

File #:

62-116395

Serial Scope:

401 THRU 403

406 THRU 421

408

423, 424

425X THRU 428

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 _____
 Legal Coun. _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Telephone Rm. _____
 Director Sec'y _____

TO : Mr. J. B. Adams

DATE: 7/3/75

MDR 16

FROM : Legal Counsel *JAM*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/00 BY SP-2 ADM/ETHC

SUBJECT: SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES

Handwritten initials and signatures

At 9:55 a.m. on July 3, 1975, former Assistant Director Ivan Conrad telephonically advised me that he has been contacted and requested to appear for interview by the Senate Select Committee during the week of July 7, 1975, concerning Martin Luther King. Mr. Conrad expressed great concern about his appearance for such an interview and requested guidance.

I told him that the Director was cooperating with the Committee in their inquiry, but that in regard to matters that would identify informants, affect current operations, or compromise very sensitive techniques any testimony may require limitation to members of the Committee or to the Chairman rather than staff interviewers.

Mr. Conrad then asked whether he should respond in the event questions were raised concerning sensitive matters regarding the U.S. mails. I told him that in the event questions were asked which appeared to be beyond the scope of the subject matter indicated for the interview, or which in his judgment would involve the three areas of concern expressed above, it would be appropriate for him to request a recess for the purpose of consulting with the Bureau.

Mr. Conrad inquired as to his possible criminal liability and whether the FBI would furnish him counsel. I explained to him the difficulties imposed by conflicts of interest in that regard and that the FBI could not furnish him personal counsel. I told him that if he felt the need for advice as to his personal status, he should consider obtaining the services of a personal counsel. He said that he would consider that and that although he was specifically not making a request at this time, he would consider in the future requesting that the Bureau pay for his private counsel.

- 1 - Mr. Wannall
- 1 - Mr. Cregar
- 1 - Mr. Hotis (Attn: Mr. Daly)
- 1 - Mr. Mintz

JAM:mfd (5)

REC-88

JUL 15 1975

428
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CONTINUED - OVER

84 JUL 31 1975

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Memorandum to Mr. Adams
Re: Senate Select Committee

Mr. Conrad was cordial and said he understood fully that I was not in a position to furnish him legal advice. I suggested that he contact the Bureau prior to his appearance for the interview in order to be advised formally as to his release from the Bureau employment agreement concerning secrecy and he agreed.

RECOMMENDATION:

For information.

[Handwritten signatures and initials: a large signature, PUN, WED, JMA, JMA, K]

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W.R. Wannall *MRW IPT*

FROM : W.O. Cregar *WOC*

SUBJECT: SENSTUDY 75

- 1 - Mr. J.B. Adams
 - 2 - Mr. J. A. Mintz
(1 - Mr. Hotis)
- DATE: 7/24/75
- 1 - Mr. W.R. Wannall
 - 1 - Mr. W.O. Cregar
 - 1 - Mr. J.P. Thomas

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.:

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

This is to record inquiry received from Mr. Leon Ulman, Deputy Assistant Attorney General, Office of Legal Counsel, and recommend response to him.

On 7/22/75, Mr. Ulman called Assistant Director - Legal Counsel J.A. Mintz to request assistance concerning an assignment he had been given by the Attorney General (AG) relating to the current investigation being conducted by the Senate Select Committee (SSC). In accordance with Mr. Mintz' referral to our Senstudy project group, Mr. Ulman was contacted 7/22/75 by Supervisor J. P. Thomas. Mr. Ulman said that the AG had requested his office to prepare, by 7/25/75, the fullest possible response to the question, "To what extent has the AG been involved in consideration or approval of policies and activities of U.S. foreign and military intelligence agencies?" Mr. Ulman said that he had requested the Criminal Division of the Department to conduct research on this matter but, being unfamiliar with foreign intelligence matters, desired to know whether we could in any way assist him. He was informed that the FBI is basically not a U.S. foreign intelligence agency. He responded that some of our operations involve foreign intelligence and again asked if we could assist. He was told that we certainly could not furnish any full answer, but would attempt to see if we could contribute something to his assignment. It was also suggested to Mr. Ulman that he consider contacting Mr. K. William O'Connor, who is coordinating many aspects of the SSC investigation for the Department, and might be able to clarify the request or contribute to the response, and that he consider contacting CIA. He indicated he did not feel that contact with CIA would be productive. It was suggested that the inquiry appears to relate to the AG institutionally rather than to any involvement of the incumbent, Mr. Levi.

2

REC-102 62-116395-427

62-116395

JPT:bkb/lhb lhb
(7)

MDR 16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/02 BY SP2 ALM/ETH

CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75
62-116395

Inquiry of Intelligence Division personnel, who might have pertinent information, developed the following information which might be offered to Mr. Ulman: (1) The only specific instance in which we are aware that the AG is involved in consideration or approval of activities of the FBI regarding foreign intelligence is that when we desire to effect electronic coverage, for ourselves or on request of another agency, for the purpose of obtaining positive foreign intelligence information or foreign counterintelligence purposes, we seek the approval of the AG. Other agencies might do likewise. (2) The National Security Act of 1947, approved by the President 7/26/47, created the National Security Council (NSC). NSC Intelligence Directive (NSCID) No. 1 was revised on 7/7/49 and added the FBI as a member of the Intelligence Advisory Committee (IAC). By a subsequent revision of NSCID No. 1 on 9/15/58, IAC became the United States Intelligence Board (USIB), with the FBI still a member. USIB concerns itself with foreign intelligence matters. However, inasmuch as the FBI itself is a member of USIB, and historically the FBI has not coordinated USIB matters with the AG,* the Bureau's role in USIB is not considered pertinent to the inquiry regarding the involvement of the AG in foreign intelligence matters. (3) Our records indicate that prior to the establishment of the NSC, former FBI Director Hoover recommended that the AG be a member of the committee which later became the NSC. Apparently the National Security Act of 1947 did provide for the AG to attend NSC meetings as a member if the President so desired. Our records indicate the AG did attend some NSC meetings as a member during the 1947-48 period. However, by memorandum 8/19/49, AAG Peyton Ford informed Mr. Hoover that the AG could no longer attend NSC meetings as a member because of the amendment to the National Security Act made by Section 3 of Public Law 216, 81st Congress, approved 8/10/49. (4) On 11/5/71, the White House announced the establishment of the

*except in important policy matters
such as the recent revision of
NSCID No. 9.

CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75
62-116395

National Security Council Intelligence Committee (NSCIC) with the AG as a member. The President's 11/5/71 memorandum stated the NSCIC "will give direction and guidance on national substantive intelligence needs and provide for a continuing evaluation of intelligence products from the viewpoint of the intelligence consumer." Assistant AG Robert Mardian attended a meeting of NSCIC on 12/14/71 as the AG's representative. We cannot document it, but the recollection of FBI personnel involved in NSCIC affairs is that Mr. Mardian reported thereafter to the AG that NSCIC activities did not concern the Department and that neither the AG nor Mardian were subsequently involved in NSCIC affairs. On 4/24/74, the AG was still listed as a member of NSCIC. However, in August, 1974, FBI inquiry of a member of the U. S. intelligence committee staff elicited the opinion that the AG was no longer considered to be a member of NSCIC because the AG's office had not been participating in NSCIC affairs or attending its meetings; further, the AG was not among the addressees of papers being sent out in preparation for the next NSCIC meeting. However, it appears that the AG may still be nominally listed as a member of NSCIC. (5) It might also be useful for Mr. Ulman to consult Mr. Kevin Maroney of the Internal Security Section of the Department inasmuch as Mr. Maroney has long been involved in matters relating to internal security and foreign intelligence, and may be aware of the extent of the AG's involvement.

ACTION:

With your approval, Office of Legal Counsel will convey the information in the preceding paragraph to Mr. Ulman, who said he can be contacted by telephone on 187-2051. He requested an expeditious response.

VPT

JML

PLM

WRW
WOB

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

The Attorney General

July 18, 1975

Director, FBI

**UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)**

Reference is made to a letter from the SSC dated July 14, 1975, requesting certain documents and other information from the FBI.

Enclosed for your approval and forwarding to the Committee is a letter from Director, FBI, to Chairman Frank Church, SSC, dated July 13, 1975.

A copy of the letter involved is being furnished for your records.

Enclosures - 2

62-116395

- 1 - The Deputy Attorney General
Attention: K. William O'Connor
Special Counsel for
Intelligence Coordination

JWJ:cjd
(7)

REC-102

62-116395-426

5 JUL 25 1975

ENCLOSURE

MDR 16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/00 BY SP2 PLM/EHC

PLM

1005/16

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

~~SECRET~~

July 18, 1975

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

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 EXCEPT WHERE SHOWN
 OTHERWISE

Dear Mr. Chairman:

Reference is made to a letter of Mr. John T. Elliff of the Senate Select Committee Staff to Mr. K. William O'Connor of the Department of Justice dated July 14, 1975, wherein one of the requests dealt with Operation ORKID. (S)

Due to the extreme sensitivity of that operation, I will discuss it with you at a mutually agreeable time.

11/15/00 MDR 16

Respectfully,

CLASSIFIED BY: SP 2 ALM/JHL
 REASON: 1.5 (Sd)
 DECLASSIFY ON: X1,6

Clarence M. Keel
 Director

ENCLOSURE

1 - The Attorney General

JWJ:sjm 55m
 (7)

REC-102

5 JUL 25 1975

NOTE:

~~TOP SECRET~~

JFK Act 5 (g) (2) (D)

Classified by 3676, XGDS 2 and 3, Indefinite.

~~TOP SECRET~~

MAIL ROOM TELETYPE UNIT

GPO 253-546

TO: Intelligence Community Staff
ATTN: Central Index

FROM: **FBI**

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

7/18/75

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

SSC
 HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 7/14/75

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

TS

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

Intelligence activities, foreign

8. SUMMARY (see reverse side before completing this item)

Operation **(ORCID)^(S)** extremely sensitive operation and requested Senator Church discuss with Director FBI at mutually agreeable time.

62-116395

**FMK: fmk
(4)**

**ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75**

11/15/00 MDR/16
CLASSIFIED BY SP2 AM/EHL
REASON: 1.5 (C)
DECLASSIFY ON: X1

TREAT AS YELLOW

5-110000

~~SECRET~~

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

~~SECRET~~

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

The Attorney General

July 18, 1975

Director, FBI

*7 - ~~general~~
- request*

**UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)**

Reference is made to a letter from the SSC dated July 14, 1975, requesting certain documents and other information from the FBI.

Enclosed for your approval and forwarding to the Committee is a letter from Director, FBI, to Chairman Frank Church, SSC, dated July 18, 1975.

A copy of the letter involved is being furnished for your records.

Enclosures - 2

62-116395

- 1 - The Deputy Attorney General
Attention: E. William O'Connor
Special Counsel for
Intelligence Coordination

426

JWJ:sjm
(7)

*Relivered to
Sherry Towell office
mgr. 7/23/75
RTT*

7/14

426

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar

The Attorney General

6/25/75

Director, FBI

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Reference is made to a letter from the SSC dated May 14, 1975, and appendices thereto, requesting certain documents and other information from the FBI.

Enclosed for your approval and forwarding to the Committee is an original of a memorandum which constitutes a response to some of the requests. A copy of the memorandum and a copy of each of the six documents responsive to the Committee's request are being furnished for your records.

In accordance with the request of Mr. K. William O'Connor, we are deferring to him any action necessary to obtain appropriate clearance from the White House, prior to giving the Committee Staff access to the above six documents.

The documents involved and which are being furnished, herewith, are not for forwarding to the SSC inasmuch as only access for review at FBIHQ is being afforded the Committee Staff.

Enclosures (10)

62-116395

1 - The Deputy Attorney General
Attention: K. William O'Connor
Special Counsel for
Intelligence Coordination

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
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- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____

ENCLOSURE

JWJ:dan

(8) MDR 16

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DATE 11/15/00 BY SP2 ALM/ELH

TOP SECRET MATERIAL ATTACHED

ROUTE IN ENVELOPE

W.O. CREGAR - 4063

6/27/75

62-116395-425X

9 AUG 8 1975

WRC
Jm

JBA
P.M.

P.M.

me

- 2 - Mr. J. A. Mintz
- (1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannali
- 1 - Mr. W. O. Cregar

03-110305

June 25, 1975

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

RE: DOCUMENTS PERTAINING TO THE "HUSTON PLAN,"
COINTELPRO, AND OTHER PRACTICES AND PROGRAMS

HUSTON PLAN AND RELATED DEVELOPMENTS

Reference is made to letter dated May 14, 1975, to the Attorney General from the Chairman of captioned Committee, and appendices thereto, which requested certain documents and other information from the FBI.

Appendix C, Part 1, Item 2, requested the following:

A letter dated June 20, 1969, from Tom Charles Huston, Staff Assistant to the President, to the Director of the FBI concerning resources being targeted toward the monitoring of foreign communist support of revolutionary youth activities in the United States, effectiveness of such resources, gaps in intelligence, and steps which should be taken to provide maximum coverage.

Item 3 requested the following:

The response by the FBI to the letter set out in Item 2 and all other FBI memoranda and other materials pertaining to the correspondence.

Documents responsive to the Committee's request have been assembled and are available for review at FBIHQ by appropriately cleared SSC personnel.

- 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 _____

JWJ:dan

(7)

SEE NOTE PAGE 2

ORIGINAL AND ONE COPY TO ATTORNEY GENERAL

MDR 16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 11/15/00 BY SP2 ALM/ELH

JAW
WOC
EWG
JRM
JMS

what
Pan
M...

MAIL ROOM TELETYPE UNIT

NOTE:

Unexcised copy of FBI report entitled "Foreign Support For Revolutionary Protest Movements in the United States," dated 6/30/69 is enclosed. Per telephone conversation of SA William O. Cregar with Special Counsel K. William O'Connor on 6/11/75, it was agreed copy of letter dated 6/20/69, from Tom Charles Huston, Staff Assistant to the President to the Director should be included in our response to SSC's request and that Special Counsel O'Connor would obtain appropriate clearance from White House to give access to SSC staff. A review of the file indicates there is no documented copy as to the sourcing of paragraphs in the 33 page report entitled "Foreign Support For Revolutionary Protest Movement in the United States" dated 6/30/69, classified "Top Secret." To locate the source of each statement in the report would necessitate an extensive search and review of Bureau files.

On 6/18/75, Walt Elder, CIA; Benson Buffham, NSA; and Kenneth R. Bailey, DIA, were contacted by SA W. O. Cregar and advised of the SSC request for material responsive to request of Tom Charles Huston, White House, dated 6/20/69, which was also forwarded to those agencies, and that the above report would be made available for SSC personnel to review at FBIHQ. This report was disseminated to Tom Huston, White House, and when prepared consideration was given to concealment and protection of original source. The report was reviewed by Sonstudy 75 representatives and appropriate deletions were made relating to privacy considerations and/or protection of sensitive sources or methods, or any adverse effect on ongoing operations. An excised copy of report is being forwarded to the Attorney General. The review indicates that some material undoubtedly came from third agencies and/or foreign sources but is set forth in a manner not to pinpoint any specific agency or foreign source. It is recommended the report be made available for review of SSC representative at FBIHQ in its present excised form.

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE ²⁵

ITR LHM Memo Report dated 6/20/75

U. S. Senate Select Committee. Re: Documents
Caption of Document: pertaining to "Huston Plan,"
COINTELPRO, & other practices & programs; Huston
Plan & related developments. Appendix C, Part 1,
Item 2.

Originating Office: FBI

Delivered by: Richard S. Taylor, Jr. Date: 8/5/75 ^{310 PM}

Received by: Al O'Neil

Title: Exec Sec

Return this receipt to the Intelligence Division, FBI

MDR 16

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DATE 11/15/00 BY SP3 ALM/EHL

ENCLOSURE 62-116395-425X

