings can be arrived at to avoid the risk of exposing such matters and at the same time to satisfy the Select Committee's need for a full understanding of our activities.

As I stated to you, employees of the Central Intelligence Agency will be available to the Select Committee for staff interviews and for testimony. As we have discussed, this might require, in some circumstances, special arrangements to protect the identity of particular employees whose physical safety or future career might be placed in jeopardy by exposure. I anticipate that suitable safeguards can be established to avoid such dangers. I assume the Committee will make its own arrangements with respect to ex-employees as to whom I no longer have the authority to direct their cooperation. However, I am available for whatever assistance I can provide in this regard.

As you are aware, all employees of the Central Intelligence Agency are required to sign a secrecy agreement when they enter on duty. This is a condition of employment, and it requires that they keep forever secret all classified information gained during the course of their employment. The secrecy agreement further requires that they may not disclose classified information, either orally or by publication, without prior authorization from the Director of Central Intelligence. Under the secrecy agreement, an employee's obligations with respect to the protection of classified information continue after his employment with the CIA has been terminated.

It is my desire that the secrecy agreements signed by our employees shall not impair the necessary work of the Select Committee. To accomplish this, and in recognition of the security protection contemplated by the Select Committee, I have determined that disclosure of otherwise protected information to the Select Committee or its designated staff members will constitute an authorized provision of information within the meaning of the secrecy agreements. This letter may be used to indicate such authorization for any Agency employee or ex-employee to furnish information to the Select Committee or appropriate staff members on matters which would otherwise be covered by their secrecy agreement, but which are not among the particularly sensitive matters such as mentioned above. With respect to those particularly sensitive matters, different procedures are obviously necessary. Accordingly, where any matter included in these sensitive categories would be involved in responding to the Committee, the employee should express his concern and, if possible, propose a way of responding to the Committee without exposing such sensitive details. If the Committee believes that a disclosure of those aspects is nevertheless necessary, the matter will be discussed between the Committee and the Agency. I am prepared to consult with the Committee at any time to avoid difficulties in this area and quickly determine together the appropriate course of action to be taken.

With the good faith evident in our discussions on these matters, I believe that these arrangements will enable me to discharge my responsibilities to protect intelligence sources and methods from unauthorized disclosure, while at the same time to provide the Select Committee with all the information it needs to accomplish its task.

As we have agreed, it is in the national interest as well as that of the Select Committee and the U.S. intelligence community to ensure that your review proceed as smoothly and as expeditiously as possible. Toward that end, I have instructed all CIA personnel to respond in a spirit of cooperation.

Sincerely,

W. E. Colby
Director

EMPLOYEE BULLETIN

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-7-00 BY SP2 ALM/JAG

No. 442 12 March 1975

Senate Select Committee To Review U.S. Intelligence Activities

Senate Resolution 21 established a Select Committee of the Senate to review U.S. intelligence activities. The Resolution calls for a comprehensive review of the total U.S. intelligence effort and is not restricted to the recent charges and allegations against CIA alone. Consequently, it is likely to be far-ranging in its impact.

It is in all of our interests to see that the Select Committee receives full understanding of our activities and their contribution to the country as expeditiously as possible. I have every confidence that the inquiry will be responsible, and constructive, and will produce new understanding of, and improvements in, the American intelligence system.

It is with this conviction that I have pledged my personal cooperation and that of the CIA. I have advised Senators Church and Tower, the Committee Chairman and Vice Chairman, that employees of the CIA will be available to the Select Committee for Staff interviews and for testimony. We are working with the Committee Staff to design procedures to facilitate their work in examining topics of concern.

Attached to this bulletin is a letter which I have sent to Senator Church. To facilitate the necessary work of the Committee and in recognition of the security protection contemplated by the Committee, I have determined that disclosure of otherwise protected information to the Select Committee or its designated Staff members will constitute authorized provision of information within the meaning of the Secrecy Agreements signed by each CIA employee, subject to the special procedures and limitations set forth in the letter regarding particularly sensitive matters. Senator Church has agreed that reference to sensitive data in any Committee report will be subject to consultation between the Committee and the Agency.

The cooperative spirit of our relationship with the Committee and its Staff must at the same time take account of the rights of Agency employees. The Committee Staff has agreed to advise employees of their Constitutional rights at the beginning of any interview or other appearance.

When a current Agency employee is selected to be interviewed by the Select Committee Staff, the Staff Director or Chief Counsel will normally notify Mr. John M. Clarke, who is my principal liaison with the Committee and its Staff. Mr. Clarke, in turn, will notify the employee. The purpose of this is in no way to inhibit the work of the Committee. It is intended to allow time for the employee to gain general legal guidance if he wants it, and to obtain security guidance from an appropriate senior officer.

My own belief is that after a careful review of all U.S. intelligence activities, the Committee will address needed legislative changes and will reaffirm their confidence in the importance and contribution of U.S. intelligence programs.

W. E. Colby
Director

Attachment: a/s

DISTRIBUTION: ALL EMPLOYEES

NW 65360 DocId:32989530 Page 68

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIR
PHILIP A. HART, MICH. HOWARD H. BAK[illegible]R., TENN.
WALTER F. MONDALE, MINN. BARRY GOLDWA[illegible]ARIZ.
WALTER D. HUDDLESTON, KY. CHARLES MCC. MATHIAS, JR., MD.
ROBERT MORGAN, N.C. RICHARD S. SCHWEIKER, PA.
GARY HART, COLO.
WILLIAM G. MILLER, STAFF DIRECTOR

Executive Registry
75-1265

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES
(PURSUANT TO S. RES. 21, 94TH CONGRESS)
WASHINGTON, D.C. 20510

Ad Hoc Staff
75-104

March 12, 1975

#MDR16
ALL INFORMATION CONTAINED
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DATE 11-7-00 BY SP2 ALM/JTG

Mr. William E. Colby
Director of Central Intelligence
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Colby:

Enclosed is an initial request for documents approved by the Committee at its meeting this afternoon.

Our respective staffs have discussed the request in its draft form and I trust that they will continue to work together in the spirit of mutual cooperation which we both recognize is necessary to ensure a thorough and expeditious investigation.

Sincerely,

Frank Church

Frank Church
Chairman

Enclosure

ENCLOSURE

62-116395-43

ENCLOSURE
62-116395-43

March 12, 1975

REQUEST FOR DOCUMENTS AND INFORMATION

TO: The Director of Central Intelligence and the Central Intelligence Agency

FROM: The Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities

Guidelines

1. The attached request is not intended to call for a general file search of the Agency. Rather it is intended to call for various significant documents available in the upper levels of the Agency. Without foreclosing any further file review that may seem appropriate to agency personnel familiar with agency files, we would suggest the following offices (current and past files) as likely sources for initial review:

(i) The U.S. Intelligence Board staff and ICS
(ii) Offices of the Director and the Deputy Director/CIA
(iii) Offices of the General Counsel and Legislative Counsel/CIA
(iv) Offices of the Comptroller, Inspector General, Historical Studies, and Finance/CIA

2. The requests are addressed to the Director, both in his capacity as Director of the Central Intelligence Agency and as Director of Central Intelligence and Chief Executive of the United States Intelligence Board.

3. Rather than waiting until all materials are available, it would be helpful if any particular group is produced when ready.

4. As previously discussed, please advise if there are categories of material where it would be appropriate for Committee staff members to review called for material on the Agency premises in order to cull out the most pertinent materials.

5. The request covers documents in the covered offices wherever originated (including other departments or agencies). If any document referred to is believed by the Agency to be in the possession only of another agency or department, advice to that effect plus an indication that the Agency would not object to its being made available to the Committee, would facilitate an expeditious inquiry.

NW 65360 DocId:32989530 Page 71

I. OUTSTANDING REQUESTS

The Agency has agreed to provide the Committee with (1) charts indicating the organizational history of the CIA; (2) identification of headquarters personnel; and (3) budgetary and cash flow information. The following is a further elaboration of the kind of material in each of these categories which is necessary for the Committee's basic understanding of the Agency:

A. Organization Charts and Personnel - The charts reflecting CIA organizational history down to the Branch level should be accompanied by annotations or a narrative explaining when particular units were formed, merged, expanded or abolished. The narrative should also indicate any changes in lines of authority, reporting responsibilities, and functions for each unit. Changes in unit designation which were not accompanied by substantive changes should be noted.

The charts should include the organization and staffing arrangements of the USIB, the President's Foreign Intelligence Advisory Board, and its predecessors, and the Forty Committee and its predecessors.

The identification of personnel should include all officials and supervisors down to the Branch Chief and Deputy Branch Chief level, and to the executive assistants for the directors or deputy directors of all Divisions, Offices and Staffs and similar assistants for any officials above those levels.

B. Budget and Cash Flow - The budgetary information should include both the budgets proposed to OMB and the final budgets approved. The cash flow data should include the funds actually appropriated, their location in the appropriations for other Departments and agencies, and an indication of whether funds transferred from particular agencies are earmarked for particular uses within the CIA.

II. SPECIAL REPORTS OR STUDIES

The following are requested in their unexpurgated form (at the highest level of classification) with all appendices, annexes and transmittal documents:

1. The Dulles, Correa, Jackson Report on the Intelligence Community
2. 1949 and 1955 Hoover Commissions, Intelligence Task Force Reports
3. 1953 Historical Study of the Expenditure of Confidential Funds prepared by the General Counsel's Office.
4. 1954 General Doolittle Report on the CIA
5. 1960 Bureau of The Budget study of intelligence activities
6. 1961 Taylor Report on covert action and the intelligence community
7. 1962 Organizational Study of the CIA initiated by John A. McCone
8. 1964 Study by John A. Bross, Frederick Nolting and Major General John Reynolds
9. 1965 Study of CIA initiated by Admiral Raborn
10. 1965 Study for the Director on CIA air propriataries
11. 1967 Internal CIA study for the Director on CIA activities at educational facilities in the United States
12. 1967 Katzenbach Study (with John Gardner and Richard Helms) on CIA domestic activity
13. 1967 Cunningham Study on the intelligence community
14. 1967 (or 1968) Eaton Committee Report for the DCI on NSA and the National Intelligence Resources Board Study for DCI on NSA
15. 1967 (or 1968) report for DCI by the Senior Executive Group on the intelligence community
16. 1970 Study under Admiral Wilfred McNeil on CIA Financial procedures
17. 1971 OMB study under James Schlesinger of the intelligence community
18. Executive Order of November 5, 1971 restructuring the intelligence community
19. 1973 CIA internal review prepared for James Schlesinger on the CIA
20. Additional studies specified in Appendix D of book furnished the Committee staff on March 5, 1975

III. LEGAL AUTHORITY AND OPERATING PROCEDURES

A. Legal Authority

1. All files dealing with the history of the 1949 CIA Act and the CIA sections of the 1947 National Security Act.

2. All agreements on jurisdiction or operational authority between the CIA and other U.S. intelligence and law enforcement agencies.
3. All legal opinions, memoranda or other materials analyzing the 1947 and 1949 Acts, Executive Orders or National Security Intelligence Directives in regard to:
   (a) the authority of CIA to conduct covert actions
   (b) the authority of CIA to conduct particular categories of activity, or specific activities, within the U.S., including without limitation:
      (i) the collection or maintenance of information or files on U.S. citizens;
      (ii) the conduct of domestic surveillance on U.S. citizens or foreign nationals;
      (iii) the organization and operation of proprietary organizations
   (c) the appropriate scope or application of the agreements requested in #2 supra, including documents prepared in connection with their negotiation
   (d) the applicability to CIA of restrictions placed by Congress on the use of funds included in appropriations from which CIA funds are transferred
   (e) the generation or use of funds from any source other than appropriations transferred to CIA, and the investment for profit of funds from any source
4. All legal opinions, memoranda or other material analyzing the desireability or effect of legislation proposed or considered to alter the authority of the DCI or the nature, structure or powers of the Agency in areas other than employee compensation and benefits or headquarters construction. This should include analyses of the CIA amendment to the 1974 Military Aid Act, whether prepared before or after its adoption.
5. All Director Central Intelligence Directives ("DCIDS")

B. Operating Procedures
1. An index of all major directives, guidelines, regulations, manuals or similar materials which prescribe or explain authorization and reporting procedures
2. Directives, guidelines, manuals or similar materials describing the various filing systems of the Agency
3. Specifically, all directives, guidelines, manuals or other materials prescribing or explaining procedures to be followed and the authorization and documentation required in connection with covert operations, including without limitation:
   (a) field or headquarters initiation of proposals
   (b) planning and modification of proposals
   (c) approval for commencement, continuation or renewal, and termination
   (d) field reports on the conduct or results of operations
   (e) evaluations following operations

   The materials should indicate the criteria which determine the level of authorization required--Division Director, Deputy Director for Operations, DCI or Forty Committee--for a particular operation. They should also indicate the procedures and documentation involved in CIA inter-agency staff coordination and CIA staffing for the review by the principals on the Forty Committee. To the extent the procedures described differ from those previously in effect, furnish earlier directives, guidelines, manuals or similar material regarding such previous procedures and provide a narrative description of how and when these procedures have changed from 1948 to present.

   (Request #3 is confined to procedures so that the Committee can subsequently better understand CIA operations in the covert action area.)

C. Financial Procedures
In addtion to budgetary and cash flow figures, the Committee will need explanatory information to understand the financial operations of CIA. This request consists of all directives, guidelines, manuals and other materials governing or describing:
1. Procedures for preparing and discussing budgets with OMB, including identfication of the documents involved in the process
2. The general procedures for expenditure approval, accounting or auditing which are used either within the CIA or in connection with Executive or Congressional oversight
3. All special procedures for expenditure approval, accounting or auditing in regard to particular funds or types of activity, e.g., proprietary organizations, currency transactions, or the discretionary fund of the Director.

NW 65360 DocId:32989530 Page 73

4. All Bureau of the Budget and OMB examiners' reports on the Agency, and all memoranda and reports provided by the Intelligence Community Staff to OMB

D. All Annual Reports of the Inspector General and all Inspector General reports for the past five years on all components of the Agency.

E. The Agency's "Allegations and Responses" files

IV. DIRECTOR COLBY'S JANUARY 15, 1975 TESTIMONY BEFORE THE SENATE APPROPRIATIONS COMMITTEE

All materials reviewed or used by the Office of the Director in preparation for Director Colby's testimony on January 15, 1975 before the Senate Appropriations Committee, including materials referred to in such testimony, (a representative list of which has been furnished to Central Intelligence Agency staff by the Senate Select Committee staff).

IV. DIRECTOR COLBY'S PUBLIC SENATE TESTIMONY ON DOMESTIC OPERATIONS

Reference is made to Director Colby's public testimony on January 15, 1975 before the Senate Appropriations Committee, in which Director Colby identified several documents basic to an understanding of the Agency's domestic operations. The following requests are based on that testimony. Parenthetical page references after each request indicate the page of Director Colby's testimony where the the items requested were identified.

1. The directive or other documents establishing the Domestic Operations Division, defining its authority and stating its missions; all subsequent directives or other documents revising its authority or missions; (p.13)
2. The directive or other documents in 1972 redesignating the Domestic Operations Division the Foreign Resources Division; (p.13)
3. The directive or other documents defining the authority of the "cover and commercial staff" and stating its missions (p.13)
4. The directive or other documents establishing on August 15, 1967, a unit within the Counterintelligence Office "to look into the possibility of foreign links to American dissident elements," or defining the units authority and stating its missions; (p. 19)
5. The August 29, 1967 letter from the Executive Director to the Kerner Commission; The September 1, 1967 reply of the DCI to the Kerner Commission and all attachments thereto; (p.19)
6. The directive or other documents establishing CIA participation in "an interagency program in support of the National Commission, among others." (p.20)
7. The document resulting from the DCI's review of the unit created on August 15,1967 in which he concluded it was proper,"while strictly observing statutory and de facto proscriptions on Agency domestic involvement;" (p.20)
8. The directive or documents governing CIA participation in the preparation of the Ad Hoc Interagency Committee Plan (the "Huston Plan"), and the directive or documents governing CIA participation in the Interagency Evaluation Committee when the Huston Plan was abandoned. (p.20-21)
9. The document authorizing the operation in which "the Agency recruited or inserted about a dozen individuals into American dissident circles in order to establish their credentials for operations abroad; (p.22)
10. The 1973 directive limiting the program described in request #9; (p.22)
11. The directive or other documents which in march 1974 terminated the program described in request #9 (p. 22)
12. The directive or other documents authorizing the elimination from files of material Americans generated from the program descscribed in request #9; (p.23)
13. The directive or document authorizing the destruction in March 1974 of the IDIU tape listing of 10,000 Americans received by CIA in May 1970; (p.23)
14. The directive orother documents authorizing the program to insert agents into dissident organizations in the D.C. area to protect CIA installations, personnel, and information.; if a new unit was established within the Office of Security to operate this program, the directive or other documents establishing the new unit, definiting its authority or stating its missions. (p.23)
14. The directive or other documents terminating the program described in request #14 (p.24)
15. Indicate all lists "developed at various times in the past ... which do appear questionable under CIA's authority" (do not supply lists); (p.26)
16. All "current directives" prohibiting maintainance of the kinds of lists described in request # 15; (p.26)
17. May 9, 1973 directive requesting employees to report questionable activity; all written responses and all other documents reflecting oral responses to this; (p. 27)
18. The documents prepared for or constituting the "internal review" which resulted from the responses described in Request # 17; (p. 27)
19. All documents containing "policy determinations and guidance that (Agency) activities remain within proper limits"issued in August 1973; (p.27)

ENCLOSURE 62-116395-43

20. The directive or other documents establishing any mail inspection programs with the CIA or at its direction between 1953 and February, 1973; (p.
21. The directive or other document terminating mail inspection programs in February, 1973; (p.32)

22. The documents prepared for the review of CIA assistance to other federal, state and local government components; all documents terminating or modifying such assistance as a result of that review; (p.33)
23. All directives subsequent to the directive of May 9, 1973 which similarly requested employees to report questionable activity; all written responses and all other documents reflecting oral responses to such directives; (p.34)
24. All internal regulations, policy statements or similar documents pursuant to the recommendations of the Katzenbacj task force in 1967. (p.35)
25. The Presidential Directive of October 9, 1974 regarding reorganization of the intelligence community.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

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 : Mr. Adams

DATE: 2-20-75

FROM : Legal Counsel

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP-2 ALM/LTG

SUBJECT: SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

On 2-19-75 Inspector Bowers talked with William Miller, Staff Director of captioned Committee. Miller was asked if the Committee had established a possible timetable concerning hearings. He stated they are "months" away from formal hearings but that they expect to begin taking testimony in closed sessions to "build a record" in about two weeks.

Miller said these sessions will be conducted by a Member of the Committee but will basically involve questioning of various agency officials, not at the Director level, to provide basic information about the administrative structure, legal basis, objectives and mission, and budget of the various agencies in which the Committee will have an interest. Miller was requested to give us specific notification as far in advance as possible concerning such testimony sessions so that we would have sufficient time to prepare the necessary material. Miller said this would be done.

Miller stated he would doubt that the Director would be needed for any testimony for some time unless the Director wishes to be involved in the early stages of providing basic information.

It seems apparent that the Committee still is uncertain of its course of action. Miller commented that the Committee will probably follow much the same procedure as used in the impeachment hearings where extensive testimony was taken in closed sessions and used by the Members and staff to prepare for the later public hearings. It seems apparent that John Doar and his staff who worked on the impeachment hearings will play a major role in the Select Committee operations. Doar and a number of his former impeachment staff members already are working with the Select Committee group.

ST-112 REC-35 62-116395-42

To date, we have received 13 requests from the Select Committee for investigations of potential staff people in connection with the clearance of these people by CIA following certification by the Committee. These investigations are being handled by the Special Investigative Division on a two-week deadline basis.

RECOMMENDATION:

For information.

1 - Mr. Adams
1 - Mr. Cleveland
1 - Mr. Walsh
1 - Mr. Mintz
1 - Mr. Farrington
1 - Mr. Bowers

DWB:kjs (8)

NW 65360 DocId:32989530 Page 77

62-116395-42X

CHANGED TO

62-116464-1

JUN 12 1975

Hmk / cz

#MDR16

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DATE 9/25/00 BY SP2 ALM/JTG

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

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 : Mr. J. B. Adams

DATE: 3/14/75

FROM : Legal Counsel

SUBJECT: SENATE SELECT COMMITTEE ON INTELLIGENCE
HOUSE SELECT COMMITTEE ON INTELLIGENCE

#MDR16
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9-25-00 BY SP2 ALM/JTG

During a meeting attended by Section Chief Cregar, Intelligence Division, on March 14, 1975, it was approved by the Deputy Attorney General and Philip Buchen, Counsel to the President, and concurred in by William Colby, Director of CIA, that the Chairman of the two captioned committees should be approached and asked whether they would make a Committee request for the offices of members to be examined for any electronic surveillance devices. Offices occupied by staff members would not be included in their proposed search.

RECOMMENDATION:

The Legal Analysis Office will contact Senator Church and Congressman Nedzi to inquire if they, acting as Chairman of their respective committees, would make a committee request for such a search to be conducted. If requested by Chairman we propose FBI to handle sweep.

1 - Mr. Wannall
1 - Mr. White
1 - Mr. Farrington
1 - Mr. Bowers
1 - Mr. Hotis
1 - Mr. Mintz

JAM:mfd

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EX-101
REC-23

Legal Counsel
62-116395-41

56 MAR 31 1975

MAR 27 1975

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JUN 11 1975

6 MAR 21 1975

LEGAL COUNSEL

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
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Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. Adams

DATE: 2-6-75

FROM : Legal Counsel

SUBJECT: SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

MDR 16
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP2 ALM/JTG

Reference McDermott to Jenkins memorandum of 1-31-75 recommending contact with Senator Frank Church (D-Idaho) concerning the procedure for clearing staff personnel for captioned Committee.

Contact was made with the Senator's office on the morning of 2-6-75 to arrange an appointment. The Senator's secretary advised that his schedule was so crowded that it would be impossible for him to discuss this matter for several days. She said he requested that we discuss this situation with William Miller, who the Senator intends to have head the Select Committee staff.

Miller was contacted on the morning of 2-6-75 by Inspector Bowers, accompanied by Inspector Hotis. It was explained to him that the FBI has no authority to issue clearances as such but that in conference with Central Intelligence Agency officials it had been agreed that the FBI will investigate prospective staff personnel, furnish results of the investigation to Senator Church as the Select Committee Chairman, and CIA will issue actual clearances based on certification from Church. Miller agreed to this procedure. He was furnished a small supply of SF 86, Security Investigation Data for Sensitive Position forms. It was pointed out to him these forms should be filled out in complete detail and furnished to us along with a current set of fingerprints. It was suggested the applicants for these positions be fingerprinted by the Capitol Police Department.

EX-110 REC-71 62-116395-40

Miller stated they would need results of these investigations as soon as possible and after some discussion he agreed that a two week deadline would be reasonable. It was suggested to him that in cases involving clerical-type personnel that perhaps a longer deadline might be in order, and he said he would keep this in mind. It was pointed out to Miller that results of the investigations will be furnished to Senator Church personally. He also was advised that representatives of various intelligence agencies currently are drawing up proposed guidelines to suggest to the Committee for use in determining whether or not an

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Wannall
1 - Mr. Cleveland
1 - Mr. Mintz
1 - Mr. McDermott
1 - Mr. Cregar
1 - Mr. Bowers

DWB:kjs (9)

CONTINUED - OVER

58 MAR 6 1975

11-875

applicant qualifies for security clearance as well as proposed guidelines to deal with the maintenance of classified material received by the Committee. He was told someone will be in touch with Senator Church regarding this in the near future.

Miller stated that the Committee is going to set up offices in the auditorium of the Dirksen Senate Office Building, the same space used by the Senate Watergate Committee. This space currently is being altered to meet Committee requirements.

Miller stated that the Committee probably will bring on board as staff personnel most of the "security team" used by the House Judiciary Committee during the impeachment hearings. He said this group has a proven track record with respect to leaks of information since all leaks resulting from the impeachment proceedings have been traced to Members following hearings rather than staff personnel. This is the group headed by former Assistant Attorney General John Doar, and Miller indicated Doar will play a major role on the Senate Select Committee staff.

Miller will furnish Bowers the completed SF 86 forms and fingerprint cards on proposed staff personnel as soon as possible and these will be furnished directly to Assistant Director Cleveland for handling. This matter already has been discussed with Mr. Cleveland.

RECOMMENDATION:

For information.

NW 65360 DocId:32989530 Page 81

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
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Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
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Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. Jenkins

DATE: 1-31-75

FROM : J. J. McDermott

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP-2 ALM/LTR

SUBJECT: SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

We have received the enclosed letter dated 1-29-75 from Senator Frank Church (D-Idaho) writing in his capacity as the Chairman of the recently established Select Committee on Intelligence Activities. The Senator states that to carry out the task of the Committee, it will be necessary for the Members and designated staff to have access to the most sensitive classified material. He said the Committee is in the process of gathering a staff, adding that it is likely many members of the staff will not have current security clearances. He stated he would be most grateful if the FBI could expedite clearances on designated staff so that work can proceed as expeditiously as possible. He points out the standard clearance agreed upon during debate on the resolution creating the Committee would be the equivalent of a "Q" clearance.

William E. Colby, as Director of Central Intelligence, is coordinating the compilation from various agencies of the intelligence community suggested guidelines dealing with clearances and the handling of security information to be presented for consideration to the Select Committee. FBI representatives from the Intelligence Division have been participating in this matter.

EX-110 REC-70 62-116395-39

This matter was discussed with Mr. Mintz and Mr. Adams, and it was agreed that the Intelligence Division representative should explore with CIA whether or not that agency would agree to issue clearances for the Select Committee staff if the FBI handled the investigations. Section Chief William O. Cregar took this matter up on the afternoon of 1-30-75 with John M. Clarke, Associate Deputy to the Director of Central Intelligence. Cregar advised Clarke had obtained Colby's agreement to the following procedure. The FBI will handle investigations of potential staff members named by the Select Committee. Results of the investigations would be furnished to Church as Chairman of the Select Committee and the Committee would determine whether or not the individual meets the necessary criteria for clearance. Following such certification by the Committee, CIA would issue the appropriate clearance. A Sub Group of the Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community was to meet on 1-31-75 to draw up proposed guidelines to be presented to the

MAR 20 1975

Enclosure

1 - Mr. Callahan - Enclosure
1 - Mr. Adams - Enclosure
1 - Mr. Wannall - Enclosure
1 - Mr. Cleveland - Enclosure
1 - Mr. Mintz - Enclosure
1 - Mr. McDermott - Enclosure
1 - Mr. Bowers - Enclosure
1 - Mr. Cregar - Enclosure

DWB:kjs (9)

CONTINUED - OVER

Committee regarding the storage of information and the clearance of the staff. This group consists of representatives from the FBI, CIA, NSA, and Atomic Energy Commission. These guidelines, once approved by the Select Committee, would be followed in determining whether or not potential staff members should receive clearances.

Cregar said there is no objections to the FBI discussing the foregoing procedure--FBI investigation, Select Committee certification, followed by issuance of clearance by ~~CIA~~ with Senator Church. Senator Church will be told at the same time that proposed guidelines regarding a clearance decision will be presented to him as soon as they are compiled.

RECOMMENDATION:

That Inspector Bowers acknowledge the 1/29/75 letter and inform Senator Church of the above procedure and work out with him appropriate arrangements for the referral of potential staff members to us for investigation.

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FRANK CHURCH, IDAHO
CHARLES MC C. MATHIAS, JR., MD.
CO-CHAIRMEN

PHILIP A. HART, MICH.
CLAIBORNE PELL, R.I.
ADLAI E. STEVENSON III, ILL.

CLIFFORD P. CASE, N.J.
JAMES B. PEARSON, KANS.
CLIFFORD P. HANSEN, WYO.

WILLIAM G. MILLER, STAFF DIRECTOR
THOMAS A. DINE, PROFESSIONAL STAFF MEMBER

United States Senate

SPECIAL COMMITTEE ON NATIONAL EMERGENCIES AND DELEGATED EMERGENCY POWERS
(PURSUANT TO S. RES. 242, 93D CONGRESS)
ROOM 252, RUSSELL SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510

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Dep.-A.D.-Inv.
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Director Sec'y

Info

January 29, 1975

The Honorable Clarence M. Kelley
Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C.

Senate Select Committee on Intelligence Activities

Dear Mr. Kelley:

The Senate, on January 27, created a Select Committee to Study Governmental Operations With Respect to All Intelligence Activities. I am confident that the Federal Bureau of Investigation will make every effort to assist the Select Committee in its work, and I look forward to working together with you in completing this important task.

In order to carry out the necessary tasks mandated by the vote of the Senate, it will be necessary for Senators and designated staff to have access to the most sensitive classified material. The Select Committee is now in the process of bringing together a staff to assist in carrying out its work. In this regard, it is likely that many members of the staff who will be hired will not have current security clearances.

On behalf of the Select Committee, I would be most grateful to you if you could expedite, as a priority matter, clearances on designated staff so that the work of the committee can proceed as expeditiously as possible. In debate, prior to passage of S. Res. 21, the standard of clearance agreed upon by the Senate was equivalent to the standard applicable to a "Q" clearance.

62-116395-38

REC-71

MAR 20 1975

With kind regards,

Sincerely,

Frank Church

Frank Church
(D- IDAHO)

EX-109

14 MAR 27 1975

14/3-19

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP2 ALM/FTG

#MDR16

Dorset to Jenkins
1-31-75 DWB/kjs

57 APR 1 1975

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir.
Dep. AD Adm.
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Asst. Dir.:
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Legal Coun.
Telephone Rm.
Director Sec'y

TO : Mr. J. B. Adams

DATE: 3/14/75

FROM : Legal Counsel

SUBJECT: SENSTUDY 75

Reference is made to memorandum of W. O. Cregar to Mr. W. R. Wannall dated 3/10/75, captioned as above. Page three of that memorandum referred to the CIA, as well as the rest of the Intelligence Community, being concerned over the request received for access to their files by Morton Halperin under the Freedom of Information Act (FOIA). It was also noted that the Bureau had not received a request as of that time from Halperin under the FOIA.

The Department has now referred over to us today, 3/14/75, a request from Mr. Halperin to "inspect and, if I choose, to copy files marked 'Official and Confidential' or 'OC' kept in the private office of J. Edgar Hoover." This request is being processed in the FOIA Unit.

RECOMMENDATION:

For information.

1 - Mr. Callahan
1 - Mr. Adams
1 - Each Assistant Director
1 - Mr. Cregar

JCF:ms (17)

EX-110

REC-10

62-116395-37

MAR 21 1975

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP2 HM/JTG

LEGAL COUNSEL

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

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Director Sec'y ___

TO : Mr. W. R. Wannall

DATE: 3/7/75

FROM : W. O. Cregar

1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Cregar

SUBJECT: SENSTUDY 75

This memorandum reports the results of conversations with Mr. John Clarke, Chairman of the Ad Hoc Coordinating Group for Congressional Inquiry, referred to hereafter as the Group, reporting steps taken to insure that Mr. William Cotter, Chief Postal Inspector, is invited to any discussions of the Group wherein the question of opening U. S. mail is addressed in the context of Congressional hearings.

In a memorandum to Mr. Adams and Mr. Wannall, dated 3/4/75, Mr. Kelley reported the results of his meeting with Mr. Cotter on that date. Cotter advised the Director that the Postmaster General has become alarmed about the opening of mail by the Central Intelligence Agency (CIA). Mr. Cotter asked the Director if the FBI knew this was going on and did we actually receive the benefits of it. Mr. Kelley pointed out to Mr. Cotter that the FBI knew about and did get information on the procedure from CIA.

EX-110

REC-10 62-116395-36

During the course of their conversation, Mr. Kelley told Mr. Cotter that he should be joined in the group of investigative organizations headed by Mr. Colby, Director of CIA, to consider actions in the Select Committee's probe. Mr. Wannall was instructed to make sure the Postal Service is included in the Group.

7 MAR 21 1975

On 3/6/75 Mr. William O. Cregar, the Bureau's representative on this Group, discussed this matter with Mr. John Clarke. Mr. Clarke advised that inasmuch as membership on the Group is made up of United States Intelligence Board (USIB) agencies and departments he felt most matters discussed at future meetings of the Group would not be of interest to the Postal Service and would be a waste of Mr. Cotter's time. However, he assured Mr. Cregar that should a question involving opening of U. S. mails be addressed by the Group or any questions involving matters of interest to the Postmaster General, he would see to it that Mr. Cotter or his designated representative

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-6-90 BY SP2 RTM/ALM

Enclosure - Sent 3-13-75
WOC:ebc
(5)

CONTINUED - OVER

Memorandum for Mr. Wannall
RE: SENSTUDY 75

was invited to the meeting. In addition, Mr. Clarke indicated he would be in telephonic contact with Mr. Cotter to arrange for any discussions Mr. Cotter might desire to have with him.

ACTION:

Pursuant to the Director's instructions, attached is a letter to Mr. Cotter setting forth the arrangements that have been made with Mr. Clarke regarding future attendance of Postal Service representatives at meetings of the Group. A copy of this letter is being furnished to Mr. Colby for his records.

NW 65360 DocId:32989530 Page 87

March 13, 1975

BY LIAISON

REC-EX-110

1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Cregar

Honorable William J. Cotter
Chief Postal Inspector
U. S. Postal Service
Washington, D. C.

Dear Bill:

During our meeting in my office on March 4, 1975, we discussed your participation in the group of investigative organizations headed by Mr. William Colby, Director of Central Intelligence, to consider Community actions resulting from Select Committee probes.

On March 6, 1975, Mr. William O. Cregar, my representative on this Group, discussed the matter with Mr. John M. Clarke, Associate Deputy to the Director of Central Intelligence for the Intelligence Community and Chairman of the Ad Hoc Coordinating Group for Congressional Inquiry. Mr. Clarke advised that membership on this Group is made up of representatives from the U. S. Intelligence Board agencies and departments and that the major portion of information discussed at this Group would not involve the Postal Service. However, Mr. Clarke has assured Mr. Cregar that should any questions regarding matters of interest to the Postmaster General be scheduled for discussion before this Group, he would see to it that your office is so advised in order that either you or your designated representative can attend the meeting. In addition, Mr. Clarke indicated he would be in telephonic contact with you to arrange for any discussions you might desire to have with him.

WOC:ebc
(7)

SEE NOTE PAGE TWO

Assoc. Dir.
Dep. AD Adm.
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Telephone Rm.
Director Sec'y

MAIL ROOM ☐ TELETYPE UNIT ☐

NW 65360 DocId:32989530 Page 88

Honorable William J. Cotter

I am sending a copy of this letter to Mr. Colby for his records.

Sincerely yours,

Clarence M. Kelley
Director

1 - Honorable William E. Colby (BY LIAISON)
Director
Central Intelligence Agency
Washington, D. C.

NOTE:

See memo W. O. Cregar to Mr. W. R. Wannall, dated 3/7/75, captioned "SENSTUDY 75," prepared by WOC:ebc.

NW 65360 DocId:32989530 Page 89

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
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Telephone Rm. ____
Director Sec'y ____

TO MR. MINTZ

DATE: 3/17/75

Attention: Legislative Matters Section

FROM R. J. GALLAGHER

SUBJECT SENSTUDY 75

In reference to memorandum from Legal Counsel to J. B. Adams dated 3/12/75, SA Johnny L. Evans will be the contact and coordinator for OPE in regard to the captioned matter. Mr. Evans' extension is 2854.

OPE has no input into captioned matter at this time.

JLE:DW
(6)
1 - Mr. Mintz
1 - Mr. Gallagher
1 - Mr. Matheson
1 - Mr. Colwell
1 - Mr. Evans

EX-110

REC-10 62-116395-35

21 MAR 21 1975

#MDR16
ALL INFORMATION CONTAINED
IN THIS IS UNCLASSIFIED
DATE 9-25-00 BY SP2 ALM/JTG

70 MAR 27 1975

LEGAL COUNSEL

OPTIONAL FORM NO. 10
MAY 1962 EDITION
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5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
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Legal Coun. ✓
Telephone Rm. ____
Director Sec'y ____

TO : Mr. J. B. Adams DATE: 2-14-75

FROM : Legal Counsel

SUBJECT: SENSTUDY - 75
LETTER FROM SENATORS MANSFIELD AND SCOTT
RE DESTRUCTION OF RECORDS
JANUARY 27, 1975

In a letter to Mr. Kelley dated 1-27-75, Senators Mike Mansfield (D - Mont.) and Hugh Scott (R - Pa.) requested we not destroy any documents or files that may be of interest to the Senate in the forthcoming hearings on intelligence activities.

A memorandum from H. R. Hauer to Mr. LaPrade dated 1-31-75 captioned "Destruction of Files and Records, Files and Communications Division," pointed out that our destruction program is governed by the Federal Records Act of 1950 and regulations of the National Archives and Records Service. Our current practice is to destroy files over 25 years old relating to subversive activities which are based on unsubstantiated allegations and have not resulted in prosecution. Criminal files over 10 years old are reduced to microfilm and the paper records are destroyed. In addition, all duplicate copies of communications are destroyed when they no longer serve a useful purpose. The Files and Communications Division asked the Legal Counsel Division to determine whether the Senators' request applied to our current destruction program. Mr. Callahan noted "Discuss with SSC staff."

EX-110 REC-10 62-116395-34

On 2-10-75 Inspector J. B. Hotis, Legal Counsel Division, met with William G. Miller, Staff Director, Senate Select Committee on Intelligence Activities, concerning this matter. Miller was told that our destruction program has been suspended until we can determine whether any documents are involved that might be of interest to the Committee. Miller said he doubted that the Committee would inquire into intelligence matters that were over 25 years old but asked that we withhold destruction of files until he consulted with Senator Church. He said he would contact us later this week.

MAR 18 1975

Enclosures (2) — Sent 2-19-75

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Jenkins
1 - Mr. Mintz
1 - Mr. Farrington
1 - Mr. McDermott
1 - Mr. Ash
1 - Mr. Wannall
1 - Mr. Bowers
1 - Mr. Hotis

MAR 25 1975

57 MAR 27 1975

JBH:mbk (11)

(CONTINUED - OVER)

NW 65360 DocId:32989530 Page 91

Memorandum to Mr. J. B. Adams
Re: SENSTUDY
Letter from Senators Mansfield and Scott
Re Destruction of Records; 1-27-75

Attached are letters to Senators Mansfield and Scott acknowledging their letter to the Director and advising them that we have suspended our destruction program until the matter is clarified.

RECOMMENDATION:

That the attached letters to Senators Mansfield and Scott be sent.

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir.
Dep. AD Adm.
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Legal Coun.
Plan. & Eval.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

TO : Mr. W. R. Wannall

DATE: 3/10/75

FROM : W. O. Cregar

1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. D.W. Moore
1 - Mr. Wannall
1 - Mr. Cregar

SUBJECT: SENSTUDY 75

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-7-00 BY SP-2 ALM/

This reports information received telephonically from Mr. Robert Gambino, Office of Security, CIA, on the morning of 3/1/75.

According to Mr. Gambino, a CIA officer employed by CIA's Office of Security, Mr. Richard Kuh, has been called to testify before the Rockefeller Commission on 3/3/75. The purpose of this testimony is to discuss CIA's recruitment of approximately 10 dissidents. The dissidents were to be infiltrated into extremist and revolutionary groups active in the Washington, D. C., area in 1967 in order that CIA could obtain firsthand knowledge as to whether any of these extremist or revolutionary groups were planning any physical damage or attack on CIA installations throughout the Washington, D. C., area.

In preparation for this testimony CIA was reviewing all records in their Office of Security. In this connection they came across a note from CIA Security Officer Paul Gaynor reflecting a conversation he had with myself. During that time I had liaison responsibilities with CIA's Office of Security. The note, signed by Paul Gaynor, read as follows: "Discussed with William O. Cregar, FBI, 4/4-6/67. Says go ahead after conferring with Mr. William Sullivan, Assistant Director, FBI. 'They never heard of this matter.'" Copies of this note are being furnished to the Rockefeller Commission contemporaneous with Kuh's testimony.

I have reviewed all possible Bureau records in an effort to locate any memoranda that might have been prepared. I have found no such memoranda and am inclined to believe that I did not make a record of my conversation with Mr. Gaynor in view of the quotation, "They never heard of this matter."

REC-9 62-116395-33

WOC:ebc
(6)

EX-112

MAR 18 1975

CONTINUED OVER

70 MAR 25 1975

Memorandum for Mr. Wannall
RE: SENSTUDY 75

Although I have no specific recollection of the conversation with Mr. Gaynor, I do have some recollection that such a conversation did take place with him as well as with Mr. Osborn, the Director of Security, CIA. This is somewhat reinforced by the fact that I can recall CIA and specifically Mr. Osborn was concerned about the security of CIA's installations. There was considerable campus unrest during this period of time. I can recall CIA recruiters were attacked and beaten. As a matter of fact, I am almost sure that CIA's recruiters were forced off campus and did potential employees' interviews in Federal buildings. Recognizing that both Osborn, as the Director of Security, and CIA generally were very security conscious, I can understand and believe it was probably likely that the Office of Security, CIA, began to plan the security and physical protection of all their offices throughout the U. S. The fact is that approximately one and one-half years after my reported conversation with Mr. Gaynor one of CIA's offices in Ann Arbor, Michigan, was bombed, resulting in the now famous Keith decision. In the interim Martin Luther King was assassinated 4/4/68 and parts of the District were burned; Resurrection City existed during May and June, 1968. All of these events remind one of the situation that existed at that time and helps me at least put into perspective why CIA's Office of Security was concerned about the security of their installations.

Although I cannot recall the specific conversation with Mr. Gaynor, I did periodically speak to him during my eight-year liaison assignment. Had I received such a request as reported on Mr. Gaynor's note, I would have discussed it with the Assistant Director at that time. It is likely that Mr. Sullivan who was then the Assistant Director would have reacted as reported in Gaynor's quotation. I say this because if the facts are true, no operational activity to collect intelligence was envisioned. CIA merely proposed to place assets in a position to know if any violent activity was planned against CIA establishments and the Bureau was merely interposing no objections to such activity on the part of CIA.

CONTINUED - OVER

NW 65360 DocId:32989530 Page 94

Memorandum for Mr. Wannall
RE: SENSTUDY 75

I have attempted to reconstruct the events in my own mind as well as to view other activities that transpired during the approximately eight years of my liaison assignment. In all honesty I cannot recall any case wherein I was requested or instructed to make an arrangement with CIA without making a specific record of it in Bureau files.

ACTION:

For information and record purposes.

NW 65360 DocId:32989530 Page 95

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir.
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Legal Coun.
Telephone Rm.
Director Sec'y

TO : Mr. J. B. Adams

DATE: 3/12/75

FROM : Legal Counsel

SUBJECT: SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

#MDR 16
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 9/25/00 BY SP2 ALM/JAS

On March 12, 1975, Associate Deputy Attorney General Wilderotter advised me that he was just advised that the Senate Committee staff has compiled a lengthy list of requests for documents to be furnished by CIA to the Senate Committee. He said that the list will be submitted to the Committee today for their approval in requesting the material from CIA. He described the list as unrealistic. Mr. Wilderotter said that we may anticipate that the FBI will receive a similar list requesting documents in great detail. He said that his assignment in the Department at the present time is to assist in coordinating the Department responses with the White House in regard to requests from the Senate Committee and he requested me to advise him at once upon receipt of such a request from the Senate Committee.

RECOMMENDATION:

That upon receipt of request from the Senate Committee, as described above, Mr. Wilderotter be immediately informed.

62-116395
1 - Mr. Wannall
1 - Mr. Moore
1 - Mr. Farrington
1 - Mr. Hotis
1- Mr. Mintz

62-116395-32

REC 68

MAR 18 1975

LEGAL COUNSEL

JAM:mfd
(7)

70 MAR 27 1975

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. J.B. Adams
1 - Mr. N.P. Callahan

TO : Mr. W.R. Wannall

DATE: March 5, 1975

1 - Each Assistant Director

FROM : W.O. Cregar

1 - Mr. W.O. Cregar

SUBJECT: SENSTUDY 75

Assoc. Dir. ___
Dep. AD Adm. ___
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Director Sec'y ___

This memorandum reports the results of a meeting of the Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community (hereafter referred to as the Group) held on 2/27/75 at CIA Headquarters.

The Group is chaired by Mr. John Clarke, Associate Deputy to the Director of Central Intelligence, and is made up of representatives of agencies and departments having membership on the U.S. Intelligence Board. Its purpose is to serve as a coordinating mechanism for future testimony before various Congressional committees.

At the meeting of the Group on 2/27/75 several items of interest were discussed, which items are set forth hereinafter.

Mr. Colby, in his role as Director of Central Intelligence, and Mr. Clarke met with Senator Frank Church on the morning of 2/27/75. Church advised that it is not his intention to harass the intelligence community and he hopes to reaffirm to both the Congress and the people of the United States that there is a valid and critical need for intelligence. Church is concerned that no inadvertent disclosures result from these hearings which could prejudice sensitive intelligence community interest. He assured Mr. Colby that he would continue to consult him on any sensitive matters that come before the Committee to avoid such inadvertencies. Senator Church was appreciative of the security guidelines furnished to him for the handling of sensitive information and documents and assured Mr. Colby that the Senate Select Committee (SSC) would abide by these guidelines. With regard to the Secrecy Agreement, which heretofor Senator Church has been somewhat reluctant to have his staff personnel complete, it is now acceptable to the Senator. However, he does want to have the Chief Counsel of the SSC review the Secrecy Agreement and will probably propose certain changes in its wording. (A Secrecy Agreement was developed by a subcommittee of the Group in concert with the Justice Department.)

Enclosures

WOC:bcw (16)

CONTINUED - OVER

EX-110
REC 44 62-116395-31

MAR 12 1975

MAR 21 1975

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP2 ALM/JTG

Senator Church stated that it was the Committee's intention to investigate all agencies' participation in "covert action" with primary emphasis on CIA activities overseas. (Roughly interpreted, this could involve the Bureau's COINTEL Program.) The SSC hopes to avoid any confrontation with any members of the intelligence community over the release of sensitive documents or testimony and it is Senator Church's intention for him and Senator John G. Tower to consult with both the President and the Vice President to resolve this matter. In this regard, Mr. Clarke advised members of the Group that Deputy Attorney General Laurence H. Silberman has been designated by the President to act as his counsel in ~~dealing with both the Senate and the House~~ select committees. It is Mr. Clarke's opinion that Mr. Silberman will act in this capacity only as long as he remains Deputy Attorney General.

It is the feeling of Senator Church at this time that all staff employees of the SSC will be afforded "Q" clearances. (issued by the successor to the Atomic Energy Commission.) However, there is some question as to whether this in fact will be true and Clarke hopes to get further clarification on this point.

Mr. Colby advised Senator Church that CIA requires all employees to sign a CIA secrecy agreement. It is Mr. Colby's intention, as he did in the case of the Rockefeller Commission, to issue an agency notice to all employees releasing them from their obligation under the secrecy agreement in the event an employee is called before the SSC. Additionally, Mr. Colby intends to write a letter to the SSC advising it that he has so relieved CIA employees from this obligation. (Attached is a draft copy of an Agency notice circulated within CIA. Also attached is a copy of the letter Mr. Colby forwarded to the Honorable Nelson A. Rockefeller advising the Rockefeller Commission that he was relieving Agency employees from any obligation under the secrecy agreement.)

Inasmuch as the Bureau requires all employees to complete a secrecy agreement, the Intelligence Division believes that the Legal Counsel Division should review what action, if any, the Bureau should take in anticipation of FBI personnel being called to testify.

With regard to deleting the names of Agents and confidential sources from documents furnished to the SSC, Senator Church agreed that this would be acceptable providing he or members of his staff could consult with officials of the submitting agency if it was deemed necessary that the names of Agents or sources had to be revealed.

CONTINUED - OVER

NW 65360 DocId:32989530 Page 98

Memorandum to Mr. Wannall
RE: SENSTUDY 75

During the Colby/Church meeting, Church advised that he anticipates asking all agencies and departments of the intelligence community for the following three items as their initial request: 1) Organizational charts, broken down to a branch level, going back as far as 1947; 2) Copies of all budgets since 1947; and 3) Documents reflecting all cash flows since 1947.

With regard to items 2 and 3, Mr. Clarke indicated that he will seek clarification with regard to budget and cash flow submission and will hopefully have additional information for members of the Group in the near future as to exactly what the SSC desires.

During the course of the meeting of the Group, Mr. Clarke advised that the Bureau should consider advising Mr. Colby of any "bad apples" that are uncovered during the Bureau's investigation of staff personnel. This was not intended to try to eliminate a candidate as a staff employee where there is some derogatory information but if the Bureau develops very substantial information indicating the subject is a definite security risk, it is conceivable that Mr. Colby could at least discuss that individual's possible employment with Senator Church to prevent the Committee from hiring anyone that could later prove embarrassing to the SSC.

Prior to the adjournment of the meeting of the Group, Mr. Clarke queried all members as to what provisions they have made for handling the onslaught of paper and requests he anticipates all agencies will receive from the SSC. As an example, CIA has had to Xerox over 15,000 pages of CIA documents in the last ten days in response to requests from the Rockefeller Commission. Clarke feels strongly that each agency should develop a task force within their ranks supplemented by stenographic personnel to prepare themselves for what he believes will be very extensive requests from the SSC with relatively short deadlines.

NW 65360 DocId:32989530 Page 99

Memorandum for Mr. Wannall
RE: SENSTUDY 75

ACTION:

The matters of interest reported in this memorandum were discussed at Mr. Callahan's conference on 3/3/75 and are being addressed separately in accordance with decisions made at that conference.

NW 65360 DocId:32989530 Page 100

DRAFT
22 February 1975

CIA INTERNAL USE
ONLY

#MDR16
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-6-00 BY SP-2 ALM/JTF

AGENCY NOTICE

As you are aware, the President on 4 January 1975 established a Commission on CIA Activities Within the United States to look into allegations that certain Agency activities conducted within this country exceeded our charter and statutory authority.

Upon completion of its inquiry, the Commission will issue its findings and submit recommendations to the President and to the Director of Central Intelligence.

The President has directed that the Agency extend support and assistance to the Commission, and I have pledged my cooperation to the Commission and its Staff.

I have also told the Commission that any current employee of the Agency is available to the Commission and its Staff for discussions.

The Agency and the Commission Staff have now developed sufficient working experience so that we can design additional procedures to facilitate the Staff's work in examining topics of concern.

All members of the Commission Staff have received security clearances and have been given badges providing them with access to Agency offices in the Washington, D. C. area.

62-116395-31

ENCLOSURE

The Commission Staff will, during their inquiries in CIA Headquarters Area Offices, be given access to Agency files related to the Commission's fields of responsibility. The use of specific sensitive data from these files in any unclassified report by the Commission will be subject to consultation between the Director and the Commission.

To facilitate interviews by the Commission Staff Officers with CIA employees, I have advised the Commission that employees are authorized to furnish classified information with certain exceptions. My letter to the Vice President, the Chairman of the Commission, is attached. It sets forth guidelines for the furnishing of classified information.

The cooperative spirit of our relationship with the Commission and its Staff must at the same time take account of the rights of Agency employees. Like other citizens, they have the right to remain silent. The Commission Staff will advise employees of their rights at the beginning of any interview or other appearance.

My own belief, after careful review of all activities in question, is that legal action will not be taken against individuals. The final decision, however, must rest with the Department of Justice and other legal authorities and risk of such action is a judgment each employee must make for himself.

NW 65360 DocId:32989530 Page 102

When a current Agency employee is asked to be interviewed by a member of the Commission Staff, the Staff member should notify Mr. E. H. Knoche who is my assistant in charge of liaison with the Commission and its Staff.

Mr. Knoche, in turn, will ~~advise~~ NOTIFY the employee. ~~that~~ The purpose of this is in no way to inhibit the work of Staff members. It is intended to allow time for the employee to gain general legal guidance if he wants it, and to obtain security guidance from an appropriate senior officer.

Normally, we think an employee would advise his supervisor or other Agency authorities on the nature of the interview. It should be understood, however, that this is not mandatory.

In arranging the interviews, I am acutely aware of the need to avoid the appearance as well as the fact of collusion between Agency and employee. None of us has any intention to fabricate or mislead. I am convinced that being forthcoming ~~while perhaps embarrassing in a few details~~, will ~~on the whole~~, vindicate the Agency and its eminent service to our country.

In keeping with my long-standing policy, employees with any knowledge of activities conducted within the United States, now or in the past, which they believe to be of a questionable nature can follow the customary practice within the Agency of calling the matter to my attention or that of the Inspector General. This will ensure my ability to continue to be forthcoming with all those involved in external reviews of Agency activities.

Employees should also feel free to bring any such matters directly to the attention of the Commission or the Commission Staff outside of Agency channels if they so desire. In doing so, however, employees should bear in mind that the Commission's field of interest is CIA activities within this country.

To contact the Commission, employees can call the Executive Director, Mr. David Belin on 456-7010 or the Counsel, Mr. Marvin Gray, Jr., on 456-7014. The mail address is:

Commission on CIA Activities
Within the United States
712 Jackson Place, N.W.
Washington, D. C. 20500

Names of the members of the Commission Staff and their badge numbers are attached.

W. E. Colby
Director of Central Intelligence

COPY

#MDR16
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-6-00 BY SP2 ALM/ALM

5 February 1975

The Honorable Nelson A. Rockefeller
Chairman, Commission on CIA Activities
Within the United States
712 Jackson Place, N.W.
Washington, D.C. 20500

Dear Mr. Vice President:

As you are aware, all employees of the Central Intelligence Agency are required to sign secrecy agreements when they enter on duty. This is a condition of employment, and it requires that they keep forever secret all classified information gained during the course of their employment. The secrecy agreement further requires that they may not disclose classified information in interviews or by publication without prior authorization from the Director of Central Intelligence. There is a provision in the secrecy agreement that the conditions and obligations with respect to the protection of classified information by the agreement continue after employment with the Agency has been terminated.

As I have stated to the Commission, I will make available any employee of this Agency to the Commission for staff interview and for testimony before the Commission. This letter will serve as authorization for any such employees or ex-employees to furnish information as requested by the Commission or its staff on matters that may be classified. As has been discussed with the Commission, there are certain sensitive items which should receive special handling. Such items include names of sources, specific details of technical devices and systems maintained in compartmented channels by the Agency, names of employees, names of persons who may be targets of kidnapping or assassination by foreign intelligence organizations, names of organizations cooperating with the Agency, and detailed information which would pinpoint any of the above. Some information might also conflict with a subject's right of privacy.

62-116395-31

ASURE

COPY

Attachment to Agency Notice

BELIN, DAVID W.	A-6442
BAKER, HAROLD A.	A-6428
CARGILL, MASON	A-6439
GELLHORN, ERNEST	A-6429
GRAY, MARVIN L., JR.	A-6444
GREENE, RONALD J.	A-6435
HARDY, TIMOTHY	A-6433
MANFREDI, GEORGE	A-6432
OLSEN, ROBERT	A-6434
ROETHE, JAMES	A-6427
SCHWARZER. WILLIAM	A-4768
WEIDNER, JAMES	A-6447
CLAPPER, PETER	A-6440

NW-65360 DocId:32989530 Page 106

COPY

There is no purpose here to impede in any way the Commission's investigation. I believe, however, in most cases these specific identifying names and details are not necessary for an understanding of our activities. Where the Commission or the staff believes that specific identification is necessary to the purpose of the testimony or the staff interrogation, the matter will be discussed between the Commission and the Agency, and I will be prepared to consult with you and the Commission to determine the course of action to be taken. Where in the judgment of the employee a specific identification is especially sensitive as outlined in this paragraph, an identity number will be assigned pending resolution of the matter between the Commission and the Agency, and in the meantime the identity will not be divulged by the employee.

I appreciate the cooperation of the Commission and of Agency employees in this regard. I am still responsible under the statute and as a professional for the protection of intelligence sources and methods from unauthorized disclosure. In many situations the inadvertent disclosure of a name or identification could have serious repercussions, including placing lives in jeopardy, and I cannot in good conscience put such information at risk.

This arrangement of course does not affect the Commission's procedures for advising prospective witnesses of their rights, securing waivers, nor the employee's or ex-employee's right not to answer certain questions if they are concerned that the answers might tend to incriminate them.

Respectfully,

SIGNED

W. E. Colby
Director

COPY

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

SECRET

1 - Mr. Callahan
1 - Mr. Adams

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 : Mr. W. R. Wannall

DATE: 2/27/75

FROM : W. O. Cregar

1 - Mr. Mintz
1 - Mr. Bowers
1 - Mr. Wannall
1 - Mr. Cregar

SUBJECT: SENSTUDY 75

This memorandum recommends that we keep Mr. Colby apprised, as the Director of Central Intelligence, through the Ad Hoc Coordinating Group on Congressional Inquiry of any proposed or completed FBI testimony before congressional committees when such FBI testimony impacts on other members of the Intelligence Community, could result in other members of the Intelligence Community being called to testify, or any questions are asked of the FBI which are of proprietary interest to another agency or department of the Intelligence Community.

The Ad Hoc Coordinating Group on Congressional Inquiry, chaired by Mr. John Clarke, Associate Deputy to the Director of Central Intelligence, is made up of representatives of agencies and departments having membership on the United States Intelligence Board (USIB). Its purpose is to serve as a coordinating mechanism for future testimony before congressional hearings.

At a meeting of the USIB on 2/26/75, Chairman Colby commented on the effective manner in which the Ad Hoc Group was functioning. However, he noted that it is imperative all members of USIB be extremely sensitive to the need for prior coordination to insure that the basic interests of the Intelligence Community are served and that any testimony or documents furnished congressional committees are factual and accurate. He hoped that all members will be made aware of what other members are testifying to before a congressional committee as well as the identity of that congressional committee. Mr. Colby noted that it is highly likely that members of the Intelligence Community will be called before various congressional committees other than the Senate and House Select Committees.

REC-6 62-116395-30

The Intelligence Division believes this type of coordination is vital to insure that one agency's testimony is not in conflict with that of another through misunderstanding

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6 MAR 7 1975

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(7)

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SECRET

Memo for Mr. Wannall
RE: SENSTUDY 75
62-116395

or inadvertency. As an example of this coordination, Mr. Colby has furnished the Bureau and other members of the Intelligence Community the statement he plans to make as the lead-off witness before the Senate Select Committee (SSC). This statement has been reviewed by the Intelligence Division and a memorandum has been prepared which notes that there is nothing objectionable from the Bureau's standpoint in Colby's proposed statement.

A second point Colby made at the USIB meeting was his desire that all members understand that no agency representative should discuss with a congressional committee information or techniques which are of proprietary interest to another agency without prior consultation. This is certainly a valid request and we should concur. [As an example, the FBI would not want the National Security Agency to discuss with a congressional committee FBI support of National Security Agency's TELEX effort without first clearing with us. Likewise, the Bureau representative should not discuss National Security Agency's exploitation of teletype traffic furnished to them by the FBI without prior coordination with NSA.] Recently a congressional committee asked CIA for copies of any written agreements between FBI and CIA. CIA felt they had no alternative but to provide the committee with copies of the FBI - CIA Understanding dated 2/7/66. However, before doing so CIA did obtain FBI approval.

(S)

ACTION:

If approved, through the Chairman of the Ad Hoc Coordinating Group on Congressional Inquiry, representatives of the Intelligence Division will keep Mr. Colby and the Intelligence Community advised of any FBI testimony before congressional committees wherein such testimony could impact on other members of the Intelligence Community, could result in other members of the Intelligence Community being called to testify, or where questions are asked which are of proprietary interest to another member of the Community.

TWL

Rec. copies of A. G. & your statement used 2/27/75 before Edwards subcommittee be made available to Ad Hoc group. JWA

Done 3/6/75 WJP

K

WRW

JAH

NW 65360 DocId:32989580 Page 109

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Adams
1 - Mr. Wannall

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 : Mr. W.R. Wannall

DATE: 3/4/75

FROM : H.A. Boynton, Jr.

1 - Mr. Boynton
1 - Mr. Schwartz

SUBJECT: CENTRAL INTELLIGENCE AGENCY (CIA) EMPLOYEE SECRECY AGREEMENTS

Concerning a news article appearing in the 2/28/75 edition of the Washington Post newspaper (copy attached) entitled "Colby Will Lift CIA Secrecy Pledge to Cooperate With Senate Probe," the Director noted "Can we determine what the agreement includes?"

On 3/4/75 Mr. Steve Kuhn, Office of Security, CIA, advised that all CIA employees prior to commencing employment with that Agency are required to execute an "Entrance on Duty Secrecy Agreement" and upon terminating their Agency employment are requested to execute a "Termination Secrecy Agreement" (copies of both attached). Briefly, these agreements require that CIA employees keep forever secret all classified information gained during the course of their employment. Both agreements further require that CIA employees may not disclose classified information during interviews or by publication without prior authority from the Director of Central Intelligence. Both agreements specifically set forth that the employee has read the provisions of the espionage laws (Sections 793, 794 and 798 of Title 18, U.S. Code), is aware that unauthorized disclosure of classified information relating to the national defense could lead to prosecution and has reviewed the provisions of the National Security Act of 1947, which specifically charges the Director of Central Intelligence with protecting intelligence sources and methods from unauthorized disclosure. In this connection, the "Termination Secrecy Agreement" notes that the employee has also read the provisions of Section 1001, Title 18, U.S. Code, and is aware that making a false statement "herein or otherwise" may be punished as a felony. The "Termination Secrecy Agreement" consists of a four-page form, pages three and four of which are entitled "Excerpts From Title 18, United States Code" and specifically sets forth the provisions

Enclosures - 4

62-116395

MAR 13 1975

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46 MAR 13 1975

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ORIGINAL FILED IN 62-116395

of Sections 793, 794, 798, and 1001. Both Secrecy Agreements also state that the conditions and obligations with respect to the protection of classified information continue after Agency employment has terminated.

The FBI, of course, utilizes Form FD-291 "Employment Agreement," which has been executed by all current employees and must be signed by all new personnel entering on duty, to cover the foregoing situation. The "Employment Agreement" (copy attached) covers essentially the same points noted in the attached CIA Secrecy Agreements. While we do not have an exit secrecy agreement signed by the terminating employee, Form FD-193 "Report of Exit and Separation" requires (under Paragraph D, Page 2) that the exiting employee be cautioned regarding divulging confidential information and reminded that such improper action may violate Department of Justice regulations as well as Federal statutes providing for substantial fines and lengthy imprisonment or both.

ACTION:

Above for information.

BPM

NW 65360 DocId:32989530 Page 111

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-6-00 BY SP2 ALM/JMG

#mpe 16

March 4, 1975

MEMORANDUM FOR MR. ADAMS
MR. WANNALL

RE: SENATE SELECT COMMITTEE
~~Inquiry re Opening of Mail by the~~
Central Intelligence Agency

On March 4, 1975, William Cotter, Chief Postal Inspector, came to see me. He said the Postmaster General has become alarmed about the opening of mail by the Central Intelligence Agency (CIA) for many years. Mr. Cotter went to CIA and received a listing, by year, of the activity in this regard. This list further stimulated the alarm of the Postmaster General.

Mr. Cotter advised that he had known of this project since the 1950s when he was assigned to New York as an Inspector. He said that several of the Postmaster Generals were informed of the project and no protest was made. He said the general feeling was that these were possible enemies of the nation and, therefore, the method was considered as necessary. The present Postmaster General feels the procedure might be highly criticized, and Mr. Cotter came to me to get my assurance no such activity was now going on. I informed him it is not.

Mr. Cotter further asked me if we knew it was going on and did we actually receive the benefits of it. I informed him we knew of it and did get information on the procedure from CIA.

I then told Mr. Cotter I thought he should be joined in the group of investigative organizations, headed by Mr. Colby, Director of CIA, to consider our actions in the Select Committee's probe. Mr. Cotter said they had been invited to the first meeting, but to none since.

Assistant Director Wannall should check to make sure they are included and we should confirm to Mr. Cotter that his organization has been established as a participant.

EX-105 REC-11 62-116395-29

Very truly yours,

C M Kelley

Clarence M. Kelley
Director

MAR 7 1975

SENT FROM D. O.
TIME 6:00 PM
DATE 3/4/75
BY

54 MAR 1

:. Dir. ___
. 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 ___

MAIL ROOM ☐ TELETYPE UNIT ☐

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 7-7-00 BY 39063 PLW/BCE/AMW

TO : Mr. White

DATE: February 27, 1975

FROM : J. H. Mortimer

SUBJECT: MEMORANDUM FOR MR. TAMM FROM JOHN EDGAR HOOVER DATED SEPTEMBER 10, 1936; CONFIDENTIAL MEMORANDUM BY JOHN EDGAR HOOVER DATED AUGUST 25, 1936.

Security Jurisdiction

D.C.

On this date, SA Alonzo L. Lacey of the Intelligence Division delivered the above-captioned memoranda to the Laboratory with a request to determine the make of typewriter employed in the preparation of the memoranda and the date of introduction of the type styles employed. The purpose of this investigation was to ascertain whether or not the type styles on the typewriters used to write the memoranda were in use on the dates appearing on the memoranda.

It was determined that the "Memorandum For Mr. Tamm from John Edgar Hoover dated September 10, 1936" was prepared on an IBM typewriter equipped with a pica style of type which has been in use since 1930. The typewriting comprising the "Confidential Memorandum by John Edgar Hoover dated August 25, 1936" was determined to have been prepared on a Remington typewriter equipped with an elite style of type that has been in use since October, 1935.

62-116375-

The memoranda were returned to SA Lacey.

RECOMMENDATION:

NOT RECORDED
MAY 2 1975

The result of this examination be forwarded to the Intelligence Division

REC-10 62-66727-1841

1 - Mr. Wannall
1 - Mr. Lacey
1 - Mr. White
1 - Mr. Mortimer
1 - Mr. Oberg

WSO:mrg
(6)

MAY 2 1975

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Original Filed In 62-116375-1841

NW 65360 DocId:32989530 Page 113

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Callahan
1 - Mr. Adams

TO : Mr. W. R. Wannall

DATE: 2/14/75

1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Cregar

FROM : W. O. Cregar

SUBJECT: SENSTUDY 75

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
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Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

This memorandum reports the results of a meeting of the Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community (hereafter referred to as the Group) held on the morning of 2/14/75 at CIA Headquarters.

The Group chaired by Mr. John Clarke, Associate Deputy to the Director of Central Intelligence, is made up of representatives of agencies and departments having membership on the United States Intelligence Board (USIB). Its purpose is to serve as a coordinating mechanism for future testimony before various congressional meetings.

At the meeting of the Group on 2/14/75 several items of interest were discussed. They were:

(1) A Secrecy Agreement (copy attached) was presented to Mr. William Miller, Staff Director of the Senate Select Committee (SSC), with therequest that all staff employees of the Committee, which may number as high as 40, be requested to sign. Miller was rather cool to the suggestion and indicated that the SSC and Senator Church would take it under advisement. It is to be noted that this draft of the Secrecy Agreement was prepared by the Security Committee of USIB in concert with Mr. Kevin T. Maroney, Deputy Assistant Attorney General, Criminal Division, Department of Justice. Although this was considered the final draft of the Secrecy Agreement, the Treasury representative on the Group was hopeful additional language could be incorporated into the Agreement to cover other than classified information such as the confidentiality of Internal Revenue returns.

(2) Memorandum Cregar to Wannall, dated 2/4/75, advised that Mr. Colby, in his role as the Director of Central Intelligence, had been instructed by the White House to identify what information the Intelligence Community felt could not under any circumstances be discussed with a congressional committee.

REC-40 62-116395-28

Enclosures
62-116395

ENCLOSURE

WOC:ebc
(6)

5 FEB 28 1975

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50 MAR 05 1975

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Memorandum for Mr. Wannall
RE: SENSTUDY 75
62-116395

Attached is a copy of the paper Colby provided to the White House responsive to this request. It does encompass recommendations of member agencies of the Group including the FBI.

At a subsequent meeting Mr. Colby had with unidentified persons at the White House, the above list was discussed. Colby recommended the Intelligence Community had three options to deny a congressional committee sensitive information. They were: (A) to refuse providing sensitive information to a congressional committee and face the possibility of a contempt citation, (B) have the President refuse to authorize the release of such information, presumably through the exercise of Executive Privilege, or (C) the President could call the majority and minority leaders of the congressional committee to the White House, furnish to them the answer to the question with the added caveat that they were the only persons being informed of the answers and, therefore, would be personally accountable for any leak of information. Representatives of the White House were not very enthusiastic to the options put forth by Mr. Colby and indicated that they would be calling a meeting at the White House of senior officials of the Department of Defense, Justice Department, CIA and the FBI to review what position the Intelligence Community should take in responding to a request for extremely sensitive and highly classified information.

(3) Members of the Group were allowed to read an internal memorandum from Mr. David W. Belin, Executive Director of the Commission on CIA Activities Within the U. S. (The Rockefeller Commission), to Mr. Philip Buchen, Counsel to the President. This memorandum reports the results of a conversation between Mr. Belin and Mr. William Miller, Chief of Staff for the SSC. The memorandum revealed that Miller believes that within two weeks his staff will be in three-quarters gear. He plans to have a total staff of about 40, 10 to 12 of whom will be lawyers. The initial work of the staff will concentrate on a review of documents, interviews, and what Miller called "depositions." Miller does not plan to have any hearings of the SSC for several months and believes the September deadline could not be met, rather that the investigation would take at least the rest of the year.

CONTINUED - OVER

NW 65360 DocId:32989530 Page 115

Memorandum for Mr. Wannall
RE: SENSTUDY 75
62-116395

Bellin's memorandum also noted that the thrust of the SSC's investigation will include the whole range of intelligence gathering agencies; will delve into the basic matters of policy, including whether or not there is a need for all of the agencies; what the results are; related public policy matters, as well as rights of privacy.

Miller also advised Bellin that the SSC would operate out of a room referred to as "the auditorium," which Miller thought gave the best security. He said there would be rigid standards imposed to seal off any leaks. These standards would include having everything in a central filing area with a specific check-out system permitted to particular people so that if leaks occurred the source of such leaks could be readily ascertained. Xeroxing would be severely limited. In response to a question from Bellin to Miller as to why the Senate and House did not create a joint Senate/House committee as opposed to individual Senate and House Select Committees, Miller advised that it was too difficult to arrange because of matters of protocol.

It is noted that although a House Select Committee is being formed with basically the same charter as the SSC, no chairman of the House Select Committee has been designated and the Group estimates that it will be a month before the House Select Committee can get started.

ACTION:

For information.

WRW/TCL

NW 65360 DocId:32989530 Page 116

SECRECY AGREEMENT

I, _____, in accepting employment or assignment with the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, recognize the special trust and confidence placed in me to protect classified information from unauthorized disclosure.

I hereby agree to accept the specific obligations set forth below as a condition precedent of my employment or assignment with the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, established by the Senate of the United States, Resolution 21, agreed to on January 27, 1975, hereinafter referred to as the Select Committee.

It is my understanding that in the course of my employment or assignment with the Select Committee I will be given access to information from departments and agencies of the Government which is classified in accordance with the standards set forth in Executive Order 11652 of March 8, 1972, as amended. All classified information so acquired by me in the course of my employment remains the property of the United States of America and I further agree to surrender upon demand by the Chairman of the Select Committee or his designee(s) or upon my separation from the Select Committee, any classified material which has come into my possession as a result of my employment or assignment with the Select Committee.

I hereby agree that the burden is on me to determine if information is classified and that I will never divulge, publish or reveal by word, writing, conduct or otherwise any classified information which has come to my knowledge as a result of my employment or assignment with the Select Committee without prior written consent of the Chairman or the President of the Senate or their duly authorized representative.

#MDR16
9-25-00 SP2 ALM/JTG

ENCLOSURE

62-116395-21

I hereby agree that any information learned during my employment or assignment with the Select Committee which is related to intelligence and prepared for publication by me will be submitted to the Chairman or the President of the Senate or their duly authorized representative prior to discussing with or showing to any publisher, editor or literary agent for the purpose of determining whether said material contains any classified information as defined in Executive Order 11652. I agree that the Chairman of the Select Committee, President of the Senate or their duly authorized representative has the authority to make the final determination as to whether information is classified and thus should be deleted from the material submitted.

I have been informed of the provisions of 18 U.S.C. 793, 794, 798 and 952; and 50 U.S.C. 783 (b); and 42 U.S.C. 2274; and Executive Order 11652, all of which relate to the protection of classified information, and understand their meaning.

Further, I agree to abide by such rules and procedures as the Select Committee shall institute for the protection of classified material. I understand that any breach of any part of the obligations in this agreement could subject me to legal and/or administrative action.

I further agree that all the conditions and obligations imposed on me with respect to the protection of classified information by this agreement and applicable security regulations apply during my employment or assignment and continue after that relationship has terminated.

I take the obligations set forth above freely and without any mental reservations or purpose of evasion.

_____
Signature

_____
Date

WITNESS:

_____
Signature

_____
Date

CATEGORIES OF ACTIVITIES OF SUBJECT MATTER THAT NEED STRINGENT PROTECTION

I. The names of agents, informants, covert liaison contacts and operations or other identifying characteristics of sensitive clandestine sources

a. Agent or informant names or operational information revealing them.

b. Details which would reveal the effectiveness of sensitive methods and techniques (1) employed overseas in human source collection (2) employed by the FBI for internal security and counter-intelligence purposes.

--The numbers, locations, times and other indications of recruitment or emplacement of personnel within target organizations.

--Specific statements of the use of technical devices in agent operations.

--The total extent of recruitment or investigative effectiveness against any given target organization or individual, or lack thereof.

--Names of selected agency and/or ex-agency employees if revealed would endanger lives, operations or future utility.

--Foreign or US sources, official or otherwise, who would be embarrassed or endangered by disclosure of their role.

II. Relationships with Other Intelligence Services

a. Identifying information on intelligence services in friendly and neutral countries.

Classified by 056047
Exempt from general declassification schedule of E. O. 11652, exemption category:
5B (1), (2) (3) or (4) (circle one or more)
Automatically declassified on
DATE IMPOSSIBLE TO DETERMINE
(unless impossible, insert date or event)

ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/6/00 BY SP2 ALM/JTG
TM OR 16

b. Identifying collaborative operations between the United States intelligence agencies and other foreign intelligence liaison services against targets within the country extending the collaboration or within a jointly targetted third country.

c. The nature of support provided or arrangements with foreign intelligence services supporting US technical collection operations.

d. Material and information provided to the US by a foreign service under conditions of continued secrecy.

III. Cryptologic and Communications Activities

a. Clandestine procurement of foreign cryptologic material.

b. Operations against foreign cryptologic installations.

c. Activities taken with the manufacturers of cryptologic devices in the U. S. and abroad.

d. Product of telephone taps or technical surveillance operations of foreigners or foreign facilities (U. S. and abroad).

e. Success of cryptologic operations against both friendly and unfriendly targets in the U. S. and abroad.

f. Covert signals intelligence collection including (1) assistance arrangements with commercial U. S. and foreign companies (2) taps (3) and from US installations abroad.

g. Collaboration with foreign governments in signals intelligence collection, particularly for arrangements which, if revealed, would be politically embarrassing in the countries involved.

h. Protective communications security measures.

i. Efforts to collect exotic signals and locate transmissions especially critical to our work in ASW.

IV. Technical Intelligence

a. Identification of technical intelligence operations of high technical vulnerability and extremely high political sensitivity.

NW 65360 DocId:32989530 Page 120

b. Details of specific covert communications systems, including secret writing, special agent equipment, etc.

c. Specific identification of foreign technical collection installations involving high political sensitivity in the host country.

d. Identification of technical counter-measures techniques.

e. Characterization of emplacement of devices for technical collection of foreign intelligence, including techniques of emplacement.

f. Details of secure U.S. communications systems.

V. Other

a. Reference to covert action operations that would embarrass the U.S. Government or frustrate the purpose of the operation.

b. Details or disclosure of monetary arrangements with U.S. and foreign banks, investment houses, etc., in support of foreign intelligence operations.

c. Specific information on special relationships with private firms established with the approval of top corporate officials. This includes names of firms or industrial associations that provide privileged customers or collaboration or cover for foreign intelligence operations.

d. Names of firms collaborating with U.S. intelligence agencies in collection and assessment programs (especially those having large foreign clienteles).

e. Details of covert contract techniques, covert contractors, and covert tax arrangements.

f. Nature of support to and from other agencies for operations against foreign intelligence targets.

g. The state of our intelligence on Soviet or PRC diplomatic or military intentions toward the United States or on the state of our intelligence on military technologies of these nations.

NW 65360 DocId:32989530 Page 121

Mr. W.R. Wannall

February 19, 1975

W.O. Cregar

SENSTUDY 75

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/25/00 BY SP-2 ALM/JTG

Memorandum W.O. Cregar to Mr. W.R. Wannall, dated 2/10/75, recommended that a paper entitled "Origin and Disposition of the Huston Plan" be furnished to Mr. Colby in his role as Director of Central Intelligence (DCI) for inclusion as an annex in a series of annexes Mr. Colby intends to provide the Senate Select Committee (SSC) on the occasion of his appearance as the lead-off witness. This memorandum was approved and the annex entitled "Origin and Disposition of the Huston Plan" was furnished to Mr. Colby for his use.

In anticipation that Mr. Kelley will appear before the SSC, a copy of the annex entitled "Origin and Disposition of the Huston Plan" is being furnished to the Legal Counsel Division for inclusion in the briefing book being prepared for the Director relative to his anticipated appearance before the SSC.

ACTION:

The attached copy of the FBI paper entitled "Origin and Disposition of the Huston Plan" be furnished to the Legal Counsel Division for their use in connection with the preparation of a briefing book for the Director's anticipated appearance before the SSC.

Enclosure

1 - Mr. J.A. Mintz
1 - Mr. W.R. Wannall
1 - Mr. W.O. Cregar

WOC:bcw (4)

REC 862-116395-27X

16 MAY 27 1975

ST 112

Original cannot be located and is not on record. When original is received in Record's [illegible] other [illegible]
5-23-75

84 MAY 30 1975

No indication orig. was received in Records 5-23-75

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Adams
1 - Mr. Wannall
1 - Mr. Cregar

TO : Mr. W.R. Wannall

DATE: 2/12/75

FROM : H.A. Boynton, Jr.

1 - Mr. Boynton
1 - Mr. Schwartz

SUBJECT: SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

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

Pursuant to request of Mr. Adams, Liaison Officer L.F. Schwartz contacted Mr. John Clark of the Intelligence Community Staff on 2/11/75 with regard to suggested security procedures for the handling of classified information by the Select Committee.

Mr. Clark advised that on 2/10/75 he had met personally with Mr. William Miller who has been designated to head the Select Committee Staff. He stated that he discussed with Mr. Miller the proposed guidelines for security and the proposed secrecy agreement for staff members and furnished Miller with copies of both these items. Mr. Clark stated that Miller was generally receptive to the proposed guidelines and felt that they would be acceptable subject to the approval of Senator Church. Mr. Miller was decidedly cool concerning the idea of staff members signing a secrecy agreement but indicated that a final decision regarding this would be made by Senator Church.

Mr. Clark stated that he raised two specific questions which Mr. Colby considers most important with regard to any presentation made to the Select Committee. He advised Miller that the Intelligence Community would desire to not identify specific agents or the details of sensitive operations which might reveal the identities of sensitive sources. Mr. Miller was agreeable to this and foresaw no problem with the Select Committee accepting this proposal. Secondly, Mr. Clark advised Mr. Miller that Mr. Colby, speaking for the Intelligence Community, was opposed to having any dealings with staff members of the various Senators and Representatives other than those assigned to work directly under Mr. Miller as part of the Select Committee Staff. Mr. Miller stated that this was also acceptable to him and he assured Mr. Clark that all of his staff members would be subject to an FBI background investigation and the issuance of a security clearance by CIA.

REC- 104 ~~62-116395~~

LFS:tdp (6)

CONTINUED - OVER

62-116395-26X

5 FEB 24 1975

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/25/00 BY SP2 ALM/LTG

84 MAR 3 1975

Memorandum to Mr. W.R. Wannall
RE: SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

During the conversation with Mr. Clark he advised further that it is not the intention of Mr. Colby to use as any part of the CIA's defense for alleged domestic activities the allegation that such activities were undertaken because the FBI had failed or was unwilling to carry out its responsibilities in the domestic area. Mr. Clark noted that he is aware that there have been references to such a claim in the newspapers but he assured SA Schwartz that Mr. Colby does not support this position in any way. Mr. Clark volunteered to arrange a personal meeting between Mr. Colby and an appropriate FBI official to discuss this point, if the Bureau so desired.

ACTION:

For information.

WRW/TWL

No need unless circumstances change.
Jma

LFS/WOB

JMA

JMA

NW 65360 DocId:32989530 Page 124

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Adams
1 - Mr. Mintz

TO : Mr. W. R. Wannall

DATE: 2/18/75

1 - Mr. Wannall
1 - Mr. Cregar

FROM : W. O. Cregar

SUBJECT: SENSTUDY 75

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-6-00 BY SP-2 ALM/JAG

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 ___

This memorandum reports that on 2/14/75 Mr. John Clarke, Chairman of the Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community, telephonically advised Section Chief, W. O. Cregar, the Bureau's representative on this Group, that Mr. Samuel R. Preston, Senior Staff Member of the House Appropriations Committee, requested that CIA provide the House Appropriations Committee with any written agreements between CIA and the FBI.

The Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community is made up of representatives of agencies and departments having membership on the U. S. Intelligence Board. Its purpose is to serve as a coordinating mechanism for future testimony before various congressional committees.

On the late afternoon of 2/14/75, Mr. John Clarke, telephonically advised Mr. Cregar that he had received a telephone call from Mr. Samuel R. Preston. The purpose of the call was to request any written agreements that existed between the CIA and the FBI. Clarke advised the only written agreement he could identify existing between the FBI and CIA was one dated 2/7/66 (copy attached).

Clarke stated that inasmuch as he had gotten this specific request from Mr. Preston he felt CIA had no alternative but to provide a copy of the Agreement to him. However, Clarke wanted to be sure the FBI concurred in this action.

EX-101 REC-46 62-116395 27

Subsequent to Mr. Clarke's call, Mr. Adams telephonically contacted Deputy Attorney General Laurence Silberman and explained the problem to him. Mr. Silberman authorized the release of a copy of the FBI - CIA Agreement to Mr. Preston. On the afternoon of 2/14/75 Mr. Cregar advised Mr. Clarke that the FBI interposed no objection to the release of a copy of the 1966 Agreement to Mr. Preston.

Enclosures - Sent 2-20-75
62-116395

FEB 25 1975

WOC:ebc (5)

CONTINUED - OVER

58 MAR 4 1975

ENCLOSURE

Memorandum for Mr. Wannall
RE: SENSTUDY 75
62-116395

Attached is a memorandum to the Attorney General with a copy for the Deputy Attorney General confirming the conversation between Mr. Adams and Mr. Silberman on the afternoon of 2/14/75.

ACTION:

That the memorandum to the Attorney General be sent.

WTW/tm

NW 65360 DocId:32989530 Page 126

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

In Reply, Please Refer to File No.

February 7, 1966

#MDR16 11-6-00
CLASSIFIED BY SP-2 ALM/ZIG
DECLASSIFY ON: 25X1

CENTRAL INTELLIGENCE AGENCY
OPERATIONS IN THE UNITED STATES (S)

(1) CIA will not initiate an investigation of any foreign official in the United States without the concurrence and coordination of the FBI. In this context, the term "investigation" means systematic and direct inquiries or procedures (such as physical or technical surveillances or neighborhood inquiries) aiming at developing information concerning an individual's activities or background; "investigation" does not include the acceptance or the development of information through social contacts or contacts normally made by CIA agents in discharging their cover functions. (S)

(2) CIA will seek concurrence and coordination of the FBI before approaching for recruitment any foreign official or communist-bloc visitor in the United States. The FBI will concur and coordinate if the proposed action does not conflict with any operation, current or planned, including active investigation of the FBI. (S)

(3) CIA will advise the FBI prior to any planned meeting between a CIA asset and a foreign official or communist-bloc visitor of known or presumed interest to the FBI (this would include all communist-bloc officials and visitors) for purposes of assessment and social development. (S)

(4) Clandestine CIA staff operatives, domestic American agents of CIA, and foreign agents of CIA recruited abroad who come to the United States will be identified to the FBI by name or appropriate description depending on the national security interest involved. (S)

(5) Pursuant to paragraph 4 above, when a CIA agent arrives in the United States for a visit or for an (S)

~~SECRET~~

GROUP 1
Excluded from automatic downgrading and declassification

ENCLOSURE

62-116395-27

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

assignment, the Bureau will be advised and the two agencies will confer regarding the handling of the agent in the United States. It is recognized that each case will have its individual peculiarities. The governing principle will be positive intelligence interest as weighed against internal security factors. CIA will continue its contractual relationship for the purpose of handling the training, the procurement of positive foreign intelligence, the fulfillment of CIA commitments to the agent, and the preparation of the agent for his next assignment abroad. (S)

(6) In those cases where CIA will be handling its agent in the United States, CIA will service FBI security or counterintelligence requirements and will provide the FBI all agent information bearing on counterintelligence or internal security matters, including the scope and nature of the agent's access to information and the identities of the agent's significant contacts, particularly in the communist-bloc field. In such cases where CIA servicing has been inadequate to FBI internal security interests, the FBI will have direct access to the agent. (S)

NW 65360 DocId:32989530 Page 128

CODE TELETYPE IMMEDIATE

1-29-75

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 29 1975

TO ALL SACS AND ALL LEGATS

FROM DIRECTOR FBI

DESTRUCTION OF FIELD FILES AND RECORDS.

IN ACCORDANCE WITH PROPOSED INVESTIGATION AND STUDY OF GOVERNMENT OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES, CONGRESSIONAL LEADERS HAVE REQUESTED THE BUREAU NOT TO DESTROY, REMOVE FROM OUR POSSESSION OR CONTROL, OR OTHERWISE DISPOSE OR PERMIT DISPOSAL OF ANY RECORDS OR DOCUMENTS WHICH MIGHT HAVE A BEARING ON SUBJECTS UNDER INVESTIGATION. ACCORDINGLY, UPON RECEIPT OF THIS COMMUNICATION, RECIPIENTS ARE INSTRUCTED TO HOLD IN ABEYANCE ANY RECORDS DESTRUCTION PROGRAM PREVIOUSLY APPROVED BY STATUTE OR REGULATIONS. FURTHER INSTRUCTIONS IN THIS MATTER WILL BE ISSUED UPON RECEIPT.

REC-23 62-116395-26

21 FEB 28 1975

FILE PROCESSED FOR RELEASE IN CIVIL DISCOVERY
DATE 8/21/78
SEE BUREAU 62-117455

1 - Foreign Liaison Unit (sent direct)
1 - Mr. Callahan (sent direct)
1 - Mr. Jenkins (sent direct)
1 - Mr. Adams (sent direct)
1 - Each Assistant Director (sent direct)
PFS:bpr
(19)

NOTE: Reference letter to the Director dated 1-27-75 from Hugh Scott, Republican Leader, and Mike Mansfield, Majority Leader, United States Senate.

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 ____

INITIALED
5 1975 DIRECTOR'S OFFICE

424381

MAIL ROOM ☐ TELETYPE UNIT ☐

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Jenkins
1 - Mr. McDermott

EX-101

February 19, 1975

REC-23 25

1 - Mr. Ash
1 - Mr. Wannall
1 - Mr. Mintz
1 - Mr. Farrington
1 - Mr. Bowers
1 - Mr. Hotis

Honorable Hugh Scott
United States Senate
Washington, D. C. 20510

Dear Senator Scott:

We have received the letter of January 27, 1975, with enclosure, from you and Senator Mike Mansfield which requests that we not destroy or otherwise dispose of any records or documents relating to a forthcoming Senate investigation of intelligence activities.

Our procedures regarding the destruction of documents in our files are governed by the Federal Records Act of 1959 and regulations of the National Archives and Records Service. It is our current policy to destroy all records over twenty-five years old pertaining to subversive activities which were based on unsubstantiated allegations and did not result in prosecutive action. In addition, all criminal files over ten years old are reduced to microfilm and the original records are destroyed. We also destroy the duplicate copies of all documents when these copies no longer serve a useful purpose.

Upon receipt of your letter, we immediately suspended our destruction program and are attempting to determine whether any documents are involved that might relate to matters set out in section 2 of Senate Resolution 21. We also contacted William G. Miller, Staff Director, Senate Select Committee on Intelligence Activities, who advised us that he will consult with Senator Church and advise us accordingly.

You may be assured that we are taking every possible measure to preserve those records or documents relating to intelligence activities that might be of interest to the Senate. It is certainly our intention to cooperate fully with the Select Committee in this very important inquiry.

Sincerely yours,

Clarence Kelley

Clarence M. Kelley
Director

JBH:mbk
(15)

(See NOTE next page)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/27/82 BY 874 ELW/cal

MAILED 6 FEB 19 1975 -FBI

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
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Comp. Syst. ___
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Files & Com. ___
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Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

FEB 27 1975

MAR 6 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO

Honorable Hugh Scott
United States Senate
Washington, D. C. 20510

NOTE: See memorandum Legal Counsel to Mr. J. B. Adams dated 2-14-75 captioned "SENSTUDY, Letter from Senators Mansfield and Hugh Scott re Destruction of Records, 1-27-75," JBH:mbk. Neither Senator Mansfield nor Senator Scott is on the Bureau's mailing list.

NW 65360 DocId:32989530 Page 131

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Why send such a letter. Do we need to continue with destruction schedule on Com up-to-date scale - K

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.
Admin. ___
Comp. Syst. ___
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Ident. ___
Inspection ___
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Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

TO : Mr. LaPrade

DATE: 1-31-75

FROM : H. R. Hauer

SUBJECT: DESTRUCTION OF FILES AND RECORDS
FILES AND COMMUNICATIONS DIVISION

As you are aware, Senate Majority Leader Mike Mansfield and Republican Leader Hugh Scott, in a letter to the Director dated 1-27-75, requested the Bureau not to destroy, remove from our possession or control, or otherwise dispose or permit the disposal of any records or documents which might have a bearing on subject's under investigation proposed by Senate. Accordingly, Files and Communications Division is holding in abeyance any destruction program previously approved by statute or regulation and has issued instructions to all field offices and Legats to do likewise until clarification of above request is received. Recommend Office of Legal Counsel prepare letter to Senators Mansfield and Scott asking clarification of their request and whether or not it includes existing destruction procedures previously approved by the Archivist of the United States.

Regulations of the National Archives and Records Service (NARS), General Services Administration, which are based on Title 44, Chapter 33, Sections 3301 and 3302, U. S. Code, govern the type of material which we must maintain. NARS regulations also govern what material may be destroyed. Record material is described as including "all books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the U. S. Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the information value of data contained therein." Our destruction programs are conducted in compliance with NARS regulations to conserve space and manpower. In those instances where we have more than one copy of a communication, it is our policy to file only the original of the communication and to destroy any copies when they no longer serve a useful purpose. Examples follow:

62-116395-25

REC-23

21 FEB 28 1975

1 - Mr. Callahan
1 - Mr. Jenkins
1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Ash

PFS:bpr
(8)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/27/82

FEB 2

LEGAL COUNSEL

TWO

CONTINUED - OVER

Memo Hauer to LaPrade
Re: Destruction of Files and Records
Files and Communications Division

Identification Division has purge-type projects in both the criminal and civil fingerprint files involving the destruction of certain fingerprint cards and related name index cards, primarily duplicate-type cards on persons considered inactive because of age.

Insofar as destruction of material by Files and Communications Division is concerned, files, index cards, and related material over 25 years old maintained at FBI Headquarters pertaining to unfounded allegations of subversive activities, membership in subversive organizations, subversive sympathies and tendencies on the part of individuals and organizations are approved for destruction by NARS when investigations revealed allegations predicated upon rumor, nebulous complaints and nonspecific allegations from which no prosecutive action occurred. Archival authority has been obtained to destroy FBI Headquarters files in connection with Interstate Transportation of Stolen Motor Vehicles cases, Selective Service Act cases, Destruction of Aircraft or Motor Vehicles cases (provided no prosecution results from the inquiries conducted and the case had been closed ten years);

and Archival authority has been obtained for destruction of files at FBI Headquarters in unknown subject cases in which there was no criminal prosecution (no time limit set regarding the destruction of unknown subject cases).

In addition to the above authority for the outright destruction of FBI Headquarters records, Archival authority has also been obtained to microfilm any closed criminal file after the case has been closed for ten or more years. Thereafter, the paper records may be destroyed. We currently have on hand 38,601 index cards to be destroyed which pertain to paper record material which has been destroyed previously under NARS regulations and authority.

In addition, personnel files concerning employees who have been separated more than one year are reviewed and temporary records contained therein which no longer serve a useful purpose are purged and only those permanent records as described in the Federal Personnel Manual are retained in the official personnel folder.

Also files, index cards and related material, over 15 years old, maintained at FBI Headquarters relating to laboratory examinations requested by various local,

NW 65360 DocId:32989530 Page 133

state and Federal law enforcement organizations in cases other than FBI cases wherein positive identification was not effected are also purged. These files no longer possess sufficient reference or evidentiary value to merit retention.

Administrative and noninvestigative records maintained in the various field offices of the Federal Bureau of Investigation are purged also. This material is retained in the field offices until necessary action has been taken or it has served its purpose.

RECOMMENDATION:

That Office of Legal Counsel prepare an appropriate reply to Senators Mansfield and Scott to determine if their request not to destroy records and documents was intended to include the destruction programs enumerated above.

Discuss with SSC staff

NW 65360 DocId:32989530 Page 134

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Jenkins
1 - Mr. McDermott

EX-105 REC-11 — 116 33 - 24 ruary 19, 1975

1 - Mr. Ash
1 - Mr. Wannall
1 - Mr. Mintz
1 - Mr. Farrington
1 - Mr. Bowers
1 - Mr. Hotis

Honorable Mike Mansfield
United States Senate
Washington, D. C. 20510

Dear Senator Mansfield:

We have received the letter of January 27, 1975, with enclosure, from you and Senator Hugh Scott which requests that we not destroy or otherwise dispose of any records or documents relating to a forthcoming Senate investigation of intelligence activities.

Our procedures regarding the destruction of documents in our files are governed by the Federal Records Act of 1950 and regulations of the National Archives and Records Service. It is our current policy to destroy all records over twenty-five years old pertaining to subversive activities which were based on unsubstantiated allegations and did not result in prosecutive action. In addition, all criminal files over ten years old are reduced to microfilm and the original records are destroyed. We also destroy the duplicate copies of all documents when these copies no longer serve a useful purpose.

Upon receipt of your letter, we immediately suspended our destruction program and are attempting to determine whether any documents are involved that might relate to matters set out in section 2 of Senate Resolution 21. We also contacted William G. Miller, Staff Director, Senate Select Committee on Intelligence Activities, who advised us that he will consult with Senator Church and advise us accordingly.

You may be assured that we are taking every possible measure to preserve those records or documents relating to intelligence activities that might be of interest to the Senate. It is certainly our intention to cooperate fully with the Select Committee in this very important inquiry.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

JBH:mbk
(15)

(See NOTE next page)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/27/85 BY SP4ELW/ed

MAILED 6 FEB 19 1975 FBI

UNRECORDED COPY FILED IN

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

MAR 11 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

Honorable Mike Mansfield
United States Senate
Washington, D. C. 20510

NOTE: See memorandum Legal Counsel to Mr. J. B. Adams dated 2-14-75 captioned "SENSTUDY, Letter from Senators Mike Mansfield and Hugh Scott re Destruction of Records, 1-27-75," JBH:mbk. Neither Senator Mansfield nor Senator Scott is on the Bureau's mailing list.

NW 65360 DocId:32989530 Page 136

MIKE MANSFIELD
MONTANA

United States Senate
Office of the Majority Leader
Washington, D.C. 20510

January 27, 1975

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP2 ALM/ITG

Honorable Clarence M. Kelley
Director, Federal Bureau of Investigation
Washington, D. C. 20535

Dear Mr. Director:

Senstudy-75

As you may be aware, the Senate is to conduct an investigation and study of government operations with respect to intelligence activities. The scope of the investigation is set out in S. Res. 21, a copy of which has been enclosed for your information.

We are writing to request that you not destroy, remove from your possession or control, or otherwise dispose or permit the disposal of any records or documents which might have a bearing on the subjects under investigation, including but not limited to all records or documents pertaining in any way to the matters set out in section 2 of S. Res. 21.

Sincerely yours,

Hugh Scott
HUGH SCOTT, REPUBLICAN LEADER

Mike Mansfield
MIKE MANSFIELD, MAJORITY LEADER

Enclosure

NML
memo by Cnel to
adams 2/13/75 forwarding
letter addressed to Mike
Senators Scott & Mansfield
dated 2/19/75
JBH/mlk

ENCLOSURE

EX-105 REC-11

62-116395-24

2 MAR 4 1975

Read to Lafrade by phone 6 11 pm 1/28/75
and requested no destruction of any Bufiles
until further notice. JAM

XEROX
MAR 7 1975

DO-6

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

See me pls.

MR. CALLAHAN
MR. JENKINS
MR. ADAMS
MR. ASH
MR. BASSETT
MR. CLEVELAND
MR. DECKER
MR. GALLAGHER
MR. GEBHARDT
MR. JAMIESON
MR. LA PRADE
MR. MC DERMOTT
MR. MINTZ
MR. WALSH
MR. WANNALL
MR. WHITE
MR. COLEMAN
MR. REED
TELE. ROOM
MRS. METCALF

(1) Re scope of inquiry
(2) Preparation of answers.

memo Leg
Encl to Adams
2/13/75
Sub to Sen. Mansfield
& Scott
2/14/75
JBH/mlb

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/25/00 BY SP-2 ALM/JTG

ENCLOSURE

62-116395-24

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/25/00 BY SP-2 ALM/ATG

Calendar No. 2

94TH CONGRESS
1ST SESSION

S. RES. 21

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1975

Mr. PASTORE submitted the following resolution; which was ordered to be placed on the calendar (under general orders)

RESOLUTION

To establish a select committee of the Senate to conduct an investigation and study with respect to intelligence activities carried out by or on behalf of the Federal Government.

1 *Resolved,* To establish a select committee of the Senate
2 to conduct an investigation and study of governmental oper-
3 ations with respect to intelligence activities and of the
4 extent, if any, to which illegal, improper, or unethical ac-
5 tivities were engaged in by any agency of the Federal
6 Government or by any persons, acting individually or in
7 combination with others, with respect to any intelligence
8 activity carried out by or on behalf of the Federal Govern-
9 ment; be it further
10 *Resolved,* That (a) there is hereby established a select

V

REC-11 11-59-24

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committee of the Senate which may be called, for convenience of expression, the Select Committee To Study Governmental Operations With Respect to Intelligence Activities to conduct an investigation and study of the extent, if any, to which illegal, improper, or unethical activities were engaged in by any agency or by any persons, acting either individually or in combination with others, in carrying out any intelligence or surveillance activities by or on behalf of any agency of the Federal Government.

(b) The select committee created by this resolution shall consist of eleven members of the Senate, six to be appointed by the President of the Senate from the majority members of the Senate upon the recommendation of the majority leader of the Senate, and five minority members of the Senate to be appointed by the President of the Senate upon the recommendation of the minority leader of the Senate. For the purposes of paragraph 6 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member, chairman, or vice chairman of the select committee shall not be taken into account.

(c) The majority members of the committee shall select a chairman and the minority members shall select a vice chairman and the committee shall adopt rules and procedures to govern its proceedings. The vice chairman shall preside over meetings of the select committee during the absence

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1 of the chairman, and discharge such other responsibilities
2 as may be assigned to him by the select committee or the
3 chairman. Vacancies in the membership of the select com-
4 mittee shall not affect the authority of the remaining mem-
5 bers to execute the functions of the select committee and
6 shall be filled in the same manner as original appointments
7 to it are made.

8 (d) A majority of the members of the select committee
9 shall constitute a quorum for the transaction of business, but
10 the select committee may affix a lesser number as a quorum
11 for the purpose of taking testimony or depositions.

12 SEC. 2. The select committee is authorized and directed
13 to do everything necessary or appropriate to make the in-
14 vestigations and study specified in subsection (a) of the
15 first section. Without abridging in any way the authority
16 conferred upon the select committee by the preceding
17 sentence, the Senate further expressly authorizes and directs
18 the select committee to make a complete investigation and
19 study of the activities of any agency or of any and all persons
20 or groups of persons or organizations of any kind which
21 have any tendency to reveal the full facts with respect to
22 the following matters or questions:

23 (1) Whether the Central Intelligence Agency has
24 conducted an illegal domestic intelligence operation in
25 the United States.

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1 (2) The conduct of domestic intelligence or coun-
2 terintelligence operations against United States citizens
3 by the Federal Bureau of Investigation or any other
4 Federal agency.

5 (3) The origin and disposition of the so-called Hus-
6 ton Plan to apply United States intelligence agency
7 capabilities against individuals or organizations within
8 the United States.

9 (4) The extent to which the Federal Bureau of In-
10 vestigation, the Central Intelligence Agency, and other
11 Federal law enforcement or intelligence agencies coordi-
12 nate their respective activities, any agreements which
13 govern that coordination, and the extent to which a lack
14 of coordination has contributed to activities or actions
15 which are illegal, improper, inefficient, unethical, or con-
16 trary to the intent of Congress.

17 (5) The extent to which the operation of domestic
18 intelligence or counterintelligence activities and the
19 operation of any other activities within the United States
20 by the Central Intelligence Agency conforms to the leg-
21 islative charter of that Agency and the intent of the
22 Congress.

23 (6) The past and present interpretation by the
24 Director of Central Intelligence of the responsibility to
25 protect intelligence sources and methods as it relates to

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1 the provision in section 102 (d) (3) of the National
2 Security Act of 1947 (50 U.S.C. 403 (d) (3)) that
3 ". . . that the agency shall have no police, subpena, law
4 enforcement powers, or internal security functions. . . ."
5 (7) Nature and extent of executive branch over-
6 sight of all United States intelligence activities.
7 (8) The need for specific legislative authority to
8 govern the operations of any intelligence agencies of
9 the Federal Government now existing without that
10 explicit statutory authority, including but not limited to
11 agencies such as the Defense Intelligence Agency and
12 the National Security Agency.
13 The nature and extent to which Federal agencies
14 cooperate and exchange intelligence information and
15 the adequacy of any regulations or statutes which
16 govern such cooperation and exchange of intelligence
17 information.
18 (9) The extent to which United States intelligence
19 agencies are governed by Executive orders, rules, or
20 regulations either published or secret and the extent
21 to which those Executive orders, rules, or regulations
22 interpret, expand, or are in conflict with specific legis-
23 lative authority.
24 (10) The violation or suspected violation of any

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State or Federal statute by any intelligence agency or by any person by or on behalf of any intelligence agency of the Federal Government including but not limited to surreptitious entries, surveillance, wiretaps, or eavesdropping, illegal opening of the United States mail, or the monitoring of the United States mail.

(11) The need for improved, strengthened, or consolidated oversight of United States intelligence activities by the Congress.

(12) Whether any of the existing laws of the United States are inadequate, either in their provisions or manner of enforcement, to safeguard the rights of American citizens, to improve executive and legislative control of intelligence and related activities, and to resolve uncertainties as to the authority of United States intelligence and related agencies.

(13) Whether there is unnecessary duplication of expenditure and effort in the collection and processing of intelligence information by United States agencies.

(14) The extent and necessity of overt and covert intelligence activities in the United States and abroad.

(15) Such other related matters as the committee deems necessary in order to carry out its responsibilities under section (a).

SEC. 3. (a) To enable the select committee to make

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1 the investigation and study authorized and directed by this
2 resolution, the Senate hereby empowers the select committee
3 as an agency of the Senate (1) to employ and fix the com-
4 pensation of such clerical, investigatory, legal, technical,
5 and other assistants as it deems necessary or appropriate,
6 but it may not exceed the normal Senate salary schedules;
7 (2) to sit and act at any time or place during sessions,
8 recesses, and adjournment periods of the Senate; (3) to hold
9 hearings for taking testimony on oath or to receive docu-
10 mentary or physical evidence relating to the matters and
11 questions it is authorized to investigate or study; (4) to
12 require by subpena or otherwise the attendance as witnesses
13 of any persons who the select committee believes have
14 knowledge or information concerning any of the matters
15 or questions it is authorized to investigate and study; (5)
16 to require by subpena or order any department, agency,
17 officer, or employee of the executive branch of the United
18 States Government, or any private person, firm, or corpora-
19 tion, to produce for its consideration or for use as evidence
20 in its investigation and study any books, checks, canceled
21 checks, correspondence, communications, document, papers,
22 physical evidence, records, recordings, tapes, or materials re-
23 lating to any of the matters or questions it is authorized to
24 investigate and study which they or any of them may have
25 in their custody or under their control; (6) to make to the

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1 Senate any recommendations it deems appropriate in respect
2 to the willful failure or refusal of any person to answer ques-
3 tions or give testimony in his character as a witness during
4 his appearance before it or in respect to the willful failure
5 or refusal of any officer or employee of the executive branch
6 of the United States Government or any person, firm, or
7 corporation to produce before the committee any books,
8 checks, canceled checks, correspondence, communications,
9 document, financial records, papers, physical evidence,
10 records, recordings, tapes, or materials in obedience to any
11 subpena or order; (7) to take depositions and other testi-
12 mony on oath anywhere within the United States or in any
13 other country; (8) to procure the temporary or intermit-
14 tent services of individual consultants, or organizations there-
15 of, in the same manner and under the same conditions as
16 a standing committee of the Senate may procure such serv-
17 ices under section 202 (i) of the Legislative Reorganiza-
18 tion Act of 1946; (9) to use on a reimbursable basis, with
19 the prior consent of the Committee on Rules and Adminis-
20 tration, the services of personnel of any such department
21 or agency; (10) to use on a reimbursable basis or other-
22 wise with the prior consent of the chairman of any sub-
23 committee of any committee of the Senate the facilities or
24 services of any members of the staffs of such other Senate
25 committees or any subcommittees of such other Senate com-

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1 mittees whenever the select committee or its chairman deems
2 that such action is necessary or appropriate to enable the
3 select committee to make the investigation and study author-
4 ized and directed by this resolution; (11) to have direct
5 access through the agency of any members of the select
6 committee or any of its investigatory or legal assistants
7 designated by it or its chairman or the ranking minority
8 member to any data, evidence, information, report, analysis,
9 or document or papers, relating to any of the matters or
10 questions which it is authorized and directed to investigate
11 and study in the custody or under the control of any depart-
12 ment, agency, officer, or employee of the executive branch
13 of the United States Government, including any department,
14 agency, officer, or employee of the United States Govern-
15 ment having the power under the laws of the United States
16 to investigate any alleged criminal activities or to prosecute
17 persons charged with crimes against the United States and
18 any department, agency, officer, or employee of the United
19 States Government having the authority to conduct intelli-
20 gence or surveillance within or outside the United States,
21 without regard to the jurisdiction or authority of any other
22 Senate committee, which will aid the select committee to
23 prepare for or conduct the investigation and study authorized
24 and directed by this resolution; and (12) to expend to the
25 extent it determines necessary or appropriate any moneys

NMM 65360 DocId:32989530 Page 147

1 made available to it by the Senate to perform the duties
2 and exercise the powers conferred upon it by this resolution
3 and to make the investigation and study it is authorized by
4 this resolution to make.

5 (b) Subpenas may be issued by the select committee
6 acting through the chairman or any other member designated
7 by him, and may be served by any person designated by
8 such chairman or other member anywhere within the borders
9 of the United States. The chairman of the select committee,
10 or any other member thereof, is hereby authorized to admin-
11 ister oaths to any witnesses appearing before the committee.

12 (c) In preparing for or conducting the investigation
13 and study authorized and directed by this resolution, the
14 select committee shall be empowered to exercise the powers
15 conferred upon committees of the Senate by section 6002 of
16 title 18, United States Code, or any other Act of Congress
17 regulating the granting of immunity to witnesses.

18 SEC. 4. The select committee shall have authority to
19 recommend the enactment of any new legislation or the
20 amendment of any existing statute which it considers neces-
21 sary or desirable to strengthen or clarify the national secu-
22 rity, intelligence, or surveillance activities of the United
23 States and to protect the rights of United States citizens
24 with regard to those activities.

25 SEC. 5. The select committee shall make a final report

NW [illegible] DocId:[illegible] Page 148

1 of the results of the investigation and study conducted by
2 it pursuant to this resolution, together with its findings and
3 its recommendations as to new congressional legislation it
4 deems necessary or desirable, to the Senate at the earliest
5 practicable date, but no later than September 1, 1975. The
6 select committee may also submit to the Senate such interim
7 reports as it considers appropriate. After submission of its
8 final report, the select committee shall have three calendar
9 months to close its affairs, and on the expiration of such
10 three calendar months shall cease to exist.

11 SEC. 6. The expenses of the select committee through
12 September 1, 1975, under this resolution shall not exceed
13 $750,000 of which amount not to exceed $100,000 shall be
14 available for the procurement of the services of individual
15 consultants or organizations thereof. Such expenses shall be
16 paid from the contingent fund of the Senate upon vouchers
17 approved by the chairman of the select committee.

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Calendar No. 2

94TH CONGRESS
1ST SESSION

S. RES. 21

RESOLUTION

To establish a select committee of the Senate to conduct an investigation and study with respect to intelligence activities carried out by or on behalf of the Federal Government.

By Mr. PASTORE

JANUARY 21, 1975

Ordered to be placed on the calendar (under general orders)

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz

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 : Mr. W. R. Wannall

DATE: 2/11/75

1 - Mr. W. R. Wannall
1 - Mr. A. B. Fulton
1 - Mr. W. O. Cregar

FROM : W. O. Cregar

SUBJECT: SENSTUDY 75

This memorandum recommends that a paper entitled "The Role of Counterintelligence" be furnished to Mr. Colby as the Director of Central Intelligence (DCI) for inclusion as an annex in a series of annexes Mr. Colby intends to provide the Senate Select Committee (SSC) on the occasion of his appearance as the leadoff witness. The FBI was given the responsibility for preparing this paper by the Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community.

The Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community is made up of representatives of agencies and departments having membership on the U. S. Intelligence Board (USIB). Its purpose is to serve as a coordinating mechanism for future testimony before various Congressional committees.

Enclosed herewith is a paper prepared by the Intelligence Division entitled "The Role of Counterintelligence." It is a basic paper and describes what counterintelligence means from an intelligence community viewpoint. It incorporates a considerable amount of input from the CIA, as well as from the Intelligence Division of the FBI. The paper has been circulated as a draft to representatives of CIA, DIA, Army, Navy, Air Force and NSA. All have concurred in its content and have recommended it be furnished to Mr. Colby for use as an annex in connection with his forthcoming appearance before the SSC.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/16/00 BY SP2 [illegible]

ACTION: EX-117 REC-38 62-116395-23

If approved, the paper entitled "The Role of Counterintelligence" will be furnished to Mr. Colby for his use as an annex to his prepared statement before the SSC.

Enclosures (2)

WOC:dln
(7)

21 ENCLOSURE

FEB 20 1975

84 MAR 3 1975

SECRET

DECLASSIFIED BY SP-2 ALM/JTG
ON 11/6/00

THE ROLE OF COUNTERINTELLIGENCE

Counterintelligence is an integral part of our national defense. By definition and by its very nature counterintelligence is a defensive posture to the extent that it reacts primarily to intelligence initiatives of hostile intelligence services. As any good defense, however, it cannot be static or passive. It is based upon knowledge of this country's adversaries; it seeks out and engages hostile agents and the intelligence services that employ them. The national counterintelligence defense, in other words, requires both sound preventive measures and an energetic and sustained counterattack.

The purpose of defensive and aggressive counterintelligence is to ensure that adversaries who do not want to risk open confrontation cannot attain the same objectives through stealth. In more concrete terms, the purpose of counterintelligence is to identify and neutralize spies and their masters who serve our opponents.

Spycatching, by itself, is not enough, because spies are replaceable. American counterintelligence must also know who sent the spies and who supported and directed their work in this country and in friendly nations. And beyond identifying these agent handlers--the officers of the KGB and other such clandestine communist organizations--our counterintelligence must know how these people are motivated, recruited, trained, structured, rewarded, and punished. We need to know how they communicate with each other--from New York or Washington, for example, to Moscow or Prague. In short, we need to know everything we can find out about them, as individuals and as organizations. And finally, what we know must be shared appropriately with other services equally concerned.

This need is even more acute today than in the 1950s and 1960s. We know from hard experience that the clandestine communist services always increase the range and the intensity of their operations during periods of Western relaxation, when the openness and multiplicity of exchanges provide favorable conditions and opportunities for launching intelligence operations against our country.

62-116395-23

SECRET

The growth in communist-bloc intelligence representation over the past several years, not only in the United States but also throughout the rest of the world, is statistically and operationally demonstrable. For convenient reference there is attached to this paper a fact sheet documenting this growth based on information recorded by the CIA and FBI. In considering the number of communist-bloc nationals posted to official establishments outside their countries, it is important to recognize that a substantial proportion of these are intelligence officers. These officers have a primary mission to conduct intelligence operations and official duties involved in their cover positions, if required at all, are secondary and serve mainly to legitimize their cover. In the Soviet case, it is an estimate accepted by the United States intelligence community that at least 40 per cent of the officials are intelligence officers. Indeed, some defector sources have estimated that 70 per cent to 80 per cent of Soviet officials have some intelligence connection, although this figure includes officials who act only in a minimal support capacity and only occasionally.

The most effective way to achieve the counterintelligence purpose is to recruit personnel from hostile secret services. It is also the hardest of counterintelligence tasks, a goal usually requiring years of close study and meticulous planning. Even if the effort succeeds, we cannot accept at face value what the penetration source tells us. His reports must be most carefully crosschecked against everything known from all other sources. Otherwise we may be duped by an adversary who uses "our" agent to tell us what he wants us to hear.

If there is no penetration of the adversary, or none at the level of seniority, all the other sources (hostile agents whom we have detected and "doubled," intercepted communications, defectors, etc.) become all the more important.

If counterintelligence is to identify and then contain or control secret action directed against the United States, it must be closely coordinated. The adversary services do not run uncoordinated, haphazard operations

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against us. All their major programs of espionage, counter-espionage, subversion, sabotage, deception, and disinformation are intertwined. For example, a computer program designed to keep track of CIA personnel at home and abroad was planned in the Soviet Union, is maintained in Czechoslovakia, and draws upon information from East Germany, Hungary, and elsewhere. Another example: information from multiple defector sources indicates that the Cuban security service, the DGI, since 1968-69, has agreed to operate against the United States and American intelligence in areas where the Soviets are at an operational disadvantage.

A second reason why United States counterintelligence must be coordinated is the need for effective liaison with counterintelligence services abroad. No one Western service can cope by itself with the worldwide, centrally directed, attack of the Soviets, the bloc (including the Cubans), and the whole array of Communist Party auxiliaries. A counterintelligence defense which stops at a border is no defense at all.

The work within our borders is equally essential to our safety. Because the United States continues to be the main site of hostile clandestine operations, it is also the main site of American counterintelligence.

Both forms of counterintelligence--the security of our own operations and the penetration of operations against us--have to be sustained if the Director of Central Intelligence is to be able to protect United States intelligence methods and sources, as required by law.

Counterintelligence has three values which flow from its functions. The value of its security function is that it prevents our adversaries from gaining information that the United States Government does not want to make public. Counterintelligence cannot perform this security role by rote and routines. And it cannot depend entirely upon guards, safes, and other passive measures. It must be active to prevent the subversion of those people to whom

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the United States Government has entrusted its classified information. Some of these persons are members in American intelligence and counterintelligence organizations.[1]

It must also prevent leakage of sensitive United States information from foreign services to whom American secrets are necessarily confided as a matter of common concern but which in turn have been penetrated by enemy agents.[2]

The value of what might be called an anticipatory defense is not always evident because when it succeeds, nothing happens. It is like preventive medicine. Its value becomes dramatically clear only when it fails.

The second value of counterintelligence is that it provides information about hostile clandestine intentions and capabilities. This information is the more valuable if our adversaries do not know that we have it.

Finally, the third value of counterintelligence is the large amount of straight intelligence obtained as a by-product by counterintelligence agents in the normal course of their business.

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[1]Some specific and subsequently publicized examples of Soviet success in the recruitment of American officials, in most cases exposed and frustrated by the FBI, are: Nelson Drummond (1962), Jack Dunlap (1963), William Whelan (1963), Robert Johnson (1965), Herbert Boeckenhaupt (1966), and Ulysis Harris (1967).

[2]There may be cited here some of the completed counter-intelligence cases which resulted in the identification and suppression of high-level Soviet penetrations of Western intelligence services and which were directly attributable to CIA counterintelligence work: George Blake (UK - 1961), Heinz Felfe (West Germany - 1961), Harold Adrian Russell ("Kim") Philby (UK - 1963), George Paques (France - 1964), Giorgio Rinaldi Ghislieri (Italy, Spain - 1967), Yuriy Loginov (South Africa - 1967), Nahit Imre (Turkey - 1968), and Francis Roussilhe (France - 1969).

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All United States governmental components have some individual internal responsibility for the security of personnel, records, and physical facilities. Aside from these basic security functions, the overall counter-intelligence role in the United States Government is shared by several specific intelligence agencies. The conduct of counterintelligence overseas is one of CIA's original functions flowing from the National Security Act of 1947, as amended, and specifically spelled out and developed in a series of National Security Council Intelligence Directives. The FBI has the general responsibility for conduct of counterintelligence operations within the United States based on statutory responsibilities (enforcement of espionage, sabotage, neutrality, registration acts, and related matters) as well as a series of Presidential Directives and Attorney General orders.

Success of United States counterintelligence is proportionate to the extent to which it exists as an integrated, unified concept with fullest coordination among the separate agencies. It did not exist as such until World War II; and only small progress was made after that war, despite the National Security Act of 1947. An integrated system first began to take shape in 1958, when the National Security Council moved directly into the problem. Intelligence and counterintelligence directives which established the basic ground rules were formulated and placed in effect. As a result the United States has a set of counterintelligence concepts and precepts that organize our experience and hold us together. Throughout the recent years interagency coordination and cooperation have become a working reality, becoming more and more effective as the level of coordination continues to rise.

The effectiveness of counterintelligence also requires recognition of its separateness as a function. In CIA and elsewhere, before the mid-1950s, counterintelligence was often identified only with security and the ad hoc exchange of limited amounts of information in liaison. It was sometimes regarded as an adjunct to other specialities,

NW 65360 DocId:32989530 Page 156

usually espionage. This subordination degraded the function to its lowest level, to such necessary but elementary work as nametracing and operational bookkeeping. But these are only the elementary building blocks of the masonry of counterintelligence. If it is restricted to nothing more than that, American counterintelligence will inevitably degenerate to parochialism and departmentalism. It will not be responsive to a central and vital philosophy. It will tend to yield the initiative to the adversary and to the writing of damage reports after we have been hurt instead of seeking the adversary out and engaging him before he can hurt us.

In summary, the value of counterintelligence as an integral part of national defense requires a continuity of doctrine, an organization of experience, and must be sustained by a full-time, experienced cadre of specialists with continuing emphasis on interagency understanding and coordination.

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FACT SHEET
COMMUNIST-BLOC INTELLIGENCE REPRESENTATION

There are presently 667 intelligence and security services operating throughout the world.

The 13 countries comprising the Soviet Union and other communist states, including Cuba, operate 52 services of domestic and foreign intelligence and security. Some 23 of these work outside their own frontiers. The principal service in action throughout the world against the United States and Americans--which our highest grade documentary sources confirm are termed "The Main Enemy" (Glavny Vrag)--is the Soviet State Security Service (KGB), together with Soviet military intelligence, the GRU, headed by a senior KGB officer.

Soviet intelligence representation in the Free World has been massively increasing for at least the past 16 years, as the following data show:

Year	Persons
1959	1,500
1966	2,490
1971	2,106
January, 1974	3,100 (est.)

The Central Committee of the Communist Party of the Soviet Union and the Soviet intelligence services also direct communist parties--or, more accurately, certain sections of and individuals in such parties--for purposes of espionage and subversion abroad. During the period 1969-73, Soviet funding of non-bloc communist parties showed actual and estimated annual costs to be almost $17 million. But we do not have the quality of sources that would guarantee this as anything but a minimal figure.

The scope of the clandestine attack upon the United States is suggested by the number of identifiable recruitment approaches made to Americans by Soviet, bloc, Cuban, and Chinese services during the 9 years from 1965

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62-116395-33

through 1973, which totals 742. This averages out to 82 per year, or better than one recruitment attempt per week. These are the things we know. Our primary concerns now are those recruitment approaches that have been successful and where there has been no volunteering of information.

Communist-bloc officials assigned to legal establishments in the United States

Date	Soviets	Other	Total
9/61	333	285	518
9/71	707	459	1,166
1/75	1,078	1,015	2,093

Temporary visitors

	1972	1973	1974
Soviet Commercial Groups	81	370	466
Individuals	641	1,299	1,500
Soviet Special Exchange Groups	330	429	486
Individuals	1,944	2,024	2,683
Visits by Soviet Ships	26	267	219
Crew members	1,300	13,000	Not available

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

~~SECRET - SENSITIVE~~

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 : Mr. J. B. Adams

DATE: February 7, 1975

FROM : W. R. Wannall

9/25/00 SP2 ALM/JTG
CLASSIFIED BY
DECLASSIFY ON: 25X1
#MDR 16

SUBJECT: SELECT COMMITTEE OF THE SENATE

This communication is Secret - Sensitive since the information herein and in the attachments has been so classified by the Central Intelligence Agency (CIA). (S)

On 2/6/75 the writer was furnished the attached material by Mr. William E. Colby, Director of Central Intelligence, during a meeting in his office which was also attended by Lt. General Lew Allen, Director of the National Security Agency (NSA). General Allen was provided copies of the same material. It includes a three-page statement containing a listing of categories of activities of subject matters that require stringent protection during testimony before the captioned Committee by any members of the U.S. Intelligence Community. The FBI had input in connection with the compilation of this information and the material we furnished has been included. (S)

Also among the material is a copy of a statement which Mr. Colby is hopeful of securing permission to present at the very beginning of the Select Committee hearings in order that he can emphasize the importance of and need for intelligence operations, ~~its processes~~, the processes for collection of intelligence, how they are controlled and overseen, why there is an overriding need for secrecy in certain areas and what Congress can do to enhance U.S. intelligence collections. (S)

The third paper lists eleven papers which Mr. Colby intends to turn over to the Committee whether or not he is permitted to make his opening statement. These papers supplement his statement and have been the subject of previous memoranda. The FBI has prepared the last two papers listed and is coordinating with all other interested Intelligence Community members to assure that all of the papers will be in such form as not to conflict with Bureau interests. (S)

EX-117 REC 38 62-116395-22

ENCLOSURE

A review of Mr. Colby's proposed opening statement has been made. Among the highlights are the following: (S)

6 FEB 20 1975

He points out (page 2) that it is important that our intelligence activities be viewed in proper perspective and that the few (S)

Enclosures
WRW:lml (6)
1 - Mr. Callahan (with enclosures)
1 - Mr. Adams (with enclosures)
1 - Mr. Mintz (with enclosures)
1 - Mr. Cregar (with enclosures)
1 - Mr. Wannall (with enclosures)

~~SECRET - SENSITIVE~~

84 MAR 3 1975

Memorandum to Mr. Adams
Re: SELECT COMMITTEE OF THE SENATE

instances of failure or error that may have occurred in the past be understood in context. He states we cannot operate effectively without more precise provisions in the law to protect our secrets. (S)

Referring on page 5 specifically to the FBI, he notes that intelligence collection on a worldwide basis contributes to our internal security. The efforts of foreign nations to penetrate our society and to manipulate our citizens are well documented. There are several hundred foreign members of the KGB and intelligence operatives in this country seeking information about the United States and its plans and their efforts must be met by an intensive counterintelligence effort. He states "Within the United States, this is the function of the Federal Bureau of Investigation. Abroad, it is CIA's responsibility to identify the foreign agent before he arrives in America or to learn of the plans of foreign groups to try to subvert our institutions. To this traditional danger has been added a new threat of international terrorism. CIA's foreign and the FBI's domestic intelligence activities have collaborated to frustrate several plans to bring to America and its citizens the kind of hijacking and indiscriminate terrorist bombings that characterize too many areas of the world." (S)

Beginning at page 7, Mr. Colby undertakes to explain the processes of collecting intelligence and on page 10 briefly goes into the roles of the various intelligence components and the legislative bases for their activities. For example, he states the intelligence roles of the other members of the Intelligence Community in part stem from the 1947 Act and in part from separate legislation, such as that charging the FBI with responsibility for internal security, which I consider a correct statement. (S)

On page 11, he notes that all intelligence elements operate within legal authority and are given further direction by the National Security Council, but (page 13) "each of us in the Intelligence Community takes full personal responsibility for the actions recommended or taken in conformance with such general guidance and policy." (S)

He explains the role of the President's Foreign Intelligence Advisory Board (PFIAB) whose "members are an impressive group of responsible Americans who report their independent views of the accomplishments and weaknesses of the Intelligence Community directly to the President." (S)

Following this, he notes that in addition to responding to various Congressional committees, the National Security Council and the PFIAB, all of which exercise oversight-type functions, the (S)

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intelligence agencies are exposed to audit-type functions exercised by the Office of Management and Budget, internal audit systems, the General Accounting Office, and the Director of Central Intelligence. (S)

On page 14, after referring to the manner in which the Intelligence Community functions through a series of committees and boards, Mr. Colby states that the work of such committees and boards is limited to foreign intelligence,"as internal security falls solely within the jurisdiction of the FBI. The FBI participates in the Intelligence Community effort, however, so that any contributions that foreign intelligence might make to internal security can be properly handled." (S)

On page 17, Mr. Colby expresses confidence that the American people not only support but insist upon an effective intelligence apparatus to protect their security and intelligence. Thereafter, referring to Congress, on page 17, he states "Just tell us in the intelligence business what the Nation wants and does not want, and we will do our best to satisfy it. But also give us a way openly to change these rules when the Nation expects them to be changed." He then calls upon Congress to organize itself to protect the necessary secrecy of our intelligence operations while exercising its responsibility for oversight. (S)

A review of Mr. Colby's proposed statement has revealed no information which I feel would be objectionable from the Bureau's standpoint.

ACTION:

For the Director's information.

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CATEGORIES OF ACTIVITIES OF SUBJECT MATTER THAT NEED STRINGENT PROTECTION

I. The names of agents, informants, covert liaison contacts and operations or other identifying characteristics of sensitive clandestine sources

a. Agent or informant names or operational information revealing them.

b. Details which would reveal the effectiveness of sensitive methods and techniques (1) employed overseas in human source collection (2) employed by the FBI for internal security and counter-intelligence purposes.

--The numbers, locations, times and other indications of recruitment or emplacement of personnel within target organizations.

--Specific statements of the use of technical devices in agent operations.

--The total extent of recruitment or investigative effectiveness against any given target organization or individual, or lack thereof.

--Names of selected agency and/or ex-agency employees if revealed would endanger lives, operations or future utility.

--Foreign or US sources, official or otherwise, who would be embarrassed or endangered by disclosure of their role.

II. Relationships with Other Intelligence Services

a. Identifying information on intelligence services in friendly and neutral countries.

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Exempt from general declassification schedule of E. O. 11652, exemption category:
5B (1), (2), (3) or (4) (circle one or more)
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ENCLOSURE

SECRET/SENSITIVE

62-116395-22

b. Identifying collaborative operations between the United States intelligence agencies and other foreign intelligence liaison services against targets within the country extending the collaboration or within a jointly targetted third country.

c. The nature of support provided or arrangements with foreign intelligence services supporting US technical collection operations.

d. Material and information provided to the US by a foreign service under conditions of continued secrecy.

III. Cryptologic and Communications Activities

a. Clandestine procurement of foreign cryptologic material.

b. Operations against foreign cryptologic installations.

c. Activities taken with the manufacturers of cryptologic devices in the U. S. and abroad.

d. Product of telephone taps or technical surveillance operations of foreigners or foreign facilities (U. S. and abroad).

e. Success of cryptologic operations against both friendly and unfriendly targets in the U. S. and abroad.

f. Covert signals intelligence collection including (1) assistance arrangements with commercial U. S. and foreign companies (2) taps (3) and from US installations abroad.

g. Collaboration with foreign governments in signals intelligence collection, particularly for arrangements which, if revealed, would be politically embarrassing in the countries involved.

h. Protective communications security measures.

i. Efforts to collect exotic signals and locate transmissions especially critical to our work in ASW.

IV. Technical Intelligence

a. Identification of technical intelligence operations of high technical vulnerability and extremely high political sensitivity.

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b. Details of specific covert communications systems, including secret writing, special agent equipment, etc.

c. Specific identification of foreign technical collection installations involving high political sensitivity in the host country.

d. Identification of technical counter-measures techniques.

e. Characterization of emplacement of devices for technical collection of foreign intelligence, including techniques of emplacement.

f. Details of secure U.S. communications systems.

V. Other

a. Reference to covert action operations that would embarrass the U.S. Government or frustrate the purpose of the operation.

b. Details or disclosure of monetary arrangements with U.S. and foreign banks, investment houses, etc., in support of foreign intelligence operations.

c. Specific information on special relationships with private firms established with the approval of top corporate officials. This includes names of firms or industrial associations that provide privileged customers or collaboration or cover for foreign intelligence operations.

d. Names of firms collaborating with U.S. intelligence agencies in collection and assessment programs (especially those having large foreign clienteles).

e. Details of covert contract techniques, covert contractors, and covert tax arrangements.

f. Nature of support to and from other agencies for operations against foreign intelligence targets.

g. The state of our intelligence on Soviet or PRC diplomatic or military intentions toward the United States or on the state of our intelligence on military technologies of these nations.

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Mr. Chairman and Members of the Committee

This Committee's inquiry and its conclusions and recommendations can open a new era in American intelligence and even in the intelligence profession worldwide. Historically, the intelligence activities of a state have been considered an essential function, but one conducted outside normal Government processes. Indeed, one foreign official recently expressed some surprise to me that our intelligence rests upon legislation enacted by the Congress and is subject to oversight and annual appropriation by the Congress. He commented that he had always considered it a matter private to the Executive. This Committee's charter demonstrates the contrary in America.

America has made many innovations in the intelligence process, and I believe we have brought ours to the highest peak of efficiency of any intelligence service in the world. Our Government's policies can now be based on factual information and demonstrable analysis rather than on hunches, circumstantial evidence, and overly qualified judgments that alone were available a few years ago.

With the assistance of my Intelligence Community colleagues, I hope to give this Committee the broadest possible look at these intelligence efforts of the United States.

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ENCLOSURE

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I will also offer ideas for improvements that could help us do our job better.

It is important that our intelligence activities be viewed in proper perspective and that the few instances of failure or error that may have occurred in the past be understood in context.

We will welcome clear statements of the authority and mission assigned to American intelligence. I believe the public, including those engaged in the intelligence profession, are entitled to and are prepared to accept clarifications and new definitions. The Congress and the American people do not expect intelligence to be carried on in the shadows of euphemism and ambiguity. Nor can we operate effectively without more precise provisions in the law to protect our secrets. I believe our nation is ready to accept the necessity of reasonable secrecy in our intelligence operations in the same way it accepts the need for secrecy in diplomatic negotiations, in development of war plans, or in protecting newspaper sources.

I. The Importance of Intelligence

Mr. Chairman, American intelligence helps protect our country, it helps maintain peace in the world, and it helps our Government make better decisions affecting the welfare of every one of our citizens. It is not only responsible

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for warning us of imminent attack by a hostile power, these days it must also look into the future and warn of the research and development of new weapons systems which, unless countered or negotiated away, would affect the security of our citizens ten years hence.

Perhaps the most dramatic example of the contribution of intelligence to our security occurred in 1962 in the Cuban Missile Crisis. But this story began long before in the secret development of the U-2 aircraft to give us access to areas where we had always been blinded. Its flight over Cuba on October 14, 1962, provided the first certain evidence of the deployment of offensive missiles there, but intelligence during that crisis involved far more than the U-2. Through the entire apparatus of intelligence, a close watch was maintained over all the ways in which our national security might have been jeopardized, and it was precisely this centralized analysis of thousands of individual bits of information that provided our Government with reasoned assessments and estimates during the critical days of October 1962. These assessments drew on all types of technical, diplomatic, and military intelligence, and they were substantially assisted by the contribution made by at least one foreign agent who paid for his commitment with his life.

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Mr. Chairman, the Intelligence Community has not been idle since the development of the U-2, and the improvements that have been made have added a new dimension to the importance of intelligence today--its contribution to the maintenance of peace in the world.

As I believe is well known, the breakthrough in the Strategic Arms Limitations negotiations followed the development of our ability to monitor whether or not the other side is complying with the agreements made. To do so with respect to closed and suspicious societies, intelligence has had to invest hundreds of millions of dollars and heavy doses of imagination and technical genius.

We have not yet convinced all the nations that might pose a threat to us that our system of openness is the best for them as well as for us, so we must depend upon our intelligence to give us the means with which to negotiate with them and, at least, to limit, if not eliminate, the risks we both run in today's world.

The peace-keeping role of intelligence goes beyond strategic arms. There are a number of situations in which our knowledge of some local situation around the world was better than that of the participants. By bringing this knowledge to both sides, or to the one about to make a mistaken military move, intelligence has several times assisted in defusing a potential

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crisis and thus disproving our own predictions. This is a contribution of which we are proud, for our purpose is not merely to record facts pertaining to foreign situations but to help maintain security and peace as well.

Intelligence likewise contributes to our internal security. The efforts of foreign nations to penetrate our society and to manipulate our citizens are well documented. There are several hundred foreign members of the KGB and intelligence operatives in this country seeking information about the United States and its plans, and their efforts must be met by an intensive counterintelligence effort. Within the United States, this is the function of the Federal Bureau of Investigation. Abroad, it is CIA's responsibility to identify the foreign agent before he arrives in America or to learn of the plans of foreign groups to try to subvert our institutions.

To this traditional danger has been added a new threat of international terrorism. CIA's foreign and the FBI's domestic intelligence activities have collaborated to frustrate several plans to bring to America and its citizens the kind of hijacking and indiscriminate terrorist bombings that characterize too many areas of the world. Intelligence has also contributed to the identification of international narcotics traffickers, reducing the threat this pernicious activity poses to the health of our citizens.

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Major political and economic decisions are regularly made by our Government and by our Congress with assistance from our intelligence. These decisions range from the appropriate level of our defense budget to economic and monetary policy. In the past several years the Intelligence Community--CIA, and parts of State, and Treasury in particular--has paid considerable attention to international economics and related political issues. The interdependence of the world with respect to energy, food, raw materials, and service industries is increasing at a very rapid rate. The accompanying shifts in economic power and control can require future adjustments of grave importance to our country. American intelligence keeps watch on such foreign activities. Stated another way, it is becoming as important to our national security to watch the machinations of foreign cartel arrangements as to follow Soviet or Chinese missile development. Intelligence is critical to our country's economic negotiations and we are contributing materially.

Mr. Chairman, I indicated at the outset the importance of this Committee's getting a full appreciation for the contribution intelligence is making to our country. But foremost in this process is the Intelligence Community's reputation for objectivity in our intelligence assessments. We do not claim that intelligence analysis provides a scientific procedure for reaching decisions. We do feel it provides an essential

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mechanism for giving visibility to the issues for the policy-maker. Our job is to provide an independent and objective analysis based upon a wide range of confidential sources and technical inputs. The organization of the Intelligence Community is designed to provide this independence and objectivity.

II. The American Intelligence Process

Mr. Chairman, I would like to cover briefly the American intelligence process, as I believe it is grossly misunderstood by many quarters who associate it almost exclusively with the spectacular images of James Bond, Mata Hari, or even Maxwell Smart. American intelligence is first and foremost an intellectual exercise that encompasses the following steps:

1. The collection and assembly of raw information from all sources available to the U.S. Government, ranging from overt news dispatches to data from the most secret technical devices or agents;

2. The assessment of the validity of the raw information;

3. The analysis of the information and the development of objective conclusions and judgments; and

4. The presentation of the findings to policy makers in a clear, succinct, and timely fashion.

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The collection process involves acquiring open information wherever this is possible. This information largely comes from abroad but also here in the United States from knowledgeable citizens and Government officers whose missions are well understood and accepted in international life, such as Foreign Service Officers, Defense, Treasury, and even Commercial and Agricultural Attaches. To this is added the information collected by technical means. Today these give us access to areas never before seen. Electronic marvels identify details we never hoped to know, and computers select and store masses of detail never before manageable. These ways to collect are supplemented by clandestine collection for those matters and in those societies where open or technical collection cannot provide the secret war plans, the research idea before it is visible, or a perception of authoritarian political dynamics.

After the material is collected, it must be processed or analyzed. Again the electronic and computer worlds have added new dimensions to our potential to extract valuable information from hitherto incomprehensible indicators, although, alas, the computer has also increased the incomprehensibility of some of the systems we try to identify.

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The analytical process is the smallest of our categories of expenditure, but upon the integrity, the objectivity, and the expertise of this body of men and women rests the real fruit of the whole process--reasoned assessments of developments abroad today and in the future.

An essential element of the process is the presentation of intelligence to those who make the decisions for our nation. In our society this is not restricted to the Executive but also includes the Congress and the public. As a consequence, intelligence has endeavored to bring its product to the Congress and even to the public through unclassified publications where possible, through classified testimony in executive session that is later reviewed so we can release all information that does not reveal our sources and methods, and through informal discussion with journalists and the academic community where conclusions can be debated but sources omitted.

In addition, the Department of Defense has regularly made available the results of the intelligence process, the best example perhaps being the way we followed in the news media the development and testing of the generation of Soviet missiles now being deployed. When such material is consciously released, it can be done in a form that allows the Congress and the public

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to benefit from the conclusions and assessments involved but still protects the sources and methods by which we reach them. Unfortunately, their revelation by individuals without authorization can result in the exposure of the source or technique by which we learn the information.

Mr. Chairman, the National Security Act of 1947 was the foundation stone for this American intelligence process. At that time, intelligence was deemed by our country to be a matter which should be protected from public exposure. Thus, the specifics of the intelligence process and its authorities were deliberately expressed in general language and left by that statute to be specified in classified directives by the National Security Council. The CIA Act of 1949 further recognized the importance of this secrecy to intelligence and specifically exempted the CIA from the publication of the "organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency.

The intelligence roles of the other members of the Intelligence Community in part stem from the 1947 Act and in part from separate legislation, such as that charging the FBI with responsibility for internal security, the AEC, now ERDA, with its security authorities, and other laws such as Public Law 86-36, which provides the National Security Agency the authority to function without disclosing

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information that would endanger its cryptologic functions. All intelligence elements operate within legal authority. All are given further direction by the National Security Council.

Those Acts, however, were not the end of Congress' role with respect to intelligence. Intelligence operates on annual appropriations, it reports to a variety of Congressional committees, and the Director and Deputy Director of Central Intelligence are appointed with the advice and consent of the Senate after hearings which, in the cases of General Walters and me, included open sessions.

Congress long ago made special arrangements to handle oversight and appropriations for intelligence. The consistent position of the Executive Branch in this regard has been that it would respond to any way in which the Congress organized itself to conduct this oversight and appropriations process. To this, as indicated earlier, I add my own concern that this process be conducted in a manner that preserves the secrecy upon which intelligence must rest.

In tune with the times, we have in more recent years, and not just in my Directorship, become increasingly responsive to Congress both in executive session and in open session. For example, in 1974, I appeared before thirteen committees or subcommittees on twenty-five occasions.

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These were supplemented by informal responses or briefings to interested members on a frequent basis. The result has been greater exposure of the substance of our intelligence process to assist Congress in its decisionmaking, as well as a few untoward exposures of our sources and methods. I hope that this Committee sets out clearer arrangements with both houses so that we can make available the substance of our intelligence to assist in your decisionmaking while protecting the intelligence sources and methods.

The Executive Branch directs and supervises the intelligence apparatus to insure that our intelligence agencies work together for the common goal without duplication or bureaucratic conflict. At the head of the structure is, of course, the National Security Council, pursuant to statute. The Council itself has issued general directives to the Intelligence Community, and the subcommittees established under the Council give more frequent guidance and direction to our effort. Certain subcommittees focus on current crises and call for intelligence coverage thereof, certain work on longer term problems that require intelligence analysis, and certain review the work of the Intelligence Community in specified fields. I will not get into the bureaucratic detail necessary to clarify this at this session, although I certainly expect to do so in

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the future. I would like, however, to state my belief that the Intelligence Community receives appropriate general guidance and direction from the National Security Council and its committees. However, the Intelligence Community itself is responsible for recommending actions needed or for recommending the best way to accomplish the general goals set out by policy leaders. Thus, general policy direction stems from the National Security Council, but each of us in the Intelligence Community takes full personal responsibility for the actions recommended or taken in conformance with such general guidance and policy.

An independent review of the effectiveness of our intelligence effort is conducted by the President's Foreign Intelligence Advisory Board. This Board over the years has had an important role in stimulating and supporting improvements in our intelligence machinery. Its members are an impressive group of responsible Americans who report their independent views of the accomplishments and the weaknesses of the Intelligence Community directly to the President.

Also in the Executive Branch, the Office of Management and Budget conducts through a compartmented unit the same type of budget review of the work of the Intelligence Community as it does of any department.

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The Intelligence Community is also subject to intensive audit, both internally within the departments and agencies involved, and to the extent feasible by the General Accounting Office. Even in those areas exempted by law from GAO review, our internal procedures follow the same standards and practices of audit and accounting that apply to the other components of the Government.

Lastly, consistent with the policy outlined in Section 102(e) of the National Security Act of 1947, the Director of Central Intelligence has been charged by the President with providing overall leadership to the Intelligence Community. He has been directed to review all expenditures for foreign intelligence within the Government and make an annual recommendation to the President as to the appropriate level thereof. This charge requires him to insure that the intelligence activities of the various departments and agencies give us the best intelligence product at the least cost.

The Intelligence Community functions through a series of committees and boards that bring the different agencies together. I have submitted an annex to this presentation outlining these relationships. The work of these committees and boards is limited to foreign intelligence, as internal security falls solely within the jurisdiction of the FBI. The FBI

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participates in the Intelligence Community effort, however, so that any contributions that foreign intelligence might make to internal security can be properly handled. I will not take your time here to describe all of these bureaucratic arrangements, but I would like to stress the scope and complexity of the Community so that its individual elements can be understood.

The collection of raw information consumes the highest percentage of the resources devoted to intelligence. Large sums are required for the complex technical systems I mentioned earlier. In addition, the very substantial increases in military and civilian personnel costs over recent years have put a large burden on our intelligence budget despite reductions in personnel. In conformity with the Senate's vote on June 4th, 1974, I do not propose to discuss these figures publicly, but I do believe that you will be impressed with the way the Intelligence Community has increased its productivity over the years and also reduced its size and focused its effort in order to adjust to inflation.

III. The Needs of Intelligence

Mr. Chairman, in recognition of the fundamental purpose of this Select Committee, I indicated early in my statement that I wanted to outline for you some of the ways in which our

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Intelligence Community might be improved so as to open a new era in American intelligence. In this context, I believe this Committee may want to focus particularly on the role and procedures of intelligence in the future as well as in the past.

First, Mr. Chairman, I believe it essential to clarify for the Congress and the people of America, as well as the personnel in our Intelligence Community, the authorities, the limitations, and the mission of American intelligence. When President Eisenhower assumed full responsibility for sending a U-2 over the Soviet Union, and President Kennedy for the Bay of Pigs, they repudiated in the name of the American people the old concept of intelligence being disowned. I am confident that our people not only support but insist upon an effective intelligence apparatus to protect their security and welfare. I believe, however, that they want the role of intelligence clearly spelled out, they want controls adequate to prevent abuse, and they also want necessary secrecy protected.

In my confirmation hearing, I suggested the word "foreign" be inserted each time the word "intelligence" appears in the charter of the CIA, to make crystal clear its proper function and to end any possible "gray area" in its authority. Legislation was introduced in the last Congress that would do this and would also clarify the proper role of the Agency within the United States. I welcome such clarification of our authority

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and any limitation on our activities desired by the people of this country. Just tell us in the intelligence business what the nation wants and does not want, and we will do our best to satisfy it. But also give us a way openly to change these rules when the nation expects them to be changed.

With respect to oversight of our activities, Mr. Chairman, I have described the current procedures. I believe they are sufficient on the Executive side, and I reiterate that the organization of the Congress to carry out its responsibilities is not a matter for my determination or recommendation. I do honestly request and trust, however, that the Congress will organize itself to protect the necessary secrecy of our intelligence operations while exercising its responsibilities for oversight.

Lastly, I most earnestly request of the Congress some improvement in our ability to protect the secrets necessary to effective intelligence operations. The spectacle that we are presenting to the world of being unable to prevent ex-employees from revealing their knowledge of intimate relations with individuals and friendly intelligence services who put their trust in us is raising a substantial question as to our ability to obtain information from such sources in the future. The revelation of our activities from a series of leaks of supposedly secret testimony makes it impossible to

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contemplate the initiation of sensitive operations today under procedures that require their exposure to a large number of reviewing bodies. The issue of whether we should again adopt Secretary Stimson's view that "gentlemen do not read each other's mail" (and that we live in a world of gentlemen) should be faced squarely and openly by the Congress and not through irresponsible individual exposures.

IV. Cooperation with the Committee

Mr. Chairman, I assure you, as I did on the telephone when you were named, of my most sincere intention to cooperate with you and this Committee in its work. I look forward to your, as well as our, contribution of ideas to the shaping of the new era that American intelligence can have if we do our work well. By my presence here I indicate my intention to be as open and public as I can be during your proceedings. There will be, however, many matters which, I am sure you will agree, can only be handled effectively in executive session. For this purpose, your staffs have been given appropriate clearances by the committee, and I urge that you take steps to insure not only that they will abide by the Committee's rules but also that you have the legal ability similar to the one we use for our employees to require any later exposure of such matters to occur only after you have had a chance to review whether they may improperly reveal sensitive information.

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There are some matters, Mr. Chairman, which I am required under the statute and as a professional to protect against any chance of exposure. The names of our agents, the names of many patriotic Americans who have worked with us, and the specifics of a number of our costly and delicate technical systems are so important, Mr. Chairman, that I believe an additional level of secrecy is necessary to protect them. The lives of individuals are at stake, and we cannot put them to risk. There are also cases where the reputations and future prospects of a number of patriotic Americans who have helped or contributed to our intelligence process could be jeopardized if their associations are revealed openly and then twisted in the press through misunderstanding or by hostile opponents. American intelligence cannot hope to have any future if it repudiates the understanding of confidentiality upon which cooperation was extended to it. There are also a range of specific methods for gathering information which needs to be secret. Hundreds of millions of dollars in complex technical equipment can be made worthless if the access it provides to foreign secrets is exposed.

An exposure is a one-time sensation, and American intelligence today is suffering internally and abroad from a series of exposures and sensational exaggerations which have

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raised questions among many of our foreign individual and official sources, and also among our personnel. Whether the Intelligence Community can continue its contribution to our nation's security and welfare and the maintenance of peace in the world will depend on our ability to conduct this review without further exposures. Thus, I do not propose to provide these details, but if one becomes of particular importance to the work of the Committee, I will certainly consult with you and the ranking minority member to determine the best course of action. I stress this, Mr. Chairman, as we have but one chance to avoid unwarranted disclosures which can ruin the lives or the futures of people and institutions which put their trust in our nation through its intelligence service. I believe that you and the Committee will want to fulfill that trust, and that this Committee's inquiry can be comprehensive and searching without violating it.

Mr. Chairman, I have not discussed the newspaper allegations that led to this Committee's formation. I have reported fully on this to the President, to the President's Commission, and to the Senate Appropriations and Armed Services Committees. I am submitting for the record of this Committee my remarks there and am, of course, prepared to expand on them. I believe it only appropriate here to deny

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flatly, as I have already, that CIA conducted a "massive illegal domestic intelligence operation."

I have also submitted for the record a number of annexes to this statement, mostly in classified form, in order to set out for the use of the Committee and its staff some further detail about our intelligence apparatus and its work. I am, of course, available for further questioning here today and to cover classfied questions in Executive Session when this may prove to be necessary. I hope that out of the Committee's work will come a better public understanding of the role and functioning of American intelligence today and that the Committee's recommendations for improvements in our authority, procedures, and protection may indeed be looked back on in the future as the initiation of a new era in American intelligence.

We in American intelligence are proud to be of service to our country, and we firmly believe that the personnel of American intelligence, and my predecessors in this post, have served their country well over the years. We are equally convinced that our intelligence profession will serve the country well in the new era of American intelligence being launched by this Committee.

Thank you.

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SECRET

LIST OF ANNEXES

		Drafter
A.	The Nature and Purpose of Intelligence	CIA
B.	The Intelligence Process	DIA
C.	Mission and Functions Statements for all Elements of the Intelligence Community	DCI/IC
D.	Intelligence Community Oversight and DCI Role	DCI/IC
E.	Description of Intelligence Community Resources and Capabilities	DCI/IC
F.	A Description of the Committees of the USIB and IRAC	DCI/IC
G.	Intelligence and the Law: Description of Suggested Changes Now Before the Congress	CIA/JUSTICE/ DCI/IC
H.	A Listing of External Reviews of Intelligence Community Agencies	DCI/IC
J.	The Role of Security in CIA and the Intelligence Community	CIA
K.	The Nature and Purpose of Counterintelligence	FBI/CIA
L.	The Origin and Disposition of the Huston Plan (Will also cover Intelligence Evaluation Committee and the Interdepartmental Intelligence Unit)	FBI/Justice Dept.

ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-6-00 BY SP2 ALM/JTG #MDR16

62-116395-2

ENCLOSURE

SECRET

Classified by 056047
Exempt from general declassification schedule of E. O. 11652, exemption category:
53 (1), (4), (5) or (6) (circle one or more)
Automatically declassified on
DATE IMPOSSIBLE TO DETERMINE

The Attorney General

February 20, 1975

Director, FBI

1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Cregar

SENATE SELECT COMMITTEE

Reference is made to a telephone conversation between Deputy Attorney General Laurence Silberman and Mr. James Adams, Deputy Associate Director, FBI, on February 14, 1975.

This will confirm the authorization provided by Mr. Silberman to Mr. Adams with regard to permitting CIA to furnish a memorandum dated February 7, 1975, entitled "Central Intelligence Agency Operations in the United States," to Mr. Samuel D. Preston, Senior Staff Member, House Appropriations Committee. For your information, attached is a copy of this memorandum.

It is our understanding that Mr. Preston telephonically contacted Mr. John Clarke, Associate Deputy to the Director of Central Intelligence, and requested all written agreements between the FBI and CIA be furnished him for the use of the House Appropriations Committee.

Enclosure

62-116395

REC-59

1 - The Deputy Attorney General (Enclosure)

WOC:ebc
(8)

MAILED 2
FEB 20 1975
FBI

FEB 21 1975

NOTE:

See memorandum W. O. Cregar to Mr. Wannall, dated 2/18/75, captioned "SENSTUDY 75," prepared by WOC:ebc.

~~SECRET MATERIAL ATTACHED~~

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
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NW 65360 DocId:32989530 Page 188

4-312 (Rev. 12-11-73)

Date of Mail 2/7/75

Has been removed and placed in the Special File Room of Records Section.

#MDR16
ALL INFORMATION CONTAINED ON THIS FORM
HEREIN IS UNCLASSIFIED
DATE 9/25/00 BY SP-2 ALM/JTG

See File 66-2554-7530 for authority.

Subject JUNE MAIL SELECT COMMITTEE OF THE SENATE

Removed By 79 MAR 3 1975

File Number 62-116395-20

Permanent Serial Charge Out

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Bassett

TO : Mr. W. R. Wannall

DATE: 2/7/75

1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Fulton
1 - Mr. Cregar

FROM : W. O. Cregar

SUBJECT: SENSTUDY 75

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Memorandum F. B. Griffith to Mr. Bassett, dated 2/6/75, recommended that Section Chief William O. Cregar, the Bureau's representative on the Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community, be authorized to concur in recommendations dealing with proposals to protect the integrity of classified documents which will necessarily be provided to the Select Committee of the Senate (SCS) during forthcoming hearings. Referenced memorandum was approved subject to a recommended change by Inspector J.E. Herington, Legal Counsel Division.

The Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community met on the morning of 2/7/75, at which time the above-described Paper was considered. The change of language offered by Inspector Herington was submitted to the Group for consideration and was adopted. No substantive changes in the Paper were made and the over-all Paper was approved.

These security proposals will now be discussed with Senator Church and his staff by Mr. Colby's staff in an effort to insure proper protection of classified documents that might be presented during forthcoming SCS testimony.

ACTION:

For information and record purposes.

REC-59 62-116395-19

62-116395

EX-112

FEB 19 1975

WOC:ebc
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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP2 ALM/ALG

84 FEB 26 1975

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

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TO : Mr. J. B. Adams

DATE: 1-24-75

FROM : Legal Counsel

Senstudy 75

SUBJECT: SENATE SUBCOMMITTEE ON FBI OVERSIGHT

On 1-23-75 Tom Hart, Professional Staff Member, Senate Judiciary Committee, advised Inspector John B. Hotis that the creation in the Senate of a Select Committee on Intelligence Operations raises serious questions about the future of the FBI Oversight Subcommittee. The Select Committee will make a final report to the Senate in September, together with recommendations as to any new legislation that might be necessary. It is possible that a new committee dealing solely with the intelligence community may be created or that recommendations will be made that there be stronger oversight by the parent committee.

Hart said that he is troubled over the mounting pressures in the Congress to reduce the power and effectiveness of the Bureau. He feels that is what is behind the "phony stories" that have suddenly been circulating about Bureau files on Congressmen. Even some of the "right wing Republicans," he said, are attempting to capitalize on the controversy, hoping thereby to take some of the criticism away from former President Nixon.

REC 68 62-115695-79

He said that some of the younger Senators are attempting to take over the oversight responsibilities on the grounds that Senators Eastland and McClellan have been overly protective of the Bureau. It is important, therefore, that the Oversight Subcommittee show some immediate activity. As soon as the confirmation hearings on Attorney General Designate Levi are completed, Hart will go to the Rules Committee to get budget approval for the Oversight Subcommittee.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-7-00 BY SP-2 ALM/JMS

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ORIGINAL FILED IN 62-115695-79

1 - Mr. Adams
1 - Mr. Wannall
2 - Mr. Mintz
1 - Congressional Services Unit
1 - Mr. Reed
1 - Mr. Hotis

62-116395-

NOT RECORDED
46 FEB 27 1975

JAN 31 1975

LEGAL COUNSEL

JBH:mbk

51 FEB 28 1975

(CONTINUED - OVER)

Memorandum to Mr. J. B. Adams
Re: Senate Subcommittee on FBI Oversight

Professor John Elliff and two interns have been preparing materials for the committee regarding the foreign counterintelligence functions of the Bureau and it is expected that hearings will be scheduled in mid-February.

D.C.

Hart added that he does not know who the new members of the Oversight Subcommittee will be at this time. It could include Senators Tunney, Hart, or Kennedy. This determination will be made later this month.

RECOMMENDATION:

None. For information.

NW 65360 DocId:32989530 Page 192

J. B. ADAMS
DEPUTY ASSOCIATE DIRECTOR

Senstudy 75

2/12/75

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TO MR. KELLEY:

The original, after being approv
Mr. Callahan and me, was furnished to Mr
for his use as an annex to his prepared stat
before the Senate Committee.

J. B. ADAMS

JBA:ams

REC-59

62-116395-18

112

FEB 20 1975

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J. B. ADAMS
DEPUTY ASSOCIATE DIRECTOR

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2/12/75

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TO MR. KELLEY:

Attached is a memorandum re
approval of an annex to be furnished to M
entitled "Origin and Disposition of the Hu
Plan." Also enclosed is a proposed anne
Intelligence Evaluation Committee prepar
Department since the Committee was a D
function. Both were prepared from existing records, do not involve any policy statement and, accordingly, upon approval by Mr. Callahan and myself were transmitted to Mr. Colby.

J. B. ADAMS

REC-59 62-116395-17

EX-112

FEB 20 1975

JBA:ams

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DATE 9-25-00 BY SP-2 ALM/JTG
(NO CONTENTS ENCLOSED WHEN REVIEWED)

62 11 15-17

ENVELOPE

EMPTY

January 27, 1975

Honorable John O. Pastore
United States Senate
Washington, D. C. 20510

Dear Senator Pastore:

I have had an opportunity to read the remarks you made January 21st on the Senate floor when you presented a resolution to establish a select committee to conduct a study of governmental operations with respect to intelligence activities.

I want you to know of my sincere appreciation for your very generous comments concerning me and I am pleased by your insistence on a completely fair and objective investigation. I welcome the opportunity to appear before the distinguished members of the Senate to discuss all matters of interest to the committee.

Sincerely yours,
Clarence

Clarence M. Kelley
Director

EX-110

1 - Boston -- Enclosure
1 - Congressional Services Office - Enclosure

JWS:bjy (6)

REC-3

JAN 29 1975

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NW 65360 DocId:32989530 Page 197

SENATE RESOLUTION 21—RESOLUTION RELATING TO INVESTIGATION AND STUDY OF GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES—PLACED UNDER "RESOLUTIONS AND MOTIONS OVER, UNDER THE RULE"

Mr. MANSFIELD. Mr. President, I yield to the distinguished Senator from Rhode Island.

Mr. PASTORE. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The VICE PRESIDENT. Is there objection?

Mr. HUGH SCOTT. Mr. President, reserving the right to object, I understand that this is the resolution having to do with the CIA.

Mr. MANSFIELD. With the intelligence community.

Mr. HUGH SCOTT. With the intelligence community.

Mr. MANSFIELD. I do not think we should emphasize the CIA too much, because it is the intelligence community. I think that should be understood.

The VICE PRESIDENT. The clerk will report the resolution.

The legislative clerk read as follows:

Resolved, to establish a select committee of the Senate to conduct an investigation and study of governmental operations with respect to intelligence activities.

Mr. MANSFIELD addressed the Chair.

Mr. HUGH SCOTT. Mr. President, I have reserved the right to object.

Mr. MANSFIELD. Mr. President, I ask unanimous consent, so that it will be fully understood, that the resolution be read in full.

Mr. PASTORE. That is right.

The VICE PRESIDENT. The clerk will report the resolution in full.

The legislative clerk read as follows:

S. RES. 21

Resolved, To establish a select committee of the Senate to conduct an investigation and study of governmental operations with respect to intelligence activities and of the extent, if any, to which illegal, improper, or unethical activities were engaged in by any agency of the Federal Government or by any persons, acting individually or in combination with others, with respect to any intelligence activity carried out by or on behalf of the Federal Government.

Resolved, That (a) there is hereby established a select committee of the Senate which may be called, for convenience of expression, the Select Committee to Study Governmental Operations With Respect to Intelligence Activities to conduct an investigation and study of the extent, if any, to which illegal, improper, or unethical activities were engaged in, by any agency or by any persons, acting either individually or in combination with others, in carrying out any intelligence or surveillance activities by or on behalf of any agency of the Federal Government.

(b) The select committee created by this resolution shall consist of eleven Members of the Senate, six to be appointed by the President of the Senate from the majority Members of the Senate upon the recommendation of the Majority Leader of the Senate, and five minority Members of the Senate to be appointed by the President of the Senate upon the recommendation of the Minority Leader of the Senate.

For the purposes of paragraph 6 of Rule 25 of the Standing Rules of the Senate, service of a Senator as a member, chairman, or vice chairman of the select committee shall not be taken into account.

(c) The majority members of the committee shall select a chairman and the minority members shall select a vice chairman and the committee shall adopt rules and procedures to govern its proceedings. The vice chairman shall preside over meetings of the select committee during the absence of the chairman, and discharge such other responsibilities as may be assigned to him by the select committee or the chairman. Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the select committee and shall be filled in the same manner as original appointments to it are made.

(d) A majority of the members of the select committee shall constitute a quorum for the transaction of business, but the select committee may affix a lesser number as a quorum for the purpose of taking testimony or depositions.

SEC. 2. The select committee is authorized and directed to do everything necessary or appropriate to make the investigations and study specified in subsection (a) of the first section. Without abridging in any way the authority conferred upon the select committee by the preceding sentence, the Senate further expressly authorizes and directs the select committee to make a complete investigation and study of the activities of any agency or of any and all persons or groups of persons or organizations of any kind which have any tendency to reveal the full facts with respect to the following matters or questions:

(1) Whether the Central Intelligence Agency has conducted an illegal domestic intelligence operation in the United States.

(2) The conduct of domestic intelligence or counter-intelligence operations against U.S. citizens by the Federal Bureau of Investigation or any other Federal agency.

(3) The origin and disposition of the so-called "Huston Plan" to apply United States intelligence agency capabilities against individuals or organizations within the United States.

(4) The extent to which the Federal Bureau of Investigation, the Central Intelligence Agency, and other Federal law enforcement or intelligence agencies coordinate their respective activities, any agreements which govern that coordination, and the extent to which a lack of coordination has contributed to activities or actions which are illegal, improper, inefficient, unethical, or contrary to the intent of Congress.

(5) The extent to which the operation of domestic intelligence or counter-intelligence activities and the operation of any other activities within the United States by the Central Intelligence Agency conforms to the legislative charter of that agency and the intent of the Congress.

(6) The past and present interpretation by the Director of Central Intelligence of the responsibility to protect intelligence sources and methods as it relates to the provision in section 102(d)(3) of the National Security Act of 1947 (50 U.S.C. 403(d)(3)) that ". . . that the agency shall have no police, subpena, law enforcement powers, or internal security functions. . . ."

(7) Nature and extent of executive branch oversight of all United States intelligence activities.

(8) The need for specific legislative authority to govern the operations of any intelligence agencies of the Federal Government now existing without that explicit statutory authority, including but not limited to agencies such as the Defense Intelligence Agency and the National Security Agency.

The nature and extent to which Federal agencies cooperate and exchange intelligence information and the adequacy of any regulations or statutes which govern such cooperation and exchange of intelligence information.

(9) The extent to which United States intelligence agencies are governed by executive orders, rules, or regulations either published or secret and the extent to which those executive orders, rules, or regulations interpret, expand or are in conflict with specific legislative authority.

(10) The violation or suspected violation of any State or Federal statute by any intelligence agency or by any person by or on behalf of any intelligence agency of the Federal Government including but not limited to surreptitious entries, surveillance, wiretaps, or eavesdropping, illegal opening of the United States mail, or the monitoring of the United States mail.

(11) The need for improved, strengthened, or consolidated oversight of United States intelligence activities by the Congress.

(12) Whether any of the existing laws of the United States are inadequate, either in their provisions or manner of enforcement, to safeguard the rights of American citizens, to improve executive and legislative control of intelligence and related activities, and to resolve uncertainties as to the authority of United States intelligence and related agencies.

(13) Whether there is unnecessary duplication of expenditure and effort in the collection and processing of intelligence information by United States agencies.

(14) The extent and necessity of overt and covert intelligence activities in the United States and abroad.

(15) Such other related matters as the committee deems necessary in order to carry out its responsibilities under section (a).

SEC. 3(a). To enable the select committee to make the investigation and study authorized and directed by this resolution, the Senate hereby empowers the select committee as an agency of the Senate (1) to employ and fix the compensation of such clerical, investigatory, legal, technical, and other assistants as it deems necessary or appropriate, but it may not exceed the normal Senate salary schedules; (2) to sit and act at any time or place during sessions, recesses, and adjournment periods of the Senate; (3) to hold hearings for taking testimony on oath or to receive documentary or physical evidence relating to the matters and questions it is authorized to investigate or study; (4) to require by subpena or otherwise the attendance as witnesses of any persons who the select committee believes have knowledge or information concerning any of the matters or questions it is authorized to investigate and study; (5) to require by subpena or order any department, agency, officer, or employee of the executive branch of the United States Government, or any private person, firm, or corporation, to produce for its consideration or for use as evidence in its investigation and study any books, checks, canceled checks, correspondence, communications, document, papers, physical evidence, records, recordings, tapes, or materials relating to any of the matters or questions it is authorized to investigate and study which they or any of them may have in their custody or under their control; (6) to make to the Senate any recommendations it deems appropriate in respect to the willful failure or refusal of any person to answer questions or give testimony in his character as a witness during his appearance before it, or in respect to the willful failure or refusal of any officer or employee of the executive branch of the United States Government or any person, firm, or corporation to produce before the committee any books, checks, canceled checks, correspondence, communications, document, financial records, papers, physical evidence, records, recordings, tapes, or materials in obedience to any sub-

ENCLOSURE

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pena or order; (7) to take depositions and other testimony on oath anywhere within the United States or in any other country; (8) to procure the temporary or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202(i) of the Legislative Reorganization Act of 1946; (9) to use on a reimbursable basis, with the prior consent of the Committee on Rules and Administration, the services of personnel of any such department or agency; (10) to use on a reimbursable basis or otherwise with the prior consent of the chairman of any subcommittee of any committee of the Senate the facilities or services of any members of the staffs of such other Senate committees or any subcommittees of such other Senate committees whenever the select committee or its chairman deems that such action is necessary or appropriate to enable the select committee to make the investigation and study authorized and directed by this resolution; (11) to have direct access through the agency of any members of the select committee or any of its investigatory or legal assistants designated by it or its chairman or the ranking minority member to any data, evidence, information, report, analysis, or document or papers relating to any of the matters or questions which it is authorized and directed to investigate and study in the custody or under the cotrol of any department, agency, officer, or employee of the executive branch of the United States Government, including any department, agency, officer, or employee of the United States Government having the power under the laws of the United States to investigate any alleged criminal activities or to prosecute persons charged with crimes against the United States and any department, agency, officer, or employee of the United States Government having the authority to conduct intelligence or surveillance within or outside the United States, without regard to the jurisdiction or authority of any other Senate committee, which will aid the select committee to prepare for or conduct the investigation and study authorized and directed by this resolution; and (12) to expend to the extent it determines necessary or appropriate any moneys made available to it by the Senate to perform the duties and exercise the powers conferred upon it by this resolution and to make the investigation and study it is authorized by this resolution to make.

(b) Subpenas may be issued by the select committee acting through the chairman or any other member designated by him, and may be served by any person designated by such chairman or other member anywhere within the borders of the United States. The chairman of the select committee, or any other member thereof, is hereby authorized to administer oaths to any witnesses appearing before the committee.

(c) In preparing for or conducting the investigation and study authorized and directed by this resolution, the select committee shall be empowered to exercise the powers conferred upon committees of the Senate by section 6002 of title 18 of the United States Code or any other Act of Congress regulating the granting of immunity to witnesses.

SEC. 4. The select committee shall have authority to recommend the enactment of any new legislation or the amendment of any existing statute which it considers necessary or desirable to strengthen or clarify the national security, intelligence, or surveillance activities of the United States and to protect the rights of United States citizens with regard to those activities.

SEC. 5. The select committee shall make a final report of the results of the investigation and study conducted by it pursuant to this resolution, together with its findings and its recommendations as to new congressional legislation it deems necessary or desirable, to the Senate at the earliest practicable date, but no later than September 1, 1975. The select committee may also submit to the Senate such interim reports as it considers appropriate. After submission of its final report, the select committee shall have three calendar months to close its affairs, and on the expiration of such three calendar months shall cease to exist.

SEC. 6. The expenses of the select committee through September 1, 1975, under this resolution shall not exceed $750,000 of which amount not to exceed $100,000 shall be available for the procurement of the services of individual consultants or organizations thereof. Such expenses shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the select committee.

The VICE PRESIDENT. Is there objection to the resolution?

Mr. HUGH SCOTT. Mr. President, reserving the right to object, I do so in order, first, to make the point that what we are really trying to do here is agree on a time to vote on this resolution if we can. It may be necessary to object formally to get the matter on the calendar. If so, I will be prepared to object for that purpose.

I am not objecting to the early consideration of the resolution. The distinguished majority leader and I have discussed the possibility of an early vote. I personally am in accord with that.

I should like to ask one question for the benefit of the legislative history: It is my understanding that it would be the intention of the majority that the vice chairman of the committee will be a member of the minority party.

Mr. PASTORE. That is correct, and it is so specified in the resolution.

Mr. HUGH SCOTT. I yield to the distinguished Senator from Texas, if I may, who may also wish to reserve the right to object.

Mr. TOWER. I have nothing to add to what the distinguished Senator from Pennsylvania has said, except to express the hope that when the objection is formally raised, we can consent to get the resolution on the calendar as soon as possible; Monday, if possible.

Mr. HUGH SCOTT. For the purpose of achieving that, I can object now.

I object.

The VICE PRESIDENT. The objection is heard. The resolution will go over under the rule.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that notwithstanding the objection, the resolution be placed on the calendar at this time to save the time of the Senate. I do so because it is not anticipated at the moment that we will be in tomorrow, and perhaps not on Thursday. We will be in Friday. It is for that reason that I make this unanimous-consent request.

Mr. HUGH SCOTT. I have no objection.

The VICE PRESIDENT. Without objection, it is so ordered. The resolution is placed on the calendar.

Mr. MANSFIELD. I have notified Senators STENNIS and MCCLELLAN of what was going to happen today and have also discussed the matter with the distinguished Republican leader and the ranking member of the Armed Services Committee, Mr. TOWER.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I do want to say, while the resolution is before the Senate, that there is no intention here to conduct a witch hunt. There is no one in the Senate who has more appreciation or more respect for the necessity for a CIA, a civilian intelligence agency, a military intelligence agency, and an FBI in order to guarantee the security and the survival of this great Republic. But in recent weeks and in recent months there have been charges and counter charges spelled out on the front page of every newspaper in this country. The matter has been discussed over television and radio. The people of America are confused. They are asking themselves, "What is actually happening to these organizations which are essential for the security and the survival of our great Nation?"

In order to clear the air, in order to cleanse whatever abuses there have been in the past, so that we can put these agencies on the right track, so that we can recite, once and for all, the proper parameters within which they can function, I am afraid we will do irreparable harm to the security and the survival of the country unless we do this.

It was for that reason, Mr. President, that I introduced this resolution before the Democratic conference. I made it plain at the time that in my judgment there are no three greater Americans than Colby, Helms, and Kelley. I know all three, I have worked with all three, and I have found them to be distinguished gentlemen who are patriotic and love this country as much as any other Americans, without any doubt at all.

But there has been abuse. They have been influenced in making their judgments, and these influences, I am afraid, have come from on high, may times right out of the Oval Room of the White House, and sometimes from some underlings at the White House.

We had the instance before our committee where Ehrlichman called up the Deputy Director of the CIA and instructed him to give disguise paraphernalia to Mr. Hunt. The question is, Under whose authority? Who was Ehrlichman? Was it within the purview of the statute? Was it in conformity with the charter that established the CIA?

These are questions that have to be resolved, because we want the CIA to be responsive to the President of the United States directly, and not indirectly. We want him to be responsible to the Congress that is responsible, in turn, to the people of this country. It is for that reason that this investigation is being conducted and this resolution is before this body.

It was argued by the distinguished Senator from Mississippi that this falls within the purview and the jurisdiction of his own Armed Services Committee. As a matter of fact, when we talk about jurisdiction, we also have the Foreign Relations Committee, we have the Appropriations Committee, and I do not think we are ever going to get around discussing the question of jurisdiction unless we get it into a select committee. If we get it into the Appropriations Com-

2

mittee or the Armed Services Committee, I am afraid we are going back again to the question of seniority, the seniority complex that has disturbed so many people.

I am not against putting senior Members on this select committee, but we have a wealth, we have a reservoir of competence in this body, of people who have not settled their minds or prejudiced themselves one way or the other. Frankly, I must say, from my own contact with these two agencies, I am a little prejudiced, myself, in favor of the CIA, of military intelligence, and of the FBI. I am chairman of the subcommittee that funds the FBI. In my humble opinion, there is no man I respect more than Clarence Kelley. I think he is a fine American, and I think he is an excellent police officer; no question about it. I have no fault to and with him, and fundamentally, I have no fault to find with anybody, except that we want the right thing done.

We are not going to conduct a witch hunt in this case. We are not out to get anybody's scalp, what we are trying to do is to serve America. This is an open society. Even in an open society, sometimes we have to have a secret organization. The big question is, To whom are they responsible? Who got us into Cambodia? Who got us into Laos? Who got us into the Bay of Pigs? Who got us into Chile? Who got us in all over the world, and under whose authority, and why was not the Congress told?

Here we are, we passed the war powers bill in order to restrict the power to declare war and require that Congress be consulted, and we find now they can do it surreptitiously through the CIA or through some other agency of Government. This is all wrong, Mr. President, and it should be rectified. I hope that the majority leader and the minority leader will pick out competent personnel, of whom we have enough here in the Senate, and that they will conduct a hearing, that they will protect the secrecy of the CIA, the FBI, and the military intelligence, and that they will not spread it out publicly and thus injure this Nation.

I think we have that competence. I think we have the responsibility to do that. And after all, the Armed Services Committee, the Appropriations Committee, and the Foreign Relations Committee are not so sanctified that they are the only ones who can do it.

The only thing I am saying is, let us spread this out. Let us widen our scope, and let us pick out men who will devote themselves to this task, who are not already too much involved with other responsibilities in the Senate, and can get on and do this job that needs to be done, and report back to the people.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. KENNEDY. I wonder if I could direct the Senator's attention to certain provisions of the resolution, and ask his interpretation of such provisions.

Mr. PASTORE. The Senator may.

Mr. KENNEDY. The first resolve clause, refers to establishing a "select committee of the Senate to conduct an investigation and study," and then I draw particular attention to these words, "of Government operations with respect to intelligence activities."

I want to find out from the author of the resolution whether he interprets those particular words to include covert actions as well as literal intelligence-gathering activities, including the full range of Central Intelligence Agency activities such as the paramilitary operations, propaganda, subversion, destabilization, operation of proprietary companies, and counterintelligence. The inquiry would thus include, for example, activities like the secret war in Laos, Operation Phoenix, and destabilization of the Government of Chile.

The VICE PRESIDENT. The 10 minutes of the Senator from Montana has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for an additional 10 minutes, and yield that additional time to the distinguished Senator from Rhode Island.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. PASTORE. The answer is "Yes." If they fall within the purview of any of the activities of these agencies; and whether these actions are performed domestically or abroad, the resolution is very specific in that respect. The answer is yes.

Mr. KENNEDY. I thank the Senator. I believe this is again referred to in subsection 2(14) of the resolution, where it concludes with reference to "the extent and necessity of covert intelligence activities in the United States and abroad.

Mr. PASTORE. That is correct.

Mr. KENNEDY. I bring this up because one might later argue that the resolution does not cover some of the activities the CIA has been involved in because they are not literally "intelligence activities," and therefore that they are not subject to the scope of the resolution.

Mr. PASTORE. No.

Mr. KENNEDY. But quite clearly, as I have listened to the Senator here on the floor and also to his explanation in the caucus, the scope of the resolution covers all of these matters I have just referred to, and they would be so included in the inquiry authorized by the resolution.

Mr. PASTORE. That is correct; and the majority leader will address himself to that point; that this is not to be construed in any limited way, that it has to be given a broad interpretation, and that interpretation will be the interpretation of the committee itself, and of nobody else.

Mr. KENNEDY. I thank the Senator.

Mr. GOLDWATER. Mr. President will the Senator yield?

Mr. PASTORE. I yield to the Senator from Arizona.

Mr. GOLDWATER. Serving on the Armed Services Committee, as I do, I can understand the anxiety and the interest of other Members of this body over reports emanating from the New York Times and other newspapers in the country relative to the activities, or at least charged activities, of the CIA.

I expected that such a resolution would be introduced, and I am very glad that it has been introduced, and particularly because my friend, the Senator from Rhode Island, seems to be heading it up.

Now, the point that I am trying to get to is, serving on the Armed Services Committee, there are many times——

Mr. STENNIS. Mr. President, may we have order so that those who wish to can give attention to the debate?

The VICE PRESIDENT. Order.

Mr. GOLDWATER. There are many times, Mr. President, when we are confronted with testimony that we do not want to hear. It is of such a highly classified nature, I do not think, frankly, anyone outside of the intelligence community should hear it.

Now, it is my hope and prayer that during the course of this investigation, first that a proper committee be selected. We do not want to have anyone running for President on this committee, or any other office. We want to have people who are going to be objective and hew to the line.

Mr. PASTORE. That is correct.

Mr. GOLDWATER. Now intelligence is not something that we gather on Americans. It is something we gather on an enemy. Intelligence is a worldwide operation and, I must say, we have already lost from the CIA probably the world's finest intelligence officer, because he was not going to put up with what he thought he would be subjected to in questioning on the CIA.

Mr. PASTORE. Will the Senator from Arizona admit that part of that has already been accomplished by the stories that have appeared?

Mr. GOLDWATER. I am sorry about what happened.

Mr. PASTORE. Absolutely.

Mr. GOLDWATER. What I want to see prevented is a further diminution of the intelligence forces we have had.

I never worked too closely with intelligence but I have worked close enough to know, though, people in these jobs and in this field are very difficult to come by, they are very sensitive to exposure, and are very sensitive to having their records and discussions brought out in the press.

So I would hope, when the majority leader and minority leader get together to select this committee, that they select a committee that will weigh all of the facts and be particularly careful about what is allowed to leak, because the Watergate leaked like an old sieve, and we sure do not want that to happen in an area as sensitive as intelligence.

I might say that we have gone through a lot of criticism or we have suffered through a lot of criticism in this country in the last several years, criticism of the military. Who is responsible for the military to go to Vietnam? It was not the Pentagon; it was the President of the United States who was the only man who could do it.

Who is responsible for the CIA, FBI, and DIA and others getting into fields I have a feeling they did not want to get into? The President of the United States. Now should we go that high?

NW 65360 DocId:32989530 Page 200

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz

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 Mr. W. R. Wannall

DATE: 2/10/75

FROM W. O. Cregar

1 - Mr. W. R. Wannall
1 - Mr. A. B. Fulton
1 - Mr. W. O. Cregar

SUBJECT SENSTUDY 75

This memorandum recommends that a paper entitled "Origin and Disposition of the Huston Plan" be furnished Mr. Colby in his role as the Director of Central Intelligence (DCI) for inclusion as an annex in a series of annexs Mr. Colby intends to provide the Senate Select Committee (SSC) on the occasion of his appearance as the leadoff witness. The FBI was given the responsibility for preparing this paper by the Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community.

The Ad Hoc Coordinating Group on Congressional Review of the Intelligence Community is chaired by Mr. John Clarke, Associate Deputy to the DCI. It is made up of representatives of agencies and departments having membership on the U.S. Intelligence Board (USIB). Its purpose is to serve as a coordinating mechanism for future testimony before various Congressional committees.

There are enclosed two papers which will be used as annexs. The first paper, prepared by the Intelligence Division, is entitled "Origin and Disposition of the Huston Plan." Inasmuch as this paper was prepared by the Bureau, we are asking the Director's clearance for passage to Mr. Colby. The second paper entitled "The Intelligence Evaluation Committee" was prepared by the Justice Department and was submitted to the Bureau for our concurrence as part of the coordinating process.

The paper on the Huston plan represents a detailed chronology of the plan from its inception to its disposition. It is completely footnoted to documents which have been previously furnished to the Committee on the Judiciary. These documents appear in published form in the document entitled "Hearings Before the Committee on the Judiciary, House of Representatives, Ninety-third Congress, Second Session Pursuant to H. Res. 803." The paper was reviewed by those members of

Enclosures (2)

62-116395-15

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(7)

#MDR16

9/25/00 SP-2 ALM/JTG

FEB 18 1975

5-W06

84 FEB 24 1975

Ad Hoc group who participated in the development of the plan. No substantive objections were raised regarding the paper and it was recommended the paper be furnished to Mr. Colby for use as an annex.

The second annex entitled "Intelligence Evaluation Committee" prepared by the Department of Justice was provided to the FBI for our review and concurrence. Here again this paper provides a detailed chronology of the origin and disposition of the Intelligence Evaluation Committee. It is footnoted to various internal Departmental memoranda which are identified as attachments 1 through 6 to the Intelligence Evaluation Committee paper. This paper was also reviewed by the Ad Hoc group and it was recommended that this paper also be furnished to Mr. Colby for his use as an annex to his opening statement.

ACTION:

Done 2/11/75 WRP

1. If approved, the paper entitled "Origin and Disposition of the Huston Plan" will be furnished to Mr. Colby.

Done 2/11/75 WRP

2. Mr. James Wilderotter, Associate Deputy Attorney General, will be telephonically advised that the FBI concurs in the paper entitled "Intelligence Evaluation Committee" for use as an annex by Mr. Colby.

WRW/TGL

NW 65360 DocId:32989530 Page 202

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz

Assoc. Dir. ___
Dep. AD Adm. ___
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Laboratory ___
Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

TO Mr. W. R. Wannall

DATE: 2/10/75

FROM W. O. Cregar

1 - Mr. W. R. Wannall
1 - Mr. A. B. Fulton
1 - Mr. W. O. Cregar

SUBJECT SENSTUDY 75

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/6/00 BY SP2 ALM/[illegible] #MDR16

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Enclosures (2)

CONTINUED - OVER

WOC:dln
(7)

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WRW

NW 65360 DocId:32989530 Page 204

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#mDR16 11-6-00
CLASSIFIED BY SP-2 Alm 1776
DECLASSIFY ON: 25X1

ORIGIN AND DISPOSITION
OF THE
HUSTON PLAN

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

BACKGROUND:

By letter dated 6/20/69 Tom Charles Huston, Staff Assistant to the President, addressed a letter to the Director, FBI, stating that the President had directed that a report on foreign communist support of revolutionary protest movements in the United States be prepared for his study. According to the Huston letter, the President specifically requested that the report draw upon all the sources available to the intelligence community, that it be as detailed as possible, and that the word "support" should be liberally construed to include all activities by foreign communists designed to encourage or assist revolutionary protest movements in the United States. The letter stated that on the basis of earlier reports submitted to the President on a more limited aspect of the problem, it was apparent "present" intelligence collection capabilities in the area were inadequate. Huston stated the President wanted to know what resources were currently targeted toward monitoring foreign communist support of revolutionary youth activities in the United States, how effective they were, what gaps existed in our (U.S.) intelligence because of either inadequate resources or low priority of

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attention and what steps could be taken, if the President directed, to provide the maximum possible coverage of these activities.

The request was also sent to CIA, NSA and DIA seeking contributions relating to this same problem. Pursuant to the request, the FBI and CIA submitted available information on the matter. These responses were handled unilaterally and without coordination between CIA and FBI.

On 6/5/70 Director Hoover met with President Nixon at which meeting the President appointed him as chairman of a special intelligence committee to coordinate a more effective intelligence-gathering function.[1] He also instructed that the FBI, Central Intelligence Agency (CIA), National Security Agency (NSA) and the Defense Intelligence Agency (DIA) were to coordinate their efforts to insure that comprehensive information would be obtained for the President's use which would provide him with a worldwide picture of the efforts of new left and subversive groups in directing dissident activities in the United States. Present at this meeting were CIA Director Richard Helms; Vice Admiral Noel Gayler, NSA; General Donald V. Bennett, DIA; Mr. Tom Charles Huston, White House Staff Assistant;

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[1] Hearings before the Committee on the Judiciary, House of Representatives, Ninety-third Congress, Second Session Pursuant to H. Res. 803, "A Resolution Authorizing and Directing the Committee on the Judiciary to Investigate Whether Sufficient Grounds Exist for the House of Representatives to Exercise its Constitutional Power to Impeach Richard M. Nixon, President of the United States of America," Book VII, Part 1, pg. 375.

Assistant to the President H. R. Haldeman; Assistant to the President for Domestic Affairs John D. Ehrlichman and Robert H. Finch, Secretary of the Department of Health, Education and Welfare.

An initial meeting of the Interagency Committee on Intelligence (AD HOC) was held in Mr. Hoover's office on 6/8/70. This meeting was attended by Mr. Helms, Vice Admiral Gayler, General Bennett and Mr. Huston. Mr. Hoover emphasized the President's keen interest in the problem of intelligence collection and outlined the general objectives to which the Committee was to address itself. He instructed that a working subcommittee be established composed of representatives of all the member agencies which subcommittee was to be headed by FBI Assistant Director William C. Sullivan.

The first meeting of the working subcommittee was held on 6/9/70. At this meeting Mr. Huston presented the subcommittee with an outline which he stated the President desired the subcommittee to follow in preparing its report. The outline addressed itself mainly to the purpose, procedures and objectives of the subcommittee's review. The following from the outline is quoted:

"PURPOSE:

(A) To define and assess the existing internal security threat.

(B) To evaluate the collection procedures and techniques presently employed and to assess their effectiveness.

(C) To identify gaps in our present collection efforts and recommend steps to close these gaps.

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(D) To review current procedures for inter-community coordination and cooperation and to recommend steps to improve these procedures.

(E) To evaluate the timeliness of current intelligence data and to recommend procedures to increase both its timeliness and usefulness.

(F) To assess the priorities presently attached to domestic intelligence collection efforts and to recommend new priorities where appropriate.

PROCEDURES:

(A) Although the sub-committee will be officially constituted within the framework of USIB, it will in fact be an independent, ad hoc, inter-agency working group with a limited mandate.

(B) Operational details will be the responsibility of the chairman. However, the scope and direction of the review will be determined by the White House member.

(C) The sub-committee will submit its reports to the White House and not to USIB. Report will be due by July 1, 1970.

(D) To insure that the President has all the options available for consideration, the WH member may direct detailed interrogatories to individual agencies in order to ascertain facts relevant to policy evaluation by the President. Information resulting from such interrogatories will, if the contributing agency requests, be treated on a confidential basis and not be considered by the sub-committtee as a whole.

OBJECTIVES:

(A) Maximum coordination and cooperation within the intelligence community. The sub-committee may wish to consider the creation of a permanent Domestic Intelligence Operations Board, or some other appropriate mechanism to insure community-wide evaluation of intelligence data.

(B) Higher priority by all intelligence agencies on internal security collection efforts.

(C) Maximum use of all special investigative techniques, including increased agent and informant penetration by both the FBI and CIA.

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(D) Clarification of NSA's role in targeting against communication traffic involving U. S. revolutionary leaders and organizations. (S)

(E) Maximum coverage of the overseas activities of revolutionary leaders and of foreign support of U. S. revolutionary activities.

(F) Maximum coverage of campus and student-related activities of revolutionary leaders and groups.

(G) More detailed information about the sources and extent of financial support of revolutionary organizations.

(H) Clarification of the proper domestic intelligence role of the Armed Services.

(I) Development of procedures for translating analyzed intelligence information into a format useful for policy formulation."

At a meeting of the working subcommittee held on 6/23/70 a consensus was reached on a final draft of the Report to be issued by the Interagency Committee. This Report, which was captioned "Special Report Interagency Committee on Intelligence (AD HOC)," [2] dated June, 1970, and numbering 43 pages was signed and approved by the heads of each member agency at a final meeting of the Committee held in Mr. Hoover's office on 6/25/70. [3] The Report footnoted several objections by the FBI to certain options contained in the Committee's Report. [4] These objections are enumerated in a latter portion of this paper.

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[2] Ibid., pp. 384-431.

[3] Ibid., pg. 383.

[4] Ibid., pg. 433.

A copy of the "Special Report" was delivered to Mr. Huston at the White House on 6/26/70. The "Special Report" was divided into three main sections: Part One, a summarized estimate of the internal security threat; Part Two, a summary of various operational limitations on certain intelligence collection techniques with cited advantages of maintaining such restrictions as well as the advantages of relaxing them; and Part Three, an evaluation of interagency cooperation with suggested measures to improve the coordination of domestic intelligence collection.

During the first week of July, 1970, Huston sent the "Special Report" to H. R. Haldeman with a memorandum entitled "Operational Restraints on Intelligence Collection." In his memorandum Huston recommended that the President, from among the options discussed by the "Special Report," select, in most areas discussed, the options relaxing the restraints on intelligence collection.[5]

On 7/14/70 Haldeman sent a memorandum to Huston stating the President had approved Huston's recommendations for relaxing restraints on intelligence collection and requested a formal decision memorandum be prepared.[6]

In a memorandum dated 7/23/70 addressed to the AD HOC Committee agencies with copies for the President and Mr. Haldeman,[7] Mr. Huston advised that the President had carefully studied

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[5]Ibid., pg. 437.

[6]Ibid., pg. 445.

[7]Ibid., pp. 450, 454.

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the "Special Report" and had made certain decisions with respect to issues raised therein. The President's decisions called for a relaxation of certain existing restraints on intelligence coverage including the following: NSCID-6 was to be interpreted [to permit NSA to program for coverage the communications of United States citizens using international facilities;] (S) the intelligence community was directed to intensify electronic surveillance coverage of individuals and groups in the United States who pose a threat to the internal security; restrictions on legal mail coverage were to be removed and restrictions on covert mail coverage relaxed to permit its use on select targets of priority intelligence; restraints on the use of surreptitious entry were to be removed on certain high-priority targets; the coverage of violence-prone campus and student-related groups was to be increased; [CIA coverage of American students traveling or living abroad was to be increased;] (S) the restrictions on the use of military undercover agents were to be retained; each member agency was to submit a detailed estimate of manpower and monetary needs required to implement the decisions; and a committee consisting of the directors of representative agencies or appropriate alternates was to be constituted effective 8/1/70 to provide evaluation of domestic intelligence, prepare periodic domestic intelligence estimates, carry out other objectives specified in the Report and perform such other duties as the President should from time to time assign. The Director

of the FBI was appointed to serve as chairman of this committee. An attachment to the memorandum from Mr. Huston captioned "Organization and Operations of the Interagency Group on Domestic Intelligence and Internal Security (IAG)" set forth specific composition, operations and duties of this new committee.[8]

On receipt of the letter from Mr. Huston the Director, FBI, addressed a letter to the Attorney General dated 7/27/70 pointing out FBI objections to certain of the decisions reported in the Huston letter. Mr. Hoover objected to relaxation of electronic surveillance policy, the implementation of covert mail coverage, the removal of restrictions on the use of surreptitious entry of embassies to obtain cryptographic materials, the removal of controls and restrictions relating to the coverage of violence-prone campus and student-related groups and the establishment of a permanent Interagency Committee on Domestic Intelligence. The Director stated that in the "Special Report" he had pointed out his opposition to these aspects of the Report and requested of the Attorney General a prompt expression of his views concerning the matter. He noted that no action to implement the instructions contained in Mr. Huston's letter would be taken pending a reply from the Attorney General.

No further action to implement the Huston letter subsequent to the 7/27/70 letter to the Attorney General was instituted by the intelligence community. There is no indication that the Attorney General ever responded to this communication.

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[8]Ibid., pg. 456.

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On or about 7/27/70 each recipient agency of the 7/23/70 memorandum received a telephone call from the White House instructing that the memorandum be returned.

NW 65360 DocId:32989530 Page 213

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-6-00 BY SP2ALM/[illegible]

INTELLIGENCE EVALUATION COMMITTEE

Introduction

Since its existence was first revealed publicly during the height of the Senate Watergate Committee investigation in 1973, the Intelligence Evaluation Committee (IEC) has been the object of suspicion and misunderstanding. Unfortunately associated by some politicians and representatives of the media with such things as political spying, illegal electronic surveillance and surreptitious entry, it was nothing more than an effort by the Executive Branch to better coordinate and disseminate intelligence information received by various intelligence and investigative agencies in the Federal Government. While the fact of its existence was kept secret, which may have contributed to the misunderstanding of its purpose and function, the IEC was not an operational entity. That is, it did not conduct its own investigations as did the FBI and other agencies. Nor did it engage in surreptitious entries, wiretapping or other similar activity. It merely received data collected by the agencies represented on the Committee and put this information into one comprehensive report or estimate for dissemination to interested agencies and individuals within the Executive Branch. The Committee was staffed by career personnel

and it existed for approximately 18 months.

Origin

In November, 1970, then Attorney General John Mitchell met with John Ehrlichman, Assistant to the President for Domestic Affairs; Richard Kleindienst, Deputy Attorney General; Jerris Leonard, Administrator of the Law Enforcement Assistance Administration (LEAA); Robert Mardian, Assistant Attorney General, Internal Security Division; and a consultant from the State of Washington, former State Judge Morell Sharp, to discuss the need for an inter-departmental unit capable of obtaining and evaluating intelligence information from all the resources of the Federal Government relating to the membership, status and activities of militant terrorist groups operating within the United States. The meeting took place on November 10, 1970 in Mr. Mitchell's office and, according to a memorandum dated November 12, prepared by Mr. Mardian, past attempts to elicit such cooperation from interested departments and agencies of the Executive Branch had been unsuccessful. It was decided that Judge Sharp, John Dean, then Counsel to the President, and Mr. Mardian were to contact the heads of various agencies and explain the wishes of the President and seek their advice and cooperation. (See Attachment 1).

According to a memorandum dated December 17, 1970, from Mr. Mardian to the Attorney General, a second meeting of the Intelligence Evaluation Committee took place at 9:00 a.m. in the Executive Office Building, and was attended by Mr. Mardian, Judge Sharp, Mr. Dean, Egil Krogh (Deputy Counsel to the President), Robert Froehlke (Assistant Secretary of Defense), James Angleton (Central Intelligence Agency), Thomas Kelly (Secret Service), Benson Buffham (National Security Agency), George Moore (Federal Bureau of Investigation) and John Doherty (Department of Justice). It was agreed at that meeting that on or before January 6, 1971 the agencies represented would furnish information relating to "organizational targets and intelligence targets." Judge Sharp was to be available on a full-time consulting basis beginning January 11, 1971, and the Committee was to have its next meeting on January 11 at 9:00 a.m. (See Attachment 2).

Judge Sharp attended three meetings of the IEC during its initial stages of development. He did not attend the fourth scheduled meeting on January 25, 1971, at which time Mr. Mardian explained his absence by stating there had been several inquiries by the former Judge's acquaintances

in Congress which caused the Attorney General and the White House to be concerned that it would be difficult to maintain appropriate security regarding the Committee's work with Judge Sharp as its head. Mardian stated that at a meeting at the White House on January 21, it was decided that Judge Sharp would be removed from the Committee and assigned other consultant duties with the Justice Department.

Subsequent memoranda revealed that certain individuals were designated by their respective agencies as representatives on the Intelligence Evaluation Committee, and by February 10, 1971 a document outlining the authority, mission, membership, staff, procedures and functions and office space and facilities was drafted and presented to each of the member-representatives.

Functions and Purpose

According to the February 10, memorandum, the purpose of the Intelligence Evaluation Committee was to provide intelligence estimates to the respective Government departments and agencies on a need-to-know basis, in order to effectively evaluate and anticipate problems for appropriate response to civil disorders. In carrying out this mission, the Committee was to have access to all pertinent intelligence in the possession of the United States Government. The membership

was to consist of representatives from the Department of Defense, Department of Justice, Central Intelligence Agency, Federal Bureau of Investigation, Secret Service, and National Security Agency and "when necessary, representatives of other departments and agencies designated by the Committee." 1/

The Committee was to be supported by a permanent staff consisting of representatives from member departments and agencies and headed by an Executive Director appointed by the Committee. The staff was to perform certain functions which included: (1) when requested by the Committee, agency representatives would furnish to the staff all pertinent information relevant to the stated request of the Committee; (2) prepare estimates; (3) report information gaps; (4) recommend subjects for intelligence estimates; (5) prepare relevant studies and reports; and (6) provide for the secrecy of the information received and the protection of all sources of the information. The Department of Justice provided necessary office space, supplies and incidental administrative support. (See Attachment 3).

1/ In his report of January 15, 1975 to the Senate Appropriations Committee, Director of Central Intelligence William E. Colby stated that the State Department was represented on the IEC. It was not. However, at some time after its formation, the Treasury Department appointed a representative to the Committee.

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Mr. Hoover initially declined a request from Mr. Mardian to provide staff support, but on May 17, 1971, the Attorney General requested that the FBI provide two agents and one secretary for the permanent working staff of IEC. Mr. Hoover acceded to this request.

Meetings and Reports

John Doherty of the Department of Justice was named as the first Executive Director of the Intelligence Evaluation Committee and with the approval of the Assistant Attorney General, Internal Security Division, James McGrath, a staff attorney, was assigned as his assistant. Subsequently, Bernard Wells, a former Special Agent of the Federal Bureau of Investigation replaced Mr. Doherty, who retired from government service, as Executive Director in September, 1971. Weekly meetings were held with representatives of the various agencies and procedures for agency contribution to IEC estimates or reports were adopted. (See Attachment 4).

The first estimate or report prepared and disseminated by the IEC was designated E-1 dated February 18, 1971 entitled "April-May Demonstrations" dealing with the potential for violence during the anti-war demonstrations in Washington and other parts of the country planned for April-May 1971. During the period February 18, 1971 to April 30, 1973, the Committee

produced and disseminated 31 estimates or reports dealing with such subjects as anti-war demonstrations, potential for violence in major cities, black power organizations, Arab terrorist groups, prison riots, and related topics. There is attached a complete list of all of the estimates or reports produced and disseminated by the IEC during its existence. (See Attachment 5). The estimates were disseminated to the Counsel to the President; Director, Central Intelligence; Director, National Security Agency; Director, Secret Service; Director, Federal Bureau of Investigation; Director, Office of Law Enforcement, Treasury Department; the Assistant Attorney General, Internal Security Division, Department of Justice; and the Defense Intelligence Agency. No estimates were produced after April 30, 1973. A communication to all interested agencies dated June 11, 1973 pointed out that inasmuch as the end of the war in Vietnam had resulted in the termination of demonstrations which carried a potential for violence, there was no longer any useful function to be served by the IEC and that, effective immediately, the IEC would no longer be in existence.

During July, 1971, Mr. Mardian, at a meeting of the IEC, stated that President Nixon had requested a report regarding the handling of classified information, which was prompted

by the Pentagon Papers case. Shortly thereafter, the IEC staff was advised that White House Staff Member Gordon Liddy had been appointed to work with the IEC regarding its study of the handling of classified information and by November, 1971 the IEC completed and disseminated a special report entitled "The Unauthorized Disclosure of Classified Information."

Relationship of the IEC to the "Huston Plan"

In June 1970, J. Edgar Hoover met with President Nixon, at which time Mr. Hoover was appointed chairman of a special committee to coordinate more effectively the intelligence-gathering efforts of the FBI, CIA, NSA, and DIA. The head of each of these agencies was present at a June 5, 1970 meeting with the President, which included White House Staff Assistant Tom C. Huston. Subsequently, a working subcommittee headed by Assistant Director William C. Sullivan of the FBI was formed, and it held a series of meetings beginning June 9, 1970. A final meeting held in late June 1970, a "Special Report" was filed and approved by the head of each member agency.

The "Special Report", which was submitted by Mr. Hoover to the President, was divided into three sections: a summary of the internal security threat; summarized limitations on

NW 65360 DocId:32989530 Page 221

certain intelligence collection techniques; and, a brief evaluation of interagency cooperation, with suggested measures to improve the coordination of domestic intelligence collection. Mr. Hoover objected to certain options for relaxation of restraints on intelligence gathering. Although President Nixon at first approved the relaxation of certain restraints, this approval was rescinded about five days later.

Inquiries by Various Committees of Congress and Other Entities Into the Operations of the IEC

Since its disclosure, the IEC has been the target of a number of investigations and inquiries, none of which has revealed any illegality or impropriety. The Senate Select Committee on Presidential Campaign Activities (Senate Watergate Committee) interviewed former IEC personnel in 1973, and a member of the Committee staff was offered access to all IEC reports and documents. The final report of the Watergate Committee published in June 1974 makes no reference to any improper or illegal activity by the IEC, but devoted a section to the Huston Plan. (See Attachment 6).

The House Judiciary Committee Investigating the Impeachment of Richard Nixon (Rodino Committee) did not see fit to conduct any investigation of the IEC, and one may conclude that

it developed no information which would require scrutiny. The Senate Subcommittee on Constitutional Rights (Ervin Committee), after submitting voluminous questionnaires to the Department of Justice beginning in August, 1973 regarding the activities of the former Internal Security Division, was given complete information and access to all documents relating to the IEC and, to date, has reported no finding of impropriety or illegality.

The Watergate Special Prosecution Force has been given complete access to the documents and records of the Committee and it has conducted interviews of former Committee representatives and staff with no report to the Attorney General of any improper conduct. Moreover, the IEC will continue to be a target of inquiry by the recently formed Select Committee to Study Governmental Operations With Respect to Intelligence Activities (Church Committee).

In his testimony before the Senate Watergate Committee, former Counsel to the President, John Dean, testified that "I am unaware of the IEC ever having engaged in any illicit activities or assignments." See, Hearings Before the Select Committee on Presidential Campaign Activities of the United States Senate, 93rd Cong., 1st Sess., at 916 (1973).

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Attachment 1

Form DJ-150
(Ed. 4-26-65)

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

~~SECRET~~

TO : The Attorney General

DATE: 11/12/70

FROM Robert C. Mardian
Assistant Attorney General
Internal Security Division

SUBJECT:

DOMESTIC INTELLIGENCE UNIT

The purpose of this memorandum is to set forth the tentative conclusions reached in the discussion in your office on November 10, 1970, which was attended by yourself, John Ehrlichman, the Deputy Attorney General, Jerris Leonard, Justice Morell Sharp, and Robert Mardian.

1. That there was a need for an inter departmental unit capable of obtaining and evaluating intelligence information from all the resources of the Federal government, relating to membership, status and anticipated activities of militant terrorist groups operating within the United States.

2. That previous attempts to elicit the cooperation of the Departments and Agencies possessing this information have been unsuccessful for numerous reasons and that the most recent attempt failed largely because of the lack of confidence by the Departments and Agencies in the White House representative responsible for contacting them.

3. That Justice Sharp, John Dean, and Robert Mardian be appointed as an ad hoc committee to contact the heads of the affected Departments and Agencies and explain the wishes of the President in this regard, and to seek their advice and enlist their cooperation in this effort. That such contacts would only be made after the heads of the affected Agencies were advised by the White House of the appointment and purposes of the ad hoc committee.

cc - Deputy AG
John Dean
Jerris Leonard

~~SECRET~~

NW 65360 DocId:32989530 Page 224

4. That the Inter-Departmental Information Unit(IDIU) of the Department of Justice would be used as a cover for the proposed domestic intelligence unit.

5. That Justice Sharp would meet with Jim Devine of the IDIU for the purpose of informing himself as to the character of the IDIU operation and developing with Devine a strategy for the use of the IDIU as the operating entity for the proposed domestic intelligence unit.

Justice Sharp, Dean, and Mardian met on Wednesday, November 11, and reviewed the history of the government's attempt to create a domestic intelligence unit, including the efforts of the Ad Hoc Inter-Agency Committee(under the Chairmanship of Director Hoover) that recently made a study of the domestic intelligence gathering process and proposed steps that could be taken to improve that process.

It was generally agreed that, initially, the proposed domestic intelligence unit should limit itself to obtaining and evaluating the available intelligence information from the existing sources of the government and developing a more sophisticated method of collating and evaluating such information.

If you approve the foregoing and will advise us that preliminary contact has been made with the heads of the affected Agencies, we will proceed in accordance with your instructions.

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(Ed. 4-26-65)

UNITED STATES GOVERNMENT DEPARTMENT OF JUSTICE

Memorandum

~~SECRET~~ - EYES ONLY

TO : The Attorney General

DATE: December 17, 1970

OFFICE OF THE ATTORNEY GENERAL RECEIVED DEC 17 1970

FROM : Robert C. Mardian RCM
Assistant Attorney General
Internal Security Division

SUBJECT: Intelligence Evaluation Committee Meeting

The second meeting of the Intelligence Evaluation Committee took place at the hour of 9 AM in the Conference Room of the Vice President, Executive Office Building, on Wednesday, December 16, 1970. Attending were Justice Morell Sharpe, Egil Krogh, John Dean, Robert Froehlke (DOD), James Angleton (CIA), Thomas Kelly (Secret Service), Benson Buffham (NSA), George Moore (FBI), John Doherty (Technical Advisor to the Chairman), and myself.

Assistant Secretary Froehlke explained that he had been requested by Secretary Laird to attend the preliminary meetings and that after he had had an opportunity to brief the designee (probably Colonel Downey) that said designee would attend future meetings. He requested that I meet with him and Don Bennett of the DIA preliminary to Secretary Laird's making any designation. This I agreed to do.

I opened the meeting by briefly outlining the conclusions reached at our first meeting for the benefit of those who were not present. We then discussed how best to approach a solution to the problem and it was unanimously agreed as follows:

> That on or before January 6, 1971, the operative agencies represented would furnish to me under appropriate security measures: (1) organizational targets and (2) intelligence targets (such as the extent and nature of foreign influence on our organization targets and the extent and nature of the financing of our organization targets).

Inspector Moore disclosed that the FBI had compiled a calendar of demonstrations and events planned by certain of the target organizations. He agreed to furnish a copy of the calendar to

~~SECRET~~ - EYES ONLY

me and it was agreed that I would circulate the calendar (much of which is public knowledge) under appropriate security measures to ascertain whether or not the other agencies represented were aware of any further planned demonstrations.

We informed the Committee that sufficient space for the evaluation committee had been provided in FOB #7 and that Justice Sharpe would be available on a full-time consulting basis starting on January 11, 1971.

The Committee agreed to have its next meeting on Monday, January 11 at 9 AM, at which time I will have engrossed the submissions of each of the member agencies and further that at the next meeting we would attempt to establish priorities with respect to our intelligence targets.

The meeting adjourned at 11:35 AM.

cc: The Honorable John Ehrlichman
The Honorable Robert Haldeman

NW 65360 DocId:32989530 Page 227

Form DJ-150
(Ed. 4-26-65)

UNITED STATES GOVERNMENT

Memorandum

DRAFT

DEPARTMENT OF JUSTICE

SECRET - EYES ONLY

TO : See Addressees Below

DATE: February 10, 1971

FROM : Robert C. Mardian
Assistant Attorney General
Internal Security Division

SUBJECT: Intelligence Evaluation Committee

I. AUTHORITY:

Interdepartmental Action Plan for Civil Disturbances.

II. MISSION:

To provide intelligence estimates to the responsible Government departments and agencies on a need-to-know basis in order to effectively evaluate and anticipate problems to appropriately respond to civil disorders. In carrying out this mission, the Committee shall have access to all pertinent intelligence in the possession of the United States Government.

III. MEMBERSHIP:

Members of the Committee shall consist of representatives of the following departments and agencies: Department of Defense; Department of Justice; Central Intelligence Agency; Federal Bureau of Investigation; Secret Service; National Security Agency, and, when necessary, representatives of other departments or agencies designated by the Committee.

IV. STAFF:

The Committee will be supported by a permanent intelligence estimation staff* consisting of representatives from member

* The Federal Bureau of Investigation advised it would not provide personnel for this staff.

departments and agencies and headed by an executive director appointed by the Committee.

V. PROCEDURES AND FUNCTIONS:

The permanent staff will perform the following functions:

1. When requested by the Committee, the Departments or Agencies represented shall furnish to the Committee staff all pertinent information relevant to the stated request of the Committee. Such requests for intelligence data shall first be approved by the Committee. The Executive Director of the permanent staff may initiate requests for information from member agencies subject to review and approval by the committee.

2. Prepare estimates from time to time as directed by the Committee.

3. Report information gaps to the Committee as such gaps are identified.

4. Recommend to the Committee no less often than monthly subjects for intelligence estimation.

5. Prepare other relevant studies and reports as directed by the Committee.

6. Provide for the security of information received and the protection of all sources of information.

VI. OFFICE SPACE AND FACILITIES:

The Department of Justice shall provide necessary office space, supplies, and incidental administrative support.

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ADDRESSEES:

Inspector George C. Moore
Mr. Benson Buffham
Mr. Thomas J. Kelley
Colonel John W. Downey
Mr. Richard Ober

SECRET

PROCEDURES FOR THE AGENCIES CONTRIBUTION TO IEC ESTIMATES

1. The INTELLIGENCE EVALUATION COMMITTEE (IEC) has been charged with the responsibility of providing intelligence estimates to designated Government departments by effectively evaluating and anticipating problems of civil disorder. To evaluate a potential problem it will be necessary for IEC to request each assisting agency to prepare an intelligence analysis. The analysis, in the form of evaluated contributions, will be forwarded to the Executive Director of IEC. These contributions, pursuant to requirements set forth by IEC, will become the basis for the IEC's intelligence estimate of potential problems of civil disorder.

2. The IEC does not desire to receive a voluminous collection of intelligence data from the member agencies. The contribution should be an evaluation of the particular situation based on the data which that agency has in its possession. The IEC Staff may issue GUIDELINES, to assist the five agencies in the preparation of their intelligence contribution. Additionally, such GUIDELINES will be of assistance to IEC in identifying intelligence "gaps" and the basis for making supplemental requests to the individual agency for further intelligence information.

3. The following format will be generally used by the IEC evaluation staff in the preparation of intelligence estimates. It would be of great assistance if the participating agencies would follow the same format when submitting the completed contribution.

FORMAT

1. The Problem
2. Summary
3. Conclusions/Comment
4. Background
5. Discussion

GROUP I

NW-65360 DocId:32989530 Page 231

E-1	April-May Demonstrations
E-2	Likelihood of New Momentum on the Antiwar Activities and Forces in View of the Laos and Cambodian Situation
E-3	Likelihood of Kidnapping of any High U. S. Government Official in the Immediate Future by Political Terrorists
E-4	Calendar of Significant Antiwar Events
E-5	An Assessment of the Antiwar Movement in the U.S.
E-6	An Estimate of JEWISH DEFENSE LEAGUE (JDL) Planned Activities During Demonstrations Scheduled for Lafayette Park on March 21, 1971
E-7	The Potential for Violence in the Major Cities During Summer 1971
E-8	Proposed Demonstrations in Washington, D. C. (for two week periods, beginning w/April 23 - May 5)
E-9	The Effect of the Death of Francois Duvalier on the Internal Security of the U. S.
E-10	Plans of the PCPJ and NPAC, and any other organizations to Demonstrate at Military Bases on May 16, 1971
E-11	Likelihood of Demonstrations by the PCPJ or any other organization at the NATO Conference on Cities, to be held at Indianapolis, Indiana, on May 26 - 31, 1971
E-12	Intelligence Calendar of Significant Events (Monthly)
E-13	The Planned Disruption at The White House on June 12, 1971
E-14	Antiwar Conferences, June-July 1971, and Their Effect on the Future Activities of the Antiwar Community
E-15	Interrelationship of Black Power Organizations Within the Western Hemisphere

E-16	Interrelationship of Arab Terrorist Groups and U. S. Black Militants
E-17	Jewish Defense League; An Assessment
E-18	October-November Antiwar Offensive
E-19	Prison Riots
E-20	An Assessment of the Communications and Communications Security Capabilities of Violence-Prone Groups Within the United States
E-21	Unauthorized Disclosures
E-22	Potential Disruptions at the 1972 Republican National Convention, San Diego, California
E-23	Potential Disruptions at the 1972 Democratic National Convention, Miami Beach, Florida
E-24	Demonstration and Racial Disturbance Study
E-25	Phone Phreaking
E-26	Militant Left's Involvement in the Labor Movement
E-27	African Liberation Day
E-28	Intelligence Requirements List
E-29	Protest Demonstrations During Presidential Inagururation Ceremonies
E-30	Foreign Students - Terrorists
E-31	Events and Personalities Attractive to Terrorist Attack

Attachment 6

1. THE HUSTON PLAN

The earliest evidence that this concept of presidential power existed is found in a 1970 top secret document entitled "Operational Restraints on Intelligence Collection,"[16] and the various memorandums from Tom Charles Huston to H. R. Haldeman which were first revealed by John Dean.[17] In preparation for his testimony before the Select Committee, Dean placed these papers, some of which bore the highest security classification, in the custody of Chief Judge John Sirica of the U.S. District Court for the District of Columbia. This step was taken by Dean, on the advice of counsel, to avoid violation of any Presidential directive of Federal laws prohibiting release of Government documents affecting national security. After due consideration, Judge Sirica released one copy of these papers to the Department of Justice and one copy to the Select Committee, pursuant to its motion. (*United States* v. *John Doe*, et al., Misc. No. 77–73, May 14, 1973.)

The committee, with the aid of various intelligence agencies, reviewed these documents. While the committee sealed a few items therein, which could involve national security considerations, it concluded that these papers, for the most part, dealt primarily with domestic affairs and were unrelated to national security matters.[18] The papers, as sanitized by the committee, were entered into the committee's record during Dean's testimony.[19]

These papers and the President's own statement of May 22, 1973, disclose that the President approved the use of illegal wiretapping, illegal break-ins and illegal mail covers for domestic intelligence purposes. The President was fully advised of the illegality of these intelligence-gathering techniques prior to approving them. In the top secret document entitled "Operational Restraints on Intelligence Collection," the recommendation for surreptitious entries (break-ins) contained the following statement under the heading "Rationale":

> Use of this technique is clearly illegal. It amounts to burglary. It is also highly risky and could result in great embarrassment if exposed. However, it is also the most fruitful

[16] Exhibit 35, 3 *Hearings* 1062, 1319.
[17] Exhibits 36–40, 42, 3 *Hearings* 1062, 1324–33, 1338.
[18] 3 *Hearings* 1060, 1062.
[19] Exhibits 35–41, 3 *Hearings* 1062, 1319–37.

tool and can produce the type of intelligence which cannot be obtained in any other fashion.[20]

On July 14, 1970, Haldeman sent a top secret memorandum to Huston, notifying him of the President's approval of the use of burglaries, illegal wiretaps and illegal mail covers for domestic intelligence. In the memorandum, Haldeman stated:

> The recommendations you have proposed as a result of the review, have been approved by the President. He does not, however, want to follow the procedure you outlined on page 4 of your memorandum regarding implementation. He would prefer that *the thing simply be put into motion* on the basis of this approval. The formal official memorandum should, of course, be prepared and that should be the device by which to carry it out . . .[21] [emphasis added]

It appears that the next day, July 15, 1970, Huston prepared a decision memorandum, based on the President's approval, for distribution to the Federal intelligence agencies involved in the plan—the FBI, the CIA, the National Security Agency and the Defense Intelligence Agency.[22] In his May 22, 1973, public statement, the President reported that the decision memorandum was circulated to the agencies involved on July 23, 1970. However, the decision memorandum is dated July 15, 1970, indicating that it was forwarded to the agencies on that day or shortly thereafter.[23]

Huston's recommendations were opposed by J. Edgar Hoover, Director of the FBI.[24] Hoover had served as the chairman of a group comprised of the heads of the Federal intelligence agencies formed to study the problems of intelligence-gathering and cooperation among the various intelligence agencies.[25] In his public statement of May 22, 1973, President Nixon stated:

> After reconsideration, however, prompted by the opposition of Director Hoover, the agencies were notified 5 days later, on July 28, that the approval had been rescinded.

Haldeman's testimony is to the same effect.[26] Dean, however, testified that he was not aware of any recision of approval for the plan[27] and there apparently is no written record of a recision on July 28 or any other date. There is, however, clear evidence that, after receipt of the decision memorandum of July 15, 1970, Mr. Hoover did present strong objections concerning the plan to Attorney General Mitchell.[28]

Huston was concerned that Hoover's objections would interfere with the plan's implementation. On August 5, 1970, 8 days *after* the President states he ordered recision, Huston sent Haldeman a lengthy top secret memorandum on the subject, "Domestic Intelligence," which strongly attacked Hoover's objections and made a number of recommendations concerning a forthcoming meeting regarding the plan

[20] Exhibit 35, 3 *Hearings* 1321.
[21] Exhibit 36, 3 *Hearings* 1324.
[22] *New York Times*, June 7, 1973, p. 36.
[23] *New York Times*, June 7, 1973.
[24] 3 *Hearings* 916.
[25] Appendix of Legal Documents at p. 628.
[26] 7 *Hearings* 2874.
[27] 3 *Hearings* 1066.
[28] 3 *Hearings* 916; 4 *Hearings* 1603.

among Haldeman, the A[illegible] the fact that the plan wa[illegible] the following langu[illegible]

> At some point, H[illegible] has become totally [illegible] mental to our dom[illegible] important to remem[illegible] knows that the Pres[illegible] and Hoover has now [illegible] gets his way, it is go[illegible] the President. He n[illegible] against him. T[illegible] stand why the AG i[illegible] going to look d[illegible] Bennett, and the [illegible] reverse a President[illegible] people worked their [illegible] merits, was a first-ra[illegible]

It should be noted that [illegible] DIA, CIA and the milit[illegible] recommendations.

Two days later, on Aug[illegible] memorandum to Hald[illegible] Attorney General and s[illegible] that the Director (Hoo[illegible] and that all intelligence [illegible] once."[31] Huston no[illegible] coast to vacation for 3 [illegible] the problems surrounding [illegible] be into the new school year.

Later, on September 18, [illegible] claims the plan was resc[illegible] to the Attorney General [illegible] *our domestic intelligence* [illegible] added] This memorandu[illegible] Inter-Agency Domestic [illegible] part of the Huston plan. [illegible] observed that Hoover was [illegible] unit and that it was imp[illegible] Far from indicating th[illegible] mendation to remove re[illegible] been withdrawn, Dean, in [illegible] General:

> I believe we agree[illegible] any blanket removal [illegible] priate procedure wou[illegible] we need, based on a[illegible]

[29] Exhibit 37, 3 *Hearings* 1[illegible]
[30] Exhibit 37, 3 *Hearings* 1[illegible]
[31] Exhibit 33, 3 *Hearings* 1[illegible]
[32] *Ibid.*

among Haldeman, the Attorney General and Hoover.[29] Indicative of the fact that the plan was still quite alive, but imperiled by Hoover, is the following language in this memorandum:

> At some point, Hoover has to be told who is President. He has become totally unreasonable and his conduct is detrimental to our domestic intelligence operations . . . It is important to remember that the entire intelligence community knows that the President made a positive decision to go ahead and Hoover has now succeeded in forcing a review. If he gets his way, it is going to look like he is more powerful than the President. He had his say in the footnotes and RN decided against him. That should close the matter and I can't understand why the AG is a party in reopening it. All of us are going to look damned silly in the eyes of Helms, Gayler, Bennett, and the military chiefs if Hoover can unilaterally reverse a Presidential decision based on a report that many people worked their asses off to prepare and which, on the merits, was a first-rate, objective job.[30]

It should be noted that this memorandum indicates that the NSA, DIA, CIA and the military services basically supported the Huston recommendations.

Two days later, on August 7, 1970, Huston sent a brief, confidential memorandum to Haldeman urging that Haldeman "meet with the Attorney General and secure his support for the President's decision, that the Director (Hoover) be informed that the decision will stand, and that all intelligence agencies are to proceed to implement them at once."[31] Huston noted that: "Mr. Hoover has departed for the west coast to vacation for 3 weeks. If you wait until his return to clear up the problems surrounding our domestic intelligence operations, we will be into the new school year without any preparations."[32]

Later, on September 18, 1970 (almost 2 months after the President claims the plan was rescinded), Dean sent a top secret memorandum to the Attorney General suggesting certain procedures to "*commence our domestic intelligence operation as quickly as possible.*" [emphasis added] This memorandum specifically called for the creation of an Inter-Agency Domestic Intelligence Unit which had been an integral part of the Huston plan. Dean's memorandum to the Attorney General observed that Hoover was strongly opposed to the creation of such a unit and that it was important "to bring the FBI fully on board." Far from indicating that the President's approval of Huston's recommendation to remove restraints on illegal intelligence-gathering had been withdrawn, Dean, in his memorandum, suggested to the Attorney General:

> I believe we agreed that it would be inappropriate to have any blanket removal of restrictions; rather, the most appropriate procedure would be to decide on the type of intelligence we need, based on an assessment of the recommendations of

[29] Exhibit 37, 3 *Hearings* 1325–29.
[30] Exhibit 37, 3 *Hearings* 1328.
[31] Exhibit 38, 3 *Hearings* 1330.
[32] *Ibid.*

this unit, and then proceed to *remove the restraints as necessary to obtain such intelligence.*[33] [emphasis added]

Dean's memorandum indicated that the creation of the Inter-Agency Domestic Intelligence Unit would go forward and provided recommendations for the choosing of a unit director to serve as a "righthand man" to the Attorney General and for the selection of representatives from the various intelligence agencies who would serve on it. Dean closed his memorandum with the suggestion that the Attorney General call weekly meetings to monitor problems as they emerged and "to make certain that we are *moving this program into implementation as quickly as possible.*"[34] [emphasis added] Recognizing that Hoover was still a problem, Dean added a note to the bottom of his memorandum: "Bob Haldeman has suggested to me that if you would like him to join you in a meeting with Hoover he will be happy to do so."[35]

Hoover, however, never did come completely "on board" and the plan for an Inter-Agency Domestic Intelligence Unit was never implemented. A clue to the fate of the Huston plan is provided by the edited, unauthenticated "Submission of Recorded Presidential Conversations to the Judiciary Committee of the House of Representatives by President Richard Nixon", on April 30, 1974, where the following passage appears:

> D. . . . what Bill Sullivan's desire in life is, is to set up a defense the national security intelligence system, a White House program. He says we are deficient. He says we have never been efficient, because Hoover lost his guts several years ago. If you recall he and Tom Huston worked on it. Tom Huston had your instructions to go out and do it and the whole thing just crumbled.
>
> P [Inaudible.][36]

Dean testified that the plan for the creation of an Inter-Agency Domestic Intelligence Unit was the product of White House fear of demonstrations and dissent.[37] Haldeman denied that such an atmosphere of fear existed in the White House.[38] In his statement before the committee, Haldeman gave as the reason for White House interest in improving intelligence-gathering operations the "critical proportions" of the domestic security problem in 1970 as illustrated by "a wave of bombings and explosions, rioting and violence, demonstrations, arson, gun battles and other disruptive activities across the country—on college campuses primarily—but also in other areas."[39] On this issue, Ehrlichman's testimony corroborates Haldeman's.[40]

The Huston recommendations themselves refer to "a major threat to the internal security"[41] and express the belief that "the potential for even greater violence is present and we have a positive obligation to take every step within our power to prevent it . . . for surely drastic violence and disorder threaten the very fabric of our society."[42]

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[33] Exhibit 41, 3 *Hearings* 1335.
[34] Exhibit 41, 3 *Hearings* 1337.
[35] *Ibid.*
[36] Edited Presidential Conversations, pp. 723–4.
[37] 3 *Hearings* 916.
[38] 7 *Hearings* 2874.
[39] *Ibid.*
[40] 6 *Hearings* 2512–13.
[41] Exhibit 35, 3 *Hearings* 1319.
[42] Exhibit 37, 3 *Hearings* 1327–28.

The committee notes [illegible] Clellan's Permanent Sub[illegible] Committee on Governmen[illegible] 1970, indicates that, in [illegible] were significant increases [illegible] Government facilities [illegible] against law enforcement [illegible]

Dean testified, however, [illegible] not only toward violent [illegible] strations and dissent. As [illegible]

> . . . [D]uring the [illegible] happened to be [illegible] White House and [illegible] stretched out in fro[illegible] me to his office to [illegible] the sign in the park [illegible] sign had to come d[illegible]
>
> Mr. David[illegible]

The committee notes that the evidence presented to Senator McClellan's Permanent Subcommittee on Investigations of the Senate Committee on Government Operations, in hearings beginning in July 1970, indicates that, in the several years preceding the hearings, there were significant increases in illegal acts of violence directed against Government facilities and a disturbing number of such acts directed against law enforcement officials.[43]

Dean testified, however, that the White House concern was directed not only toward violent demonstrations, but also to peaceful demonstrations and dissent. As an illustration he said:

> . . . [D]uring the late winter of 1971 . . . the President happened to look out of the windows of the residence of the White House and saw a lone man with a large 10-foot sign stretched out in front of Lafayette Park. Mr. Higby called me to his office to tell me of the President's displeasure with the sign in the park and told me that Mr. Haldeman said the sign had to come down. When I came out of Mr. Higby's office, I ran into Mr. Dwight Chapin who said that he was going to get some "thugs" to remove that man from Lafayette Park. He said it would take him a few hours to get them, but they could do the job.[44]

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

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 : MR. BASSETT

DATE: 2/6/75

FROM : F. B. GRIFFITH

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/25/00 BY SP-2 ALM/FTG

SUBJECT: SENSTUDY 75

SENSTUDY 75 is the code word for a new control file for all communications relating to the Senate Select Committee (SSC) to conduct investigation and study of conventional operations with respect to intelligence activities.

Pursuant to recommendation in memorandum W. O. Cregar to W. R. Wannall dated 1/27/75 regarding the SSC, I attended a meeting of the Ad Hoc Security Group of the U. S. Intelligence Board (USIB) Security Committee at CIA Headquarters on 2/5/75. Security representatives from DIA, NSA and CIA were present at this meeting which was concerned with proposals to protect the integrity of classified documents which will necessarily be provided the SSC during its investigation. Results are set forth below.

Attached are copies of: (1) proposed agreements the Director of Central Intelligence (DCI) will be asked to obtain from the SSC; (2) guides for protection of classifed information and of documents furnished the SSC; and (3) proposed secrecy agreement to be executed by SSC staff members and employees. These items were discussed paragraph by paragraph and revisions agreed upon were penciled in. These revised drafts will be discussed at a meeting on 2/7/75 of the Ad Hoc Group of USIB on Congressional Investigations to be attended by Section Chief W. O. Cregar. At this time a final version will be approved for presentment to the DCI.

The registry of the Joint Committee on Atomic Energy referred to on page 2 of the guides was described as a facility geared to handle and account for classified documents to the satisfaction of the intelligence community. It is guarded and has a suitable alarm system.

REC-18

The guides include the possibility that agencies presenting testimony may conduct their own security sweeps of the hearing room; calls for a system of document control as well as control from reproduction and destruction of classified material. Consideration of secure transcription procedures is requested with the

Enclosures (3)
1 - Messrs Callahan, Adams, Mintz,
Wannall, Cregar

FBG:njw

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CONTINUED - OVER

possibility that each agency could provide such service. It might be necessary, however, to provide escort service in the event outside transcribers are utilized. This would entail security of carbons, waste and notes and return of the transcribed testimony to the Committee upon completion. It was also suggested that a security officer be appointed by the SSC who would be a central contact for representatives of agencies falling within the purview of the SSC investigation. Attached material was reviewed by Legal Counsel Division by Inspector J. E. Herington who concurred with the exception of item number 4 of the proposed guidelines dealing with countermeasures of inspections to preclude, ". . . surreptitious use of transmitters and/or unauthorized recording devices similar to the device located in the Rayburn House Office Building on 12 February 1973." He noted this wording could be construed as placing a limitation on what type of device could be prohibited and suggested revising the above phraseology by placing a period after "recording devices" and then stating, "It is noted such a device was located in the . . ."

OBSERVATIONS:

At this time it is unknown if the above-mentioned material will be accepted by the SSC or whether the committee will draw up its own procedures. In any event, the material to be presented will at least serve as a means of calling the Senators' attention to the many faceted program involved in the protection of classified information. It is felt concurrence with the attached material with the suggested observation of the Legal Counsel Division be accepted is to our best interest.

ACTION:

It is recommended Section Chief W. O. Cregar offer the revision referred to above at the meeting on 2/7/75 and be authorized to offer FBI concurrence with this material.

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AGREEMENTS TO BE SOUGHT BY THE DCI WITH CHAIRMEN OF THE SELECT COMMITTEES

1. It would be desirable if the DCI could secure agreement with the Chairmen of the Select Committees, as has been customary in other Congressional proceedings regarding sensitive matters, that:

(a) Departments and agencies shall have the right to request that testimony be given only in executive session, that in some instances testimony be "off-the-record" and that certain testimony be heard only by members and in some cases only by the Chairman and Vice Chairman.

(b) Witnesses be afforded an opportunity to review and comment on and/or correct the record of their testimony prior to any publication of it.

(c) The "Third-Agency Rule" is binding upon members of the United States intelligence community and may require witnesses representing one member of the intelligence community to decline to testify concerning matters within the proprietary purview of another community member.

2. It would also be desirable if the DCI could secure agreement with the Chairmen of the Select Committees that those agencies

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furnishing documents to the committees be authorized to excise from those documents prior to presentation, the names of their personnel as well as those of other individuals whose safety or individual privacy may be jeopardized by disclosure. This would include names of sources or specific information on highly technical devices and operations in keeping with the DCI's responsibilities to protect sources and methods.

3. THAT THE DCI ATTEMPT TO SECURE AN AGREEMENT WITH THE CHAIRMEN OF THE SELECT COMMITTEES THAT THEY ENTERTAIN AND CONSIDER SECURITY PRINCIPLES AND GUIDELINES WHICH WILL BE PROVIDED.

NW 65360 DocId:32989530 Page 242

GUIDES FOR PROTECTION OF CLASSIFIED INFORMATION AND DOCUMENTS FURNISHED THE SELECT COMMITTEES

1. Personnel Security Clearances

(a) Background Investigation

It would be desirable for the Select Committees to stipulate that no staff member is to be given access to any classified material, testimony or information received or generated by the committees without prior receipt of a security clearance based on a full field investigation.

(b) Secrecy Agreement

It would be desirable for the Select Committees to require a signed secrecy agreement of employees or individuals assigned to the committees' staffs. The agreement should include provisions:

1) That acceptance of committee secrecy regulations is a condition precedent of employment or assignment;

2) Recognizing US Government property rights to classified information;

3) Requiring prior written consent before divulgence of classified information.

4) For recognition that breach of the secrecy rules and obligations contained in the agreement could subject the

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62-116395-14

signer to administrative and/or legal action under appropriate statutes;

5) That there is no time limit on the terms of the agreement.

2. Physical and Document Security

The Select Committees should adopt rules to insure that the secrecy of any sensitive information received or generated by it be preserved. These rules be made known to the individuals and agencies who will be called upon to present testimony or materials. Among these should be rules on physical security and document security.

(a) Physical Security

It would be desirable if the Select Committees adopt the following rules related to physical security:

1) All classified material will be stored in safes for safe-keeping in the registry of the Joint Committee on Atomic Energy or similar facility and handled in accordance with the regulations of this registry for classified material.

~~2) Material should be stored in safes when not in use.~~

NW 65360 DocId:32989530 Page 244

2~~b~~) TWENTY FOUR HOUR Guard protection SUPPLEMENTED BY ANTI-INTRUSION ALARMS should be required on THE STORAGE ~~this~~ area.

3~~a~~) Areas selected for use in closed session should be guarded against entry by unauthorized persons.

4~~b~~) Agencies presenting testimony should be permitted to conduct or arrange with the Sergeant-at-Arms to conduct audio countermeasures inspections to preclude the possibility of surreptitious use of transmitters and/or unauthorized recording devices similar to the device located in the Rayburn House Office Building on 12 February 1973.

5~~b~~) At the end of each session of the Select Committees, the hearing room should be examined by a cleared staff officer who will secure any misplaced classified material or waste.

6~~a~~) Areas should be designated in which classified material can be reviewed. These areas should be secure against access by unauthorized personnel. Material should not be removed from these areas for the sake of convenience except when necessary for the work of the committees and should not be transported overnight to the office or residence of personnel of the committees.

NW 65360 DocId:32989530 Page 245

(b) Document Security

1) Committees should select and identify a single location/and specific personnel authorized to sign acknowledgement of receipt of classified materials provided ~~by~~ to the committees.

2) A system of document control should be established to permit control of classified documents to provide for accountability. ~~of documents furnished the committee.~~

3) Duplication of documents should be controlled so as to ~~permit~~ require a record of the document reproduced, the number of copies reproduced, and the custodian or receiving personnel. Reproduced classified documents should be subject to the same controls as the original.

4) Appropriate arrangements should be made for the destruction of classified waste.

5) Transcripts. The committees should give consideration to the necessity of providing appropriate security in the transcription of testimony by committee transcribers. The committees may desire to charge each agency presenting testimony with this responsibility. In some, if not all cases, this might include escort of

NW 65360 DocId:32989530 Page 246

materials to the place of transcription, the securing of carbons, waste and notes and the return of the transcribed testimony to the committee for safekeeping in accordance with committee rules.

6) At the conclusion of the committees' investigations, classified material should be reviewed for ~~the possibility of~~ disposition, including ~~by~~ return to contributors. ~~of material submitted by them.~~

3. Security Officer

It would be desirable if the committees appointed one member of its staff as a security officer with the responsibility of discharging the security rules adopted by the committee and of serving as a point of contact with the departments and agencies of interest to the committee. It would also be desirable if the committee rules required each agency of interest to identify a single point of contact to facilitate provisions of security support required by the committee.

NW 65360 DocId:32989530 Page 247

SECRECY AGREEMENT

I, _____, in accepting employment or assignment with the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, recognize the special trust and confidence placed in me to protect classified information from unauthorized disclosure.

I hereby agree to accept the specific obligations set forth below as a condition precedent of my employment or assignment with the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, established by the Senate of the United States, Resolution 21, agreed to on January 27, 1975, hereinafter referred to as the Select Committee.

It is my understanding that in the course of my employment or assignment with the Select Committee I will be given access to information from departments and agencies of the Government which is classified in accordance with the standards set forth in Executive Order 11652 of March 8, 1972, as amended. All classified information so acquired by me in the course of my employment remains the property of the United States of America and I further agree to surrender upon demand by the Chairman of the Select Committee or

#MDR16
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63-116375-14

his designees or upon my separation from the Select Committee, any classified material which has come into my possession as a result of my employment or assignment with the Select Committee.

I hereby agree that I will never divulge, publish or reveal by word, writing, conduct, ~~including interviews for radio and television broadcasts~~ or otherwise any classified information which has come to my knowledge as a result of my employment or assignment with the Select Committee, without prior written consent of the Chairman or the President of the Senate or their duly authorized representative.

I hereby agree that any information learned during my employment or assignment with the Select Committee which is related to intelligence and prepared for publications by me will be submitted to the Chairman or the President of the Senate or their duly authorized representative prior to discussing with or showing to any publisher, editor or literary agent for the purpose of determining whether said material contains any classified information as defined in Executive Order 11652. I agree that the Chairman of the Select Committee, President of the Senate or their duly authorized

NW 65360 DocId:32989530 Page 249

representative has the authority to make the final determination as to whether information is classified and thus should be deleted from the material submitted.

I ~~am acquainted with the relevant portions of~~ have been informed of the provisions of (Insert relevant codes and sections as considered appropriate by the Department of Justice) and understand their meaning.

Further, I agree to abide by such rules and procedures as the Select Committee shall institute for the protection of classified material. I understand that any breach ~~on~~ of any part of the obligations in this agreement could subject me to legal and/or administrative action.

I further agree that all the conditions and obligations imposed on me with respect to the protection of classified information by this agreement and applicable security regulations apply during my employment or assignment and continue after that relationship has terminated.

I take the obligations set forth above freely and without any mental reservations or purpose of evasion.

_____
Signature

WITNESS:

_____
DATE

_____
Signature

_____

OPTIONAL FORM NO. 10
MAY 1962-EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Adams
1 - Mr. N.P. Callahan

TO : Mr. W. R. Wannall

DATE: 1/27/75

FROM : W. O. Cregar

1 - Mr. Bassett
1 - Mr. Wannall
1 - Mr. Cregar

SUBJECT: SELECT COMMITTEE OF THE SENATE

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

Memorandum W. O. Cregar to W. R. Wannall, dated 1/24/75, entitled "United States Intelligence Board (USIB), Meeting of 1/24/75," recommended that Section Chief William O. Cregar's name be provided to the Deputy Director of the Intelligence Community Staff as a point of contact within the FBI to coordinate matters dealing with the Senate Select Committee (SSC). The mandate of the SSC is to examine the extent of overt and covert intelligence activities in the U.S. and abroad.

On the morning of 1/27/75 Mr. John Clarke, Deputy Director of the Intelligence Community Staff, advised that Mr. Colby believes it is necessary for security representatives of FBI, CIA and National Security Agency (NSA), to meet in order to develop recommendations for the SSC as to how documents and testimony furnished to the SSC will be protected against unauthorized disclosure. In this regard, Mr. Donald E. Moore, former Inspector in the Intelligence Division and currently Chairman of the USIB Security Committee, will function as the USIB representative to this group.

62-116395-13

REC-111

OBSERVATIONS:

7 FEB 4 1975

According to the Senate Resolution dated 1/21/75 relating to the investigation and study of ~~governmental~~ operations with respect to intelligence activities, the SSC is going to involve all agencies of the Intelligence Community. In anticipation that Bureau representatives will be called to testify and asked to supply some extremely sensitive documents regarding our investigative activity in the U. S., it is believed essential that we have an input into how such documents and testimony are going to be handled by staff personnel of the Committee. Unless we participate in developing security standards, we may find that sensitive documents and testimony that we are called to provide to the Committee cannot be adequately protected from public scrutiny.

WOC:ebc
(6)

#MDR 16
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5-C

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XEROX
FEB 13 1975

62-90748

UNRECORDED COPY FILED IN

52 FEB 13 1975

Memorandum for Mr. Wannall
RE: SELECT COMMITTEE OF THE SENATE

ACTION:

If approved, Bureau Supervisor Fred B. Griffith, Document Classification and Security Coordinator, be designated as the Bureau representative to meet with the Chairman of the USIB Committee and representatives of NSA and CIA.

WRW/TWL

JBA

Jmd

Arrangements with USIB, NSA, CIA are appropriate as recommended here; however contacts with the Senate committee + staff should be made by liaison established with Congress. Cooperation of Intelligence Div. and Legal Counsel would serve best. JAM

NW 65360 DocId:32989530 Page 252

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Adams
1 - Mr. Callahan
1 - Mr. Mintz

TO : Mr. W. R. Wannall

DATE: 1/24/75

1 - Mr. Wannall
1 - Mr. Leavitt
1 - Mr. Mack
1 - Mr. Boynton
1 - Mr. Cregar

FROM : W. O. Cregar

SUBJECT: UNITED STATES INTELLIGENCE BOARD (USIB) MEETING OF 1/24/75

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP-2 ALM/JTG

Assoc. Dir. ___
Dep. AD Adm. ___
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Asst. Dir.:
Admin. ___
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Ext. Affairs ___
Files & Com. ___
Gen. Inv. ___
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Telephone Rm. ___
Director Sec'y ___

At a meeting of the USIB this morning Chairman Colby spoke briefly about Central Intelligence Agency (CIA) procedures for testifying before the Blue Ribbon Commission (BRC) investigating CIA as well as anticipated problems that might arise regarding future testimony at the Senate Select Committee (SSC) whose membership has not yet been announced. According to Colby, the mandate of the SSC is to examine the extent of overt and covert intelligence activities in the U. S. and abroad. Colby advised that the SSC would involve all member agencies and departments of the intelligence community and for that reason he believed the members of the intelligence community should stay in close communication.

As a result of the above, Colby has selected Mr. John Clarke, Deputy Director of the Intelligence Community Staff, to act as a coordinator for the intelligence community to insure close coordination. He requested that all agencies and departments represented on USIB designate one individual in their agency as Clarke's point of contact to insure the close coordination Colby feels will be necessary during future appearances before the SSC. The Intelligence Division believes this is a desirable procedure and recommends that Section Chief William O. Cregar who is the Bureau's alternate member on USIB be designated as the Bureau representative to maintain liaison with Mr. Clarke.

REC-111 62-116395-12

In addition, Colby advised that in his opening statement before the SSC he intends to make a strong pitch for the intelligence community. He proposes to show the value and importance intelligence has played in the past as well as the future; he expects to outline for the SSC how the intelligence business is run and organized. In addition, he proposes in his opening statement to make an appeal for legislation to shore up the protection of sources and methods against planned and calculated leaks of classified information.

12 FEB 5 1975

WOC:ebc
(9)

File 62-116395

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XEROX
FEB 13 1975

62-91716

UNRECORDED COPY FILED IN

Memorandum for Mr. Wannall
RE: UNITED STATES INTELLIGENCE
BOARD (USIB)
MEETING OF 1/24/75

Colby advised that any examples member agencies or departments could provide CIA wherein the acquisition of intelligence proved useful to the development of U. S. policies or programs would certainly be appreciated. Colby stated that in this regard Mr. John Clarke as the over-all coordinator would be in touch with the designated representatives of USIB departments or agencies to further clarify this point.

With regard to the BRC chaired by Vice President Rockefeller, Colby advised that CIA has already obtained an agreement from that Commission that any documents furnished to the Commission by CIA would have the names of CIA employees and/or CIA sources deleted from the document. The purpose of this deletion was to avoid such names from appearing in press releases. Colby also hopes to obtain the same agreement from the SSC.

The Intelligence Division believes that the Bureau should also attempt to obtain such an agreement from the BRC and the SSC if at some time FBI representatives are called to testify or are called to produce FBI documents. This matter has been discussed with the Office of Legal Counsel and it concurs in this recommendation.

ACTION:

(1) If approved, Section Chief William O. Cregar's name will be provided to Mr. Clarke as his point of contact within the FBI.

WOW/Tue

(2) Should Bureau representatives be called to testify before the BRC or the SSC an agreement be obtained to delete any names of FBI employees and/or sources with the understanding that the identities could be made available to either the Commission or Committee if either felt such names were absolutely necessary.

WOW/Tue

NW 65360 DocId:32989530 Page 254

The Deputy Attorney General

1-24-75

Director, FBI

1 - Mr. Callahan, 5744 JB
1 - Mr. Adams, 5744 JB
1 - Mr. Jenkins, 5744 JB
1 - Mr. McDermott, 5634 JB
1 - Mr. Cleveland, 1742 JB
1 - Mr. Gebhardt, 5012 JEH
1 - Mr. Hetherington

NAME CHECK REQUESTS MADE BY
U.S. SENATOR HOWARD H. BAKER, JR.,
FOR THE SELECT SENATE COMMITTEE TO
INVESTIGATE INTELLIGENCE AGENCIES

On January 23, 1975, U.S. Senator Howard H. Baker, Jr. requested name checks of FBI files be made on four individuals who are to be staff members of the Select Senate Committee to Investigate Intelligence Agencies.

In response to Senator Baker's request, attached are four letterhead memoranda pertaining to Ronald David McMahan, Arthur Boggess Culahouse, Jr., Howard Leibengood and Michael J. Madigan for transmittal to the requesting Committee.

Enclosures (4)

Items approved by James Wilderotter in Deputy AG's office & returned for delivery. They delivered to Sen. Baker on 2-3-75.

MAILED 6
JAN 27 1975
FBI

UNREC COPY AND ~~COPY OF~~ ENCL FILED IN
Original
116-474111-1

62-116395-11
2-11
REC-111 15 JAN 28 1975

DTP:ysc (10)

NOTE: See J.J. McDermott to Mr. Jenkins memorandum dated 1/23/75 captioned "Senator Howard H. Baker, Jr. (R-Tenn.), Minority Member, Select Senate Committee to Investigate Intelligence Agencies, Name Check Request."

4 - ENCLOSURE

#MPR16
9/25/00 SP-2 ALM/JG

XEROX
FEB 13 1975

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Dep. AD Inv. ____
Asst. Dir.:
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Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAIL ROOM ☐ TELETYPE UNIT ☐

1 - Mr. Callahan, 5744 JB
1 - Mr. Adams, 5744 JB
1 - Mr. Jenkins, 5744 JB
1 - Mr. McDermott, 5634 JB
1 - Mr. Cleveland, 1742 JB
1 - Mr. Gebhardt, 5012 JEH
1 - Mr. Hetherington

January 24, 1975

ARTHUR BOGGESS CULAHOUSE, JR.
Born: July 4, 1948
Athens, Tennessee

The central files of the Federal Bureau of investigation and the records of the FBI Identification Division contain no information identifiable with captioned individual.

#MDR16
9/25/00 SP-2 ALM/JFG

Original and 1 - Deputy Attorney General

DTP:ysc (10)

NOTE: See J.J. McDermott to Mr. Jenkins memorandum dated 1/23/75 captioned "Senator Howard H. Baker, Jr. (R-Tenn.), Minority Member, Select Senate Committee to Investigate Intelligence Agencies, Name Check Request."

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Legal Coun. ____
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Director Sec'y ____

MAIL ROOM ☐ TELETYPE UNIT ☐

62-116395-11
ENCLOSURE

1 - Mr. Callahan, 5744 JB
1 - Mr. Adams, 5744 JB
1 - Mr. Jenkins, 5744 JB
1 - Mr. McDermott, 5634 JB
1 - Mr. Cleveland, 1742 JB
1 - Mr. Gebhardt, 5012 JEH
1 - Mr. Hetherington

January 24, 1975

HOWARD LEIBLNGOOD
Born: December 29, 1942
South Bend, Indiana

The central files of the Federal Bureau of investigation and the records of the FBI Identification Division contain no information identifiable with captioned individual.

#MDR16
9/25/00 SP2 ALM/JTG

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
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Director Sec'y ____

Original and 1 - Deputy Attorney General

DTP:ysc (10)

NOTE: See J.J. McDermott to Mr. Jenkins memorandum dated 1/23/75 captioned "Senator Howard H. Baker, Jr. (R-Tenn.), Minority Member, Select Senate Committee to Investigate Intelligence Agencies, Name Check Request."

DTP

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall

FROM : W. O. Cregar

SUBJECT: SENSTUDY 75

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Mintz

DATE: 2/4/75

1 - Mr. Wannall
1 - Mr. Fulton
1 - Mr. Cregar

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.: ___
Admin. ___
Comp. Syst. ___
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Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

SENSTUDY 75 is the code word of a new control file for all communications regarding matters relating to the Select Committee of the Senate (SCS) to conduct an investigation and study of governmental operations with respect to intelligence activities.

On 2/4/75 Mr. John Clarke, Chairman of the Ad Hoc Coordinating Group for Congressional Inquiry, advised that Mr. Colby has been instructed to have four items prepared for the President's consideration by 2/5/75. They areas follows: (1) an outline as to what Colby plans to say as lead-off witness before the SCS, (2) two lists identifying what information the Intelligence Community feels under no circumstances could be discussed with the SCS as well as what information could be discussed with the SCS under controlled conditions, (3) a set of suggested talking points the President should discuss with the Senate leadership regarding procedures for the proposed hearings, and (4) a list of annexes that Colby plans to provide the Chairmanship of the SCS on the occasion of his initial appearance.

With the Director's approval we have provided Colby with our suggestions relative to items 2 and 3. With regard to item 4 we are preparing two annexes which will be furnished to the Director for his approval prior to furnishing them to Colby.

REC-111 62-116395-10

Mr. Clarke was asked whether the four items to be furnished to the President would also be provided to the Bureau. Clarke assured us that it was his intention to recommend to Colby that material covering items 1, 2, 3 and 4 ~~be furnished~~ to the FBI as well as other members of the Ad Hoc Coordinating Group for Congressional Inquiry and he felt confident that Colby would so order.

FEB 11 1975

62-116395

WOC:ebc
(7)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00

CONTINUED - OVER

Memorandum for Mr. Wannall
RE: SENSTUDY 75
62-116395

Upon receipt of this information from Mr. Clarke it will be submitted to the Director with comments where appropriate for his information.

ACTION:

For information.

WRW/Tab

NW 65360 DocId:32989530 Page 259

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. W. A. Branigan
February 3, 1975
1 - Mr. W. O. Cregar

(CI-2) 62-116395

REC-111

SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/6/00 BY SP-2 [illegible]

The following are deemed to be matters so essential to the security and survival of the nation that they never should be discussed outside the intelligence community, and even within the intelligence community, they should be discussed only on a strict need-to-know basis:

The names and other identifying characteristics of sensitive sources.

Details which would permit opposition assessment of the totality of our effectiveness in the fields of internal security and foreign counterintelligence, including:

The numbers, locations, times, and affiliations of recruitments-in-place of personnel within target organizations.

Specific subjects of highly sophisticated intelligence-gathering techniques.

The total extent of our investigative effectiveness against any given target organization or individual, or the lack thereof.

Intelligence information furnished in confidence by friendly foreign agencies, the disclosure of which could jeopardize operations of those agencies.

Assoc. Dir. ____
Dep. AD Adm. ____
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Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

ORIGINAL AND ONE FURNISHED DIRECTOR COLBY, CIA, BY LIAISON

JPT:HFC:bkb
(9)

NOTE:

See memorandum W. O. Cregar to Mr. W. R. Wannall captioned "Select Committee of the Senate", 2/3/75, prepared by WOC:ebc/bcw.

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

1 - Mr. N. P. Callahan

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. W. A. Branigan
1 - Mr. W. O. Cregar

REC-111 62-116395-9

February 3, 1975

SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

Concern for the security and survival of the nation dictates that discussion of details of highly-sophisticated intelligence-gathering techniques and methods employed by the FBI be held only under controlled conditions, such as in Executive Session before only Senators serving as members of the Committee. This includes not only those techniques and methods used in furtherance of FBI responsibilities, but also those utilized in support of missions of other members of the United States intelligence community.

62-116395

ORIGINAL AND ONE FURNISHED DIRECTOR COLBY, CIA, BY LIAISON

HFC:JPT:dsh
(9)

NOTE:

See memorandum W. O. Cregar to Mr. W. R. Wannall, dated 2/3/75, captioned "Select Committee of the Senate," prepared by WOC:ebc/bcw.

Assoc. Dir. ____
Dep. AD Adm. ____
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Director Sec'y ____

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954

NW 65360 DocId:32989530 Page 261

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Mintz

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
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Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. W.R. Wannall

DATE: 2/3/75

1 - Mr. Wannall
1 - Mr. Fulton
1 - Mr. Cregar

FROM : W.O. Cregar

SUBJECT: SELECT COMMITTEE OF THE SENATE

This memorandum recommends that we provide at Mr. Colby's request two lists: (1) information which the FBI feels under no circumstances could be discussed with the Select Committee of the Senate (SCS) and (2) items of information which could be discussed with the SCS under controlled conditions.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP2 TCM/MR

On the afternoon of 2/1/75, Mr. John Clarke, in his role as Chairman of the Ad Hoc Coordinating Group for Congressional Inquiry, telephonically advised the Bureau's representative on this Group that a meeting was held at the White House on the morning of 2/1/75. Participants were the Secretary of Defense, the Director of Central Intelligence and Dr. Henry Kissinger in his role as advisor to the President on national security affairs. Dr. Kissinger requested Mr. Colby to prepare two lists for the President's consideration. The purpose of these lists was to provide the President with information necessary for him to make a judgment as to whether certain information should be withheld from the SCS on the basis of executive privilege.

As a result of the White House meeting, Mr. Clarke requested the Bureau prepare by the close of business, 2/3/75, two lists: (1) that information proprietary to the FBI which under no circumstances could be discussed with the SCS and as a result would require the denial of such presentation by virtue of executive privilege and (2) a list of information proprietary to the FBI which could be discussed with the SCS under controlled conditions (presumably this means discussed in Executive Session limited to members of the SCS).

REC-111 62-116395-9

Attached herewith are the two lists requested by Mr. Clarke, which will be furnished to Mr. Colby by our liaison representative with CIA.

22 FEB 5 1975

ACTION:

If approved, the attached two lists will be delivered.

62-116395
Enclosures
WOC:ebc/bcw
(7)

5-WOB

OFFICE OF THE
DEPUTY ATTORNEY GENERAL

January 30, 1975

NOTE TO: William V. Cleveland
Special Investigative Division
Federal Bureau of Investigation

FROM: James A. Wilderotter
Associate Deputy Attorney General

Senstudy '75

Please handle per our telephone conversation.

Thanks.

Attachment

all 4 items delivered
to Sen Baker 2-3-75
DWB
62-116395-8

15 FEB 11 1975

REC-111

ENCLOSURE

File
DWB 8/11

#MDR16
9/25/00 SP-2 ALM/JTG

53 FEB 13 1975

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : The Deputy Attorney General

DATE: 1-24-75

FROM : Director, FBI

SUBJECT: NAME CHECK REQUESTS MADE BY U.S. SENATOR HOWARD H. BAKER, JR., FOR THE SELECT SENATE COMMITTEE TO INVESTIGATE INTELLIGENCE AGENCIES

On January 23, 1975, U.S. Senator Howard H. Baker, Jr., requested name checks of FBI files be made on four individuals who are to be staff members of the Select Senate Committee to Investigate Intelligence Agencies.

In response to Senator Baker's request, attached are four letterhead memoranda pertaining to Ronald David McMahan, Arthur Boggess Culahouse, Jr., Howard Leibengood and Michael J. Madigan for transmittal to the requesting Committee.

Enclosures (4)

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/25/00 BY SP2 ALM/JTG

FBI-35

62-116395-8

ENCLOSURE

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

The Deputy Attorney General 1-24-75

Director, FBI

NAME CHECK REQUESTS MADE BY
U.S. SENATOR HOWARD H. BAKER, JR.,
FOR THE SELECT SENATE COMMITTEE TO
INVESTIGATE INTELLIGENCE AGENCIES

On January 23, 1975, U.S. Senator Howard H. Baker, Jr., requested name checks of FBI files be made on four individuals who are to be staff members of the Select Senate Committee to Investigate Intelligence Agencies.

In response to Senator Baker's request, attached are four letterhead memoranda pertaining to Ronald David McMahan, Arthur Boggess Culahouse, Jr., Howard Leibengood and Michael J. Madigan for transmittal to the requesting Committee.

Enclosures (4)

#mar16
9/25/00 SP-2 ALM/JTG

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ___
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Telephone Rm. ___
Director Sec. ___

TO : Mr. J. B. Adams

DATE: 2-4-75

FROM : Legal Counsel

SUBJECT: SENATOR FRANK CHURCH
CHAIRMAN, SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES
MEETING WITH THE DIRECTOR
11:30 A.M., FEBRUARY 6, 1975

At 2:50 p.m., 2-3-75, Bill Miller, Counsel, Senate Select Committee on Intelligence Activities, advised Inspector John B. Hotis that Senator Frank Church (D - Idaho), Chairman of the Committee, would like to meet with Mr. Kelley at his earliest convenience.

The meeting is an informal one and no other members of the Committee will be present. The purpose is merely to get acquainted and discuss in general terms what the Committee hopes to accomplish. Senator Church also wants to assure Mr. Kelley that it is not his intention to undermine public confidence in the intelligence agencies of the United States. But the Committee wants to ascertain whether these agencies are being run with integrity and in a manner which is consistent with national goals.

The only time this week which is mutually convenient to Mr. Kelley and Senator Church is Thursday, 2-6-75, at 11:30 a.m. This has been verified by Mrs. Metcalf and approved by the Director. Mr. Adams will accompany the Director to this meeting. Mr. Miller has been advised and he will inform us as to the precise location of the meeting.

MCT-12
CH 45

RECOMMENDATION:

None. For information.

REC-111

62-116395-7

FEB 7 1975

1 - Mr. Adams
1 - Mr. McDermott
1 - Mrs. Metcalf
1 - Mr. Mintz
1 - Telephone Room
1 - Mr. Hotis

JBH:mbk
(8)

MDR 16
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP-2 ALM/JTG

LEGAL COUNSEL

FEB 7 1975

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Mintz

TO : Mr. W. R. Wannall

DATE: 2/3/75

1 - Mr. Wannall
1 - Mr. Fulton
1 - Mr. Cregar

FROM : W. O. Cregar

SUBJECT: SELECT COMMITTEE OF THE SENATE

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
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Telephone Rm.
Director Sec'y

This memorandum recommends that Mr. Colby, in his role as the Director of Central Intelligence, be furnished two write-ups for inclusion as annexes in a briefing book he plans to provide the Select Committee of the Senate (SCS) on the occasion of his appearance as the lead-off witness before this Committee. The write-ups are: (1) the role of counter-intelligence and (2) the origin and disposition of the "Huston Plan."

A previous memorandum was approved that Section Chief William O. Cregar be designated as the point of contact within the FBI to coordinate matters dealing with future testimony before the SCS. Mr. John Clarke, Associate Deputy to the Director of Central Intelligence, has been designated as the coordinator for the Intelligence Community. The points of contact under Mr. Clarke's auspices have been given the title of Ad Hoc Coordinating Group for Congressional Inquiry.

On 1/31/75 Clarke held a second meeting of this Group wherein he reiterated that it was Mr. Colby's intention to make a very strong plea for the Intelligence Community as the lead-off witness. In addition, Mr. Colby plans to provide to the SCS a series of annexes, some of which will be classified, which will address some of the issues to be looked into by the SCS. Those issues have been generally identified in Senate Resolution Number 21, dated 1/21/75. Representatives at Mr. Clarke's meeting were asked to prepare certain of these annexes. The FBI was requested to prepare the annex on the role of counter-intelligence as well as the annex on the origin and disposition of the "Huston Plan."

REC-111 62-116395-6

The Intelligence Division in responding to the request from Clarke's Group will prepare these two write-ups. It is anticipated that there will be no problems in connection with the write-up on counterintelligence and this is going forward.

FEB 11 1975

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DATE 9/25/00 BY SP2 ALM

62-116395

WOC:ebc (7)

CONTINUED - OVER

53 FEB 13 1975

Memorandum for Mr. Wannall
RE: SELECT COMMITTEE OF THE SENATE
62-116395

With regard to the origin and disposition of the "Huston Plan," we anticipate having an initial paper ready for discussion with representatives of the National Security Agency (NSA), CIA and the Department of Justice by Wednesday, 2/5/75. This coordination is necessary inasmuch as both CIA and NSA were actively involved in the development of the Plan. The Department's participation is necessary inasmuch as the Intelligence Evaluation Committee (IEC), chaired by the Department, evolved from one of the recommendations set out in the "Huston Plan." Mr. James Wilderotter, Associate Deputy Attorney General, is a member of the Ad Hoc Coordinating Group for Congressional Inquiry and is preparing an input to the "Huston Plan" annex, which input will describe the origin, function and disposition of the IEC.

Prior to releasing these two annexes for Mr. Colby's use, they will be submitted to the Director for his approval.

ACTION:

For information.

WRW/TVL

NW 65360 DocId:32989530 Page 268

~~SECRET~~

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. W. A. Branigan
1 - Mr. W. O. Cregar

REC-111 62-111395

January 29, 1975

SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

With regard to legislation proposed by the FBI, a letter was sent to the Office of Legislative Affairs, Department of Justice, on August 29, 1974, strongly recommending that consideration be given to a legislative proposal that would authorize the Government to conduct court-approved electronic surveillances in domestic security cases. This recommendation was based on the Supreme Court decision which held that electronic surveillances conducted solely within the discretion of the Executive violated the warrant requirement of the Fourth Amendment and our opinion that the current standards imposed by Title III of the Omnibus Crime Control and Safe Streets Act of 1970 would be ineffective techniques in domestic intelligence investigations.

In another legislative bill pending in the United States Senate, Senate Bill S3001, although the FBI was not the sponsor of the bill it has a particular interest in its passage both for internal security and foreign counterintelligence considerations. This bill would make it a Federal offense to obtain, produce, sell or utilize false documentation.

Of possible interest, in recognition of questions which have been voiced as to the jurisdiction and authority of the FBI to conduct domestic intelligence investigations and in order to cover any possible gap between statutory authority and Executive authority necessary to protect the national security, this Bureau submitted to the Attorney General in August, 1973, a proposal for an Executive Order

ORIGINAL AND ONE TO DIRECTOR COLBY, CIA, BY LIAISON

HFC:JPT:dmt/jlb
(9)

~~SECRET~~

SEE NOTE PAGE 2

Classified by 6375
Exempt from GDS, Categories 2 and 3
Date of Declassification Indefinite

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Director's Sec'y

MAIL ROOM TELETYPE UNIT

GPO 954-546

NW 65360 DocId:32989680 Page 269

SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

to establish both authoritative and definitive guidelines for the FBI in this area. The proposed order took cognizance of the constitutional responsibility of the President to defend the Constitution and the Government; of continuing threats to domestic tranquility and the general welfare; of existing statutes relating to national security and public safety; and of the President's need for intelligence information. The proposed Executive Order included an order by the President that "The Attorney General prepare and issue guidelines, conforming to the principles of the Constitution and the Bill of Rights, and outlining the necessary direction, coordination, and guidance of investigations to assure that the Federal Bureau of Investigation provides on a continuing basis intelligence information essential to the execution of laws pertaining to subversive activity and other such activity affecting the national security, domestic tranquility, and general welfare of the United States."

NOTE:

See memorandum W. O. Cregar to Mr. W. R. Wannall 1/28/75, prepared by WOC/ebc, captioned as above.

~~SECRET~~

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. W. A. Branigan
1 - Mr. W. O. Cregar

REC-11 62-116395-5

January 29, 1975

SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

11/6/00 #MDR16
CLASSIFIED BY SP-2 ALM/JTG
DECLASSIFY ON: 25X1,6

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

The FBI has the exclusive responsibility for protection of the internal security of the United States. As regards foreign counterintelligence activities in the United States, the FBI, as a member of the United States intelligence community, not only has the function of detecting and neutralizing hostile intelligence activities, but is a producer of positive intelligence information of value to the United States Government.

The FBI's foreign counterintelligence operations not only thwart the efforts of hostile intelligence services but contribute to the overall knowledge and effectiveness of the United States intelligence community. Since 1950, more than 110 Soviet-bloc intelligence officers and/or agents have been removed from their official positions within the United States or excluded from entry or reentry into the United States as a result of FBI investigative efforts. Some noteworthy examples of the FBI's contribution in this area and of the types of hostile activity which challenge our intelligence community follow:

In 1962 the FBI was successful in terminating an operation which was begun in 1950 when the Soviet intelligence services attempted to develop an agent of influence in American politics. A Soviet intelligence officer employed at the United Nations Secretariat cultivated a New York law student and eventually offered to finance this individual's campaign as a candidate for the New York State Assembly. The FBI terminated this operation by exposing it and the Soviet departed the United States and will not be permitted to return. (S)

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Director Sec'y

ORIGINAL AND ONE TO DIRECTOR COLBY, CIA, BY LIAISON

HFC:JPT:dsh
(9)

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Classified by G37B
Exempt from GDS, Categories 2 and 3
Date of Declassification Indefinite

SEE NOTE PAGE FOUR

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

In July, 1966, a Czech intelligence officer assigned to the Czech Embassy in Washington, D. C., was declared persona non grata following an FBI operation which balked his plans to place an electronic listening device in a Department of State office. (S)

In 1967 a Soviet-bloc diplomat defected to the United States. The history of Soviet-bloc espionage is colored with the efforts of their services to prevent defections and take reprisals against those who throw off the communist yoke. In 1969 the FBI detected a plot by hostile intelligence against the aforemontioned defector who was residing in the United States. The FBI determined that the hostile service had recruited two individuals during visits by them to their foreign homeland and assigned them to locate and photograph the defector. The immigrants confessed their assignments against the defector and a stern warning was issued by the Department of State to the offending nation that such incidents would not be tolerated in the future. (S)

On February 7, 1970, a Soviet national employed at the United Nations Secretariat was arrested on espionage charges in Seattle, Washington. He had been dispatched to the United States undercover as a translator at the United Nations, but his primary job was to collect classified documents about United States western air defense from an agent the Soviets believed they had developed, but who actually was a double agent under FBI control. The complaint against this Soviet was dismissed with the provision that he depart the United States by February 17, 1970. (S)

On February 14, 1972, another Soviet national who was dispatched to the United States under the cover of translator at the United Nations, was arrested outside of a restaurant on Long Island in the process of receiving classified documents pertaining to a jet fighter airplane being built for the United States Navy. Again, an FBI double agent was involved. (S)

NW 65360 DocId:32989530 Page 272

SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

On July 21, 1973, a Soviet diplomat assigned to the Soviet Embassy in Washington, D. C., was detained in New York City in the process of meeting with a member of the United States military. The United States military man was arrested on charges of espionage and upon establishing the fact that he had diplomatic immunity, the Soviet was permitted to depart the United States on August 15, 1973. By this arrest the FBI prevented the transmission to the Soviet Government of over 1,000 classified documents weighing nearly 40 pounds and encompassing information from the entire United States intelligence community. (S)

During 1973 three highly explosive devices were located in the vicinity of three Israeli-connected business establishments in New York City. The explosive devices fortunately failed to detonate, thus saving possibly hundreds of lives. FBI investigation identified an Iraqi national who had entered the United States on a visitor's visa during the early part of 1973 as the individual who planted these devices. It was later developed that the Iraqi national was a known member of the Black September Organization, which is the secret terrorist wing of Al Fatah. The Iraqi national was indicted in Eastern District New York on May 17, 1973, on one count, and in Southern District New York on May 23, 1973, on two counts of violations of Title 18, Section 844i. (S)

Industrial espionage by hostile intelligence services, which causes a drain of valuable technology from the United States, is of increasing concern to the United States intelligence community. In August, 1973, a Soviet-bloc industrial representative, who had entered the United States ostensibly for commercial purposes just a few days before, was arrested by FBI Agents following an attempt to steal a secret glass process from the Ford Motor Company. The process reportedly cost over one million dollars to develop. (S)

NW 65360 DocId:32989530 Page 273

SENATE SELECT COMMITTEE
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Another example of investigations dealing with communist officials permanently assigned to the United States was the attempt by another Soviet diplomat during 1971 to penetrate the secure voice communications system of the Presidential command plane, as well as the secure voice communications system between The White House and Number 10 Downing Street. This operation also failed because of FBI counterintelligence efforts. (S)

An attempt of the Soviets to penetrate United States policy-making and legislative organs came to the attention of the FBI during the latter part of 1973 when a Soviet intelligence officer contacted an aid to a United States legislator. During this same period the FBI learned that an individual connected with the Communist Party of the United States had been encouraged to move to the Washington, D. C., area to gather all available information concerning this same legislator. Coincidental with this display of interest in the particular legislator, it was learned that the wife of another Soviet intelligence officer attempted to gather all information available concerning this legislator through the New York Times Information Bank. * (S)

NOTE:

See memorandum W. O. Cregar to Mr. W. R. Wannall, dated 1/28/75, captioned as above, prepared by WOC:ebc.

* On 1/30/75, Sterling Munro, Admin Asst. to Sen. H. M. Jackson, advised Insp. D. W. Bowers that the Senator not only has no objection to use of this material concerning him, but thought it was a good idea. 1/30/75

NW 65360 DocId:32989530 Page 274

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. W. A. Branigan
1 - Mr. W. O. Cregar

January 29, 1975

REC-111

SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

Inasmuch as the captioned Committee, to be referred to hereinafter as the SSC, will, of necessity, be concerned in part with highly sensitive information relating to national security, this Bureau suggests that agreement of the SSC be sought for the adoption of the following security measures and procedures, both in the interests of national security and of protection of privacy of individuals:

In the resolution establishing the SSC it was established that no employee of the SSC or person performing tasks for the SSC on a contractual basis should be given access to classified material unless appropriately cleared for access to such material by the SSC. It was indicated that the type of clearance would be commensurate with the type of information to be made available to such persons under conditions agreed upon by the SSC. In this regard it would be desirable for the SSC to stipulate that no staff member who is to be given access to any material, testimony, or information received or generated by the committee other than that which is, in essence, public information be granted such access without prior receipt of a security clearance based on a full field investigation. Consideration might also be given by the SSC to assuring itself that its members are appropriately cleared to receive all material to which they may have access.

The SSC should adopt rules to insure that the secrecy of any sensitive information received or generated by it be preserved and that these rules be made known to the individuals and agencies who will be called upon to present testimony or materials.

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Director Sec'y ____

ORIGINAL AND ONE FURNISHED TO DIRECTOR COLBY, CIA, BY LIAISON

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(9)

#MDR16
9/25/00 SP-2 ALM

SEE NOTE PAGE 3

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

NW 65360 DocId:32989530 Page 275

SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

It should be stipulated that those agencies which will present documents to the committee be authorized to excise from those documents, prior to their presentation, the names of their personnel as well as those of any other individuals whose safety or individual privacy might be jeopardized by unauthorized disclosure of their identities.

It should be stipulated that, as has been customary in other Congressional proceedings regarding sensitive matters, witnesses shall have the right to request that testimony be given in executive session, that in some instances testimony be "off the record," and that certain testimony be heard only by members of the SSC.

It should further be stipulated that witnesses be afforded an opportunity to review and comment on and/or correct the record of their testimony prior to any publication of it.

It should be understood by the committee that the "Third Agency Rule," binding upon members of the United States intelligence community, may oblige a witness representing one member of the intelligence community to decline to testify concerning matters within the proprietary purview of another community member.

It is the intention of this Bureau to cooperate fully with the SSC. It will be requested that in attempting to satisfy requirements of the SSC we be afforded sufficient time to research these requirements in order to insure that our answers will be totally responsive and accurate.

Provision should be made for the safeguarding of information and documentary materials received or generated by the SSC, consistent with their substance, and, at the conclusion of the Committee's investigation and study, for secure disposition of such records, including return to contributors of materials submitted by them.

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SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

NOTE:

See memorandum W. O. Cregar to Mr. W. R. Wannall, 1/28/75, prepared by WOC/cbc, captioned as above.

NW 65360 DocId:32989530 Page 277

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall

62-116395-5

January 29, 1975
1 - Mr. W. A. Branigan
1 - Mr. W. O. Cregar

REC-111

SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

There have been public charges that the FBI has operated for 50 years without oversight or any external controls. This is not accurate. In the Congress, several bodies have had jurisdiction over matters affecting FBI programs and activities. These include the Appropriations Committees of both Houses, the Senate Judiciary Subcommittee on Constitutional Rights and on Administrative Practice and Procedure, a special Senate Foreign Relations Subcommittee on Surveillances, the House Judiciary Committee, the former House Committee on Internal Security, the Government Operations Committees of both the House and Senate and the Senate Subcommittee on FBI Oversight.

During 1972 the President's Foreign Intelligence Advisory Board, with the full cooperation of the FBI, conducted detailed and extensive examination of the FBI's activities as a member of the United States intelligence community.

The Foreign Relations Authorization Act of 1972 created a Commission on the Organization of the Government for the Conduct of Foreign Policy. That committee made inquiries of members of the intelligence community regarding the role of intelligence as it affects the conduct of our foreign policy. In its research the committee looked into certain pertinent FBI activities and had contact with FBI representatives both in the United States and abroad.

By direction of Chairman Peter Rodino and the House of Representatives' Judiciary Committee, the General Accounting Office (GAO) is currently reviewing the domestic intelligence operations of the FBI, concentrating on policies, programs, procedures and case management.

ORIGINAL AND ONE FURNISHED TO DIRECTOR COLBY, CIA, BY LIAISON

JPT:jlb jlb #MDR16 SP2ALM/JTG SEE NOTE PAGE TWO
(9)

9/25/00

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MAIL ROOM ☐ TELETYPE UNIT ☐

GPO 954-546

SENATE SELECT COMMITTEE
TO CONDUCT AN INVESTIGATION AND STUDY OF
GOVERNMENTAL OPERATIONS WITH RESPECT TO
INTELLIGENCE ACTIVITIES

GAO's audit is covering Headquarters and ten of the FBI's field offices where a representative number of the Bureau's domestic investigations are conducted.

NOTE:

See memorandum W. O. Cregar to Mr. W. R. Wannall, 1/28/75, captioned as above, prepared by WOC:ebc.

NW 65360 DocId:32989530 Page 279

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Mintz

Assoc. Dir. ____
Dep. AD Adm. ____
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Telephone Rm. ____
Director Sec'y ____

TO : Mr. W. R. Wannall

DATE: 1/28/75

1 - Mr. Wannall
1 - Mr. Cregar

FROM : W. O. Cregar

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP2 ALM/STG

SUBJECT: SELECT COMMITTEE OF THE SENATE

This memorandum recommends that the original and one copy of four memoranda (copies attached) be furnished to Mr. William Colby, Director of Central Intelligence, for his consideration at the time of his forthcoming appearance before the Select Committee of the Senate.

Memorandum W. O. Cregar to W. R. Wannall, dated 1/27/75, captioned as above, advised that Mr. Colby anticipates being called as the first witness before the Select Committee of the Senate responsible for examining the extent of overt and covert intelligence activities in the U. S. and abroad. In connection with this appearance, Colby has indicated that he intends to make a very strong pitch for the Intelligence Community and has asked all agencies and departments of the U. S. Intelligence Board (USIB) to provide him with memoranda on the following four subjects: (1) examples of how the FBI in its counterintelligence role has materially benefited the U. S. Government, (2) ground rules that the FBI believes should be discussed with the Committee in order to insure that innocent persons are not maligned and sources and methods of investigation are protected, and (3) a chronology of independent boards or commissions which have examined the efficacy and authority of the FBI, and (4) any pending or proposed legislation involving internal security matters submitted by the FBI.

Attached are copies of four memoranda prepared by the Intelligence Division which we propose to deliver to Mr. Colby before the close of business, 1/29/75.

File 62-116395

ACTION:

If approved, the original and one copy of each of the four memoranda will be delivered to Mr. Colby's office on the afternoon of 1/29/75, by liaison.

REC-111 62-116395-5

Enclosures
WOC:ebc
(6)

FEB 6 1975

Delivered to Mr. Colby's office, Colby-Tue 1/29/75 WOC

SA Leonard

NW 65360 DocId:32989530 Page 280

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
1 - Mr. T. J. Jenkins
1 - Each Assistant Director

TO : Mr. W. R. Wannall

DATE: 2/3/75

1 - Each Section Chief, INTD

FROM : W. O. Cregar

SUBJECT: SENATE SELECT COMMITTEE TO CONDUCT AN INVESTIGATION AND STUDY OF GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

Senate Select Committee

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Dep. AD Adm. ___
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Director Sec'y ___

PURPOSE:

This recommends code word "SENSTUDY 75" be adopted as title of new control file for communications regarding subject.

On 1/21/75 the U. S. Senate reported Senate Resolution 21 to establish captioned committee. The Committee will look into operations of members of the U. S. intelligence community including the FBI. The Committee is being chaired by Senator Frank Church of Idaho. We have already received and responded to requests from the Ad Hoc Coordinating Group for Congressional Inquiry for information to be used by Mr. William Colby, Director of Central Intelligence, in preparing for his anticipated initial appearance before the committee. The Ad Hoc Group is composed of representatives of U. S. Intelligence Board member agencies and departments to deal with "SENSTUDY 75."

For administrative convenience, as well as economy, it is suggested that copies of all communications and material dealing with the activities of the committee be placed in a new control file, 62-116395, and that the code word "SENSTUDY 75" be adopted as a brief title for internal communications relating to this matter. FBIHQ indices contain no references to that code word.

REC-111 62-116395-4
MCT-10
CH 42

62-116395

JPT:bkb
(24)

CONTINUED OVER

#MDR16
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP2ALM/JTG

53 FEB 3 1975

Memorandum to Mr. W. R. Wannall
Re: Senate Select Committee To Conduct An Investigation And Study of Governmental Operations With Respect To Intelligence Activities

ACTION:

With your approval, the Files and Communications Division will establish file 62-116395 under the caption "SENSTUDY 75" as a repository for communications dealing with this matter.

WRW/TVL

JPT

NW 65360 DocId:32989530 Page 282

The Attorney General

January 20, 1975

Director, FBI

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Cregar

SELECT COMMITTEE OF THE SENATE

On January 21, 1975, Resolution 21 established a Select Committee of the Senate to conduct an investigation and study of governmental operations with respect to intelligence activities.

Mr. William Colby, in his role as Director of Central Intelligence and Chairman of the United States Intelligence Board (USIB), has advised that he anticipates being called as the first witness before the Select Committee of the Senate. In his opening remarks it is Mr. Colby's intention to make a strong presentation on behalf of the Intelligence Community highlighting some of its outstanding contributions. In addition, he expects to show that the Community has over the years been subject to scrutiny by Government commissions and boards.

In furtherance of a coordinated effort to insure those agencies and departments of the Intelligence Community are portrayed in a most favorable light Mr. Colby has requested points of contact be established in each USIB agency or department. Mr. John H. Clarke, Associate Deputy to the Director of Central Intelligence for the Intelligence Community, is Mr. Colby's personal representative to insure a proper coordinated effort.

In anticipation that the Intelligence Evaluation Committee which was chaired by the Department of Justice might be the subject of the Select Committee's interest, it is our understanding that Mr. Clarke will be in contact with your office.

MAILED 6
JAN 20 1975
FBI

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DATE 9/25/00 BY SP2 ALM/JG

62-116395-3

REC-111 MCT-10
CH 42

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SEE NOTE PAGE TWO

ENCLOSURE

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The Attorney General

Attached is a list of those individuals representing the USIB who have been designated as points of contact in their respective agencies or departments for Mr. Clarke.

Enclosure

1 - The Deputy Attorney General - Enclosure

NOTE:

Memorandum W. O. Cregar to W. R. Wannall, dated 1/27/75, captioned "Select Committee of the Senate," recommended that Section Chief William O. Cregar's name be provided Mr. Clarke as the Bureau's point of contact. The Intelligence Division is currently preparing memoranda for Mr. Colby's consideration in anticipation of his appearance before the Senate Select Committee. Such memoranda, of course, will be furnished to the Director for his approval prior to being furnished to Mr. Colby.

NW 65360 DocId:32989530 Page 284

Dr. John M. Clarke	IC Staff	143ext5477
Mr. William McAfee	State	101ext21504
Mr. Benson K. Buffham	NSA	(9)688-7222
Mr. Kenneth Geisen	DIA	11ext75101
Mr. J. Foster Collins	Treasury	184ext2421
Mr. Merrill T. Kelly	Army	11ext78419
Captain Donald S. Jones	Navy	11ext53737
Colonel Jerry D. Alderson	Air Force	11ext50006
Mr. William O. Cregar	FBI	175ext4612
Dr. Charles Cook	SAFSS	11ext78531
Mr. Hank Knoche	CIA	143ext4086
Mr. John Warner	CIA	143ext6111
Mr. George Cary	CIA	143ext6121
Mrs. Patricia Taylor	IC Staff	143ext4401

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DATE 11/16/00 BY SP2 ALM/JTG

ENCLOSURE

62-116395-3

1 - Mr. McDermott
1 - Mr. Gebhardt
1 - Mr. Mintz
1 - Congressional Services

The Deputy Attorney General

January 24, 1975

1 - Mr. Cleveland

Director, FBI

SENATOR HOWARD H. BAKER, JR.
MINORITY MEMBER
SELECT SENATE COMMITTEE TO
INVESTIGATE INTELLIGENCE AGENCIES
NAME CHECK REQUEST

#MDR16
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 9/25/00 BY SP-2 ALM/JTG

This is to confirm a conversation between you and Deputy Associate Director Adams on January 23, 1975, wherein you authorized the FBI to honor name check requests on staff employees received from the Select Senate Committee to Investigate Intelligence Agencies. You were advised that we presently have a request in this connection from Senator Howard H. Baker, Jr., for name checks on four potential staff employees.

Senator Baker had also indicated to the FBI that he had no idea as to who would have the responsibility of conducting the background investigations which must be conducted, and this is to confirm your approval that we contact Director William E. Colby of the Central Intelligence Agency regarding their desires in this matter since they normally handle background checks of staff employees of committees receiving sensitive information concerning Central Intelligence Agency and the FBI normally handles such background investigations on staff employees of committees receiving sensitive FBI information. Following discussions with Mr. Colby, contact will be had with the Chairman of the Select Senate Committee in order to ascertain which agency should conduct the required background investigations.

REC-111

62-116395-2

JBA:ams
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GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

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Director Sec'y ___

TO : MR. JENKINS

DATE: 1-23-75

FROM : J. J. MC DERMOTT

SUBJECT: SENATOR HOWARD H. BAKER, JR. (R-Tenn.)
MINORITY MEMBER
SELECT SENATE COMMITTEE TO INVESTIGATE
INTELLIGENCE AGENCIES
NAME CHECK REQUEST

SA Richard T. Taylor, Jr., WFO, telephoned Inspector Quinn in my office this morning to advise that he had been contacted by Senator Baker requesting name checks on three individuals who are to be staff members of captioned committee. In this regard, Baker indicated that he anticipated that the committee would request full field investigations on all staff members of this committee.

Baker advised that the three names he provided will be among the ten staffers that the minority representation on the committee will have. The three are as follows:

RONALD DAVID MC MAHAN
DOB: 6-22-38, Knoxville, Tennessee
SSN #408-58-9952
Residence: 1904 Whipping Post Way, Vienna, Virginia

ARTHUR BOGGESS CULAHOUSE, JR.
DOB: [redacted]ens, Tennessee
SSN [redacted]
Residence: 1015 E Street, S. E., Washington, D. C.

JFK Act 5 (g)(2)(D)

HOWARD LEIBENGOOD
DOB: 12-29-42, South Bend, Indiana
SSN #307-44-9707
Residence: 6304 Wildwood Valley Drive,
Brentwood, Tennessee
Formerly a staff member of the Select Committee
to Investigate Presidential Campaign Activities

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9/25/00 SP-2 ALM/#16

MCT-12-114 62-116395-
CH-45

Baker stated that he would appreciate the results of these name checks as soon as possible since it is anticipated that the select panel will be receiving materials on or about Tuesday of next week (1-28-75).

21 JAN 31 1975

GTQ:crt (6)
1 - Mr. McDermott
1 - Mr. Gebhardt
1 - Mr. Mintz
1 - Congressional Services Office

(OVER.)

53 FEB 3 1975

Memorandum to Mr. Jenkins
Re: SENATOR HOWARD H. BAKER, JR.

Baker indicated to Taylor that he has no idea as to who will have the responsibility of conducting the background investigations but he would hope that the staff members would have "Q" clearances or the type of clearances afforded Atomic Energy Commission.

RECOMMENDATION:

That this memorandum be approved and referred to the General Investigative Division for appropriate action in line with Senator Baker's request.

ADDENDUM: G. T. QUINN/crt 1-23-75

SA Taylor called back at 2:00 p.m. and requested that the following individual also be subjected to a name check for Senator Baker:

MICHAEL J. MADIGAN
DOB: 4-18-43, Washington, D. C.
SSN JFK Act 5 (g)(2)(D)
Residence: 256 School Street, Acton, Massachusetts

NW 65360 DocId:32989530 Page 288

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Assoc. Dir. ✓
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Dep.-A.D.-Inv. ✓
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Director Sec'y

No domestic spies?

Allegations and disclosures about CIA and FBI surveillance of Americans within U. S. borders have been interpreted by some as a type of domestic spying that could have a chilling effect on the exercise of political expression. One response has been that all domestic intelligence operations should be eliminated. Recent events show this would be a non-solution, a patent overreaction.

Most public opinion and most judicial opinion, we suspect, would not consider it an invasion of constitutional rights of privacy if the FBI infiltrated or otherwise kept an eye on activities of the Weathermen. That organization not long ago expressed itself by taking credit for a bomb explosion in the State Department and for placing another explosive device at the Armed Forces Induction Center in Oakland, Calif.

Should members of Fuerzas Armadas de Liberacion Nacional (FALN), the Puerto Rican nationalist group that claimed responsibility for the Jan. 24 bombing — three men killed, many injured — at New York's historic Fraunces Tavern's annex, be exempted from monitoring by federal police because the act was supposedly politically inspired? By some remote logic, FALN believes that bombing Wall Street restaurants will bring independence to Puerto Rico.

The question answers itself: Society has the right and the obligation to protect itself. These were acts of terrorism, whether or not motivated by political aims. Imperiling innocent people to enforce points of view that have been repudiated by a free, open political process is blackmail. And blackmail cannot become integral to any long-sustainable political system.

The Weathermen and FALN, as well as any other organization that indicates it will use extra-legal methods to voice dissent, should not be freed from fear of domestic spying.

The answer is not to eliminate all domestic political surveillance. It is to set the conditions, and they should be rigid, under which domestic spying will be tolerated and under which abuse by federal agents of such infrequently granted authority will be met with stern penalties.

(Indicate page, name of newspaper, city and state.)

Editorial

THE OREGONIAN
A26 PORTLAND, OREGON
2-14-75

Date: 2-14-75
Edition:
Author:
Editor: J. Richard Nokes
Title:
CIA; FBI
EDITORIAL
Character:
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Classification:
Submitting Office: Portland
☐ Being Investigated

REC-6

NOT RECORDED
46 MAR 27 1975

EX-116

56 MAR 31 1975

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FD-350 (Rev. 7-16-63)

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Senate And The CIA

The special committee the U. S. Senate is forming to look into charges of illegal spying on Americans by the CIA, the FBI or other agencies can do a lot of good—or harm.

If the committee conducts a sober and responsible inquiry it can determine if the CIA did in fact overstep the law against domestic espionage and what corrective measures, if any, are needed.

If, however, the committee conducts a Watergate-style probe, complete with televised hearings and sensationalized leaks, it can severely damage the nation's foreign policy and intelligence capability.

★ ★ ★

Incidentally, by voting in caucus 45-7 to establish the special committee, Senate Democrats delivered a rebuff, which seems to be unjustified, to President Ford and the commission headed by Vice President Nelson Rockefeller which Mr. Ford named to investigate the CIA.

The Democrats implicitly stated by their vote that they did not trust the Rockefeller commission to perform an objective inquiry.

That amounts to prejudicial prejudgement. The Rockefeller panel should be given a chance to do its job. Then if it does come up with a whitewash, the criticism would be in order.

★ ★ ★

Meanwhile, the investigation into illegal spying widened after the FBI confirmed its files contain some information on the personal behavior of some congressmen. Included are references to their "loyalty, character or reputation."

Many congressmen are indignant about this. But they should restrain their outrage.

For unlike the CIA, the FBI does have the duty of conducting domestic investigations—and there are times when members of Congress are proper objects of FBI interest.

Every so often, for example, a congressman turns out to be a crook. And in such instances the laws he violates are usually federal ones.

So the FBI, as the federal government's investigatory agency, should not be barred from keeping records on any suspects, even if they happen to be congressmen.

★ ★ ★

Some people, of course, react with knee-jerk fashion any time they hear of the FBI keeping files on anybody. They immediately begin screaming about "police state" tactics.

Well, no American citizen in his right mind should defend police-state actions by any agency.

But agencies like the FBI and the CIA are essential, considering the kind of world we live in. So we dare not emasculate them to the point where they won't be able to perform their necessary functions.

(Indicate page, name of newspaper, city and state.)

24 The Pittsburgh Pres
Pittsburgh, Pa.

Date: 1/23/75
Edition: Final
Author:
Editor: JOHN TROAN
Title: MISC INFO

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FBI Chief Looked for Skeletons in Closets of Famous

WASHINGTON — The files went to the Oval Office under J. Edgar Hoover's familiar "I thought you might be interested in knowing" heading. And what they contained was always interesting — to say the least.

From one of the most proficient information-gathering machines in existence — the FBI — J. Edgar Hoover compiled explicit tales of human weakness in high places: Illicit sex, drunkeness, homosexuality, marital problems.

If any president who received such information from Hoover — and all are said to have — ever rebuked him for his efforts, it remained as secret as the contents of the memos themselves. Most were dutifully grateful.

Old FBI hands say Hoover began compiling information on public figures, including congressmen, very early in his 30-year reign.

By the early 1950s field agents were under a standing directive to forward biographical information on newly elected congressmen or executive branch appointees to Washington for the benefit of bureau officials who had to deal with them.

As far as it is known, there never were any specific orders, official or unofficial, for FBI agents to solicit information of an intimate personal nature.

But one former assistant FBI director recalled recently: "It was understood that Hoover was interested in such material. Some agents who might come across a little smut in the course of an investigation would simply ignore it and not forward it. But others saw it as a chance to gain favor and deliberately went out of their way to get more."

Hoover's penchant for ferreting out the skeltons in the closets of the famous was as well known outside the agency as within. The absence of protest against it until now indicates that the threat that those files might be bared may well have been the major source of Hoover's power.

"I can't really say how much of the information ever was used," said one former high-ranking bureau official. "But I am convinced that many a politician shied away from confrontations with the director because he did not know what Hoover had on him."

THE COMING congressional investigations may not verify the existence of secret. The official bureau position is that the information is stored in bits and pieces and was only pulled together when needed.

But there are witnesses who can swear that such dossiers existed, perhaps in Hoover's personal files which have either been destroyed or removed from the bureau. And they were readily accessible to presidents.

"I have personally carried files to the White House dozens of times and delivered them to a secretary," said a former FBI-White House liaison during the Johnson administration. "That was the president could truthfully say he had never talked to the FBI on a particular matter."

WHILE THE ultimate abuse of the FBI occurred under Richard Nixon, most present and former FBI officials say President Lyndon B. Johnson, who had a private telephone line to the home of assistant director Cartha D. DeLoach, did not hesitate to use Hoover's bureau for political purposes.

For example, Johnson requested complete bureau investigations of both Sen. Spiro Agnew, after he became vice-president-elect in 1968.

Johnson justified the Goldwater request, one ex-FBI official reported, by pointing out that Goldwater was a reserve major general in the Air Force and "had more secrets than we do at the White House."

In 1964 Johnson sent an entire team of agents headed by DeLoach to the Atlantic City Democratic convention to do a little spying on friends of Robert F. Kennedy, whom he feared might be plotting to take the nomination away from him.

And a decade before, it was Hoover's FBI that supplied Sen. Joseph McCarthy with much of the ammunition in his now discredited pursuit of alleged communists.

More than one president, FBI officials agree, used the agency to gather information on personal enemies, including elected officials.

Roosevelt, for instance loosed the FBI on foes of his lend-lease program. Johnson frequently passed information along to allies on Capitol Hill who could stun a Johnson opponent by casually dropping a juicy tidbit of gossip from his FBI file.

Although never documented, it was widely believed in Washington that Johnson amused himself with bedside reading of what J. Edgar was finding out about others.

House Speaker Carl Albert, who like everyone else heard rumors that the FBI had a thick file on his personal life, wrote Hoover and asked him about it. Hoover responded equivocally that no such file existed.

70 MAR 27 1975

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Editor: JOSEPH H. STROUD
Title:

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40 MAR 27 1975
Submitting Office: DETROIT
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File 5

The existence of such files was not publicly acknowledged until 1973, after Hoover's death, when the Senate was considering the appointment of L. Patrick Gray as his successor.

Then acting director, Gray told the Senate Judiciary Committee he had seen files so hot there was no way of destroying them without risking hurt to some subjects.

Saying he would like to burn them, Gray said the law gives the National Archives final say over the documents.

Subsequent news stories disclosed the existence of files on Sen. Edward Kennedy then House Majority Leader Hale Boggs, and several others.

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