JFK Assassination System
Identification Form

Date: 6/26/202

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TO :

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2025 Release under the President John F. Kennedy Assassination Records Collection Act of 1992

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

File #:

62-116464

Serial Scope:

291-331

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : T. W. Leavitt

SUBJECT: FBI SEAL FOR HEARING ROOM OF HOUSE SELECT COMMITTEE ON INTELLIGENCE (HSCI)

1 - Mr. R. G. Held
1 - Mr. J. B. Adams
1 - Mr. J. J. McDermott
1 - Mr. T. F. Kelleher, Jr.
(Attn: Strain)
DATE: 1/31/78
1 - Mr. T. W. Leavitt
1 - Mr. R. J. Gray, Jr.

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Serv. ____
Crim. Inv. ____
Fin. & Pers. ____
Ident. ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Insp. ____
Rec. Mgnt. ____
Spec. Inv. ____
Tech. Servs. ____
Training ____
Public Affs. Off. ____
Telephone Rm. ____
Director's Sec'y ____

PURPOSE:

To confirm Director's authorization to prepare hand-painted FBI seal suitable for mounting on wall of the hearing room (H-405) of the HSCI.

DETAILS:

During testimony before the HSCI on 1/19/78, the Committee Chairman, Rep. Edward P. Boland, requested that I arrange for an FBI seal to be placed on the wall together with the seals of the other five members of the Intelligence Community which are already there.

The seals of the other agencies are all 15" in diameter. Available FBI seals are either 9" (all gold) or 21" (full color) in diameter. The Director orally authorized the hand painting of a 9" seal to be mounted on a 15" wooden base appropriately finished. The Special Projects Section, Laboratory Division, has observed seals now in the hearing room and can prepare a suitable FBI seal and base.

To obtain a 15" seal presenting an appearance more comparable to the other seals through regular channels would be prohibitively expensive. Making a mold, alone, would cost about $1,000. However, a hand-carved 15" seal can be made in the Philippines through Legat, Manila. The cost would probably run less than $50. The time to obtain would run 60-90 days and it is, therefore, not a viable alternative to installing, initially, the 9" seal on 15" base but offers a better long-range solution to the HSCI Chairman's request.

EX-110

REC-54 62-116464-331

TWL/RJG;ifc
(7)

FEB 27 1978

CONTINUED - OVER

20 FEB 8 1978

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

5010-110

FBI/DOJ

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Memorandum to Mr. J. B. Adams
Re: FBI Seal for Hearing Room of
House Select Committee on Intelligence (HSCI)

RECOMMENDATIONS:

(1) That Special Projects Section mount a hand-painted 9" FBI seal on a 15" wooden base.

APPROVED:
Director
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Adm. Serv.
Crim. Inv.
Fin. & Pers.
Ident.
Laboratory
Legal Coun.
Plan. & Insp.
Rec. Mgmt.
Spec. Inv.
Tech. Servs.
Training
Public Affs. Off.

(2) That Legat, Manila, be instructed to have a 15" seal carved and painted if it can be done for no more than $50.

APPROVED:
Director
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Adm. Serv.
Crim. Inv.
Fin. & Pers.
Ident.
Laboratory
Legal Coun.
Plan. & Insp.
Rec. Mgmt.
Spec. Inv.
Tech. Servs.
Training
Public Affs. Off.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

4-528

62-116464-330
CHANGED TO
62-117768-20X3

MAR 21 1989

FBI/DOJ

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Office of the Attorney General
Washington, D. C. 20530

MEMORANDUM

To: Clarence M. Kelley
Director
Federal Bureau of Investigation

From: Griffin B. Bell
Attorney General

Subject: Background Investigations for House Permanent Select Committee on Intelligence

I have signed a Memorandum of Understanding with the Chairman of the House Permanent Select Committee on Intelligence, providing for the conduct of background investigations of Committee staff members whose duties require that they have access to classified information. The Memorandum was also signed by the Chairman of the Committee on August 2, 1977. I hereby authorize you to conduct the appropriate background investigations in accordance with the terms of the Memorandum of Understanding.

Griffin B. Bell
Attorney General

ENCLOSURE

REC-1 62-116464-329

AUG 23 1977

LEGAL COUNSEL

ENCLOSURE

79 SEP 09 1977

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ENCLOSURE
62-116464-329

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

INTRODUCTION TO MEMORANDUM OF UNDERSTANDING

In order that the Attorney General may fulfill the official responsibilities imposed upon the Department of Justice by Executive Order 11652 to insure that persons to whom the Department of Justice furnishes information classified in the interest of national security have been determined to be trustworthy, and in order to assure that the staff of the House Permanent Select Committee on Intelligence may have access to material of the Department of Justice necessary to assist the Committee in carrying out its responsibilities under House Resolution 658 of the 95th Congress, the Attorney General and the Chairman of the Committee have entered into the following agreement concerning background investigations of proposed Committee staff, pursuant to 28 U.S.C. 533(3), to obtain the information necessary for the Committee to make the trustworthiness determination required to clear staff members for access to information of the Department of Justice classified in the interest of national security.

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MEMORANDUM OF UNDERSTANDING

FEDERAL BUREAU OF INVESTIGATION BACKGROUND INVESTIGATIONS
FOR THE HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE (HPSCI)

The Federal Bureau of Investigation (FBI) will conduct background investigations at the request of the Chairman of HPSCI of applicants, employees or any persons engaged by contract or otherwise to perform services for the HPSCI. These investigations shall only be conducted pursuant to the agreement between the Attorney General and the HPSCI to ascertain facts and information relevant to the applicant's or employee's suitability for employment and to their trustworthiness for clearance for access to information classified under the provisions of Executive Order 11652 and where necessary for clearance for access to compartmented information in accordance with the standards set forth in Director of Central Intelligence Directive 1/14.

Requests for investigations by the FBI shall be made in writing from the Committee Chairman to the Director of the FBI enclosing a completed Standard Form 86 (Security Investigation Data for Sensitive Position) which provides the necessary background data and a set of the individual's fingerprints for a check of FBI Identification Records. To enable the FBI to comply with Section (e) (3) of the Federal Privacy Act of 1974 and in keeping with the spirit of this Act, the request shall be accompanied by a statement signed by the subject of the investigation acknowledging that he or she has consented to the investigation with the knowledge that facts or information gathered shall be retained consistent with the FBI Records Retention Plan.

HPSCI is to secure signed releases from the person under investigation authorizing the FBI to review educational, credit, and employment records. If a person furnishes information disclosing a medical problem or if such information is developed through investigation, the FBI will advise the HPSCI. The HPSCI will advise whether further investigation is desired and will either furnish to the FBI a release to review necessary medical records and interview the physician or advise if it desires the FBI to contact the persons under investigation for the appropriate medical releases.

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Subject to the Federal Privacy Act of 1974, persons interviewed during these investigations may be assured that to the extent permitted by law information identifying such persons will be kept confidential.

The FBI will furnish summary memoranda and supporting materials containing the results of its investigation to the Committee Chairman or his designated representative and retain a record of the person to whom such information is furnished. The Committee Chairman will insure that access to these summary memoranda and supporting materials is restricted to persons directly involved in making a determination as to the person's suitability for employment by the HPSCI and trustworthiness for access to classified information. The HPSCI shall maintain records of the identities of persons receiving access to the aforementioned materials and such records shall be furnished to the FBI upon request. The HPSCI shall not reproduce or disseminate any of the aforementioned materials without the express consent of the FBI unless otherwise provided for in this agreement.

The Chairman will insure that summary memoranda and supporting materials and any copies will be destroyed within ninety (90) days of their receipt unless written notice has been given to the Director that an additional period of time, not exceeding ninety (90) days, is needed to complete a decision relating to employment or clearance. The Chairman will notify the Director of the FBI when these materials have been destroyed pursuant to this paragraph.

Under no circumstances should the HPSCI allow the person who is the subject of an investigation direct access to the summary memorandum and supporting material. If necessary to discuss the contents of the summary memorandum and supporting material with the applicant or employee the HPSCI will insure that the confidentiality of the sources contained therein is protected. Any request by the individual for access to the memorandum will be referred to the FBI for processing in accordance with the Privacy Act of 1974.

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Information obtained during a background investigation will be retained at FBI Headquarters and FBI field offices in accordance with the FBI Records Retention Plan. The Director of the FBI will insure that access to investigatory files, compiled pursuant to this agreement, is limited to FBI personnel who require it for the conduct of their official responsibilities.

The FBI will inform the Chairman or his designated representative of any adverse information developed during the original background investigation. The FBI will also provide the Chairman or his designated representative with any adverse information and supporting materials which subsequently come to the attention of the FBI that question the suitability or trustworthiness of any employee or any person engaged by contract or otherwise to perform services for the HPSCI. Upon such notification and upon request by the HPSCI, the HPSCI shall have access to the summary memoranda and suppoting materials from the original background investigation. Information obtained during background investigations conducted pursuant to this agreement will not be disseminated outside the FBI except when necessary to fulfill obligations imposed by law, FBI regulation or presidential directive or executive order. When a request is received from a Federal agency for background information concerning a current employee or contractor of the HPSCI, if the individual concerned has given written consent authorizing the HPSCI to be notified, the FBI will notify the HPSCI of the request for background information, except where the request concerns the individual's employment application to the agency requesting the background information. Notification by the FBI to the HPSCI will not extend to a criminal or national security investigation until it is determined that notification would not impede or compromise the investigation.

When a tentative decision is made to employ an individual, the Chairman or his designated representative shall furnish a copy of the aforementioned summary memoranda and supporting materials to the Director of Central Intelligence (DCI). The DCI will insure that the summary memoranda and supporting materials furnished to the DCI pursuant to this agreement will be returned to the HPSCI within ninety (90) days of its receipt.

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No person employed by the Committee shall be given access to any classified information or material until appropriate procedures for granting clearance for access to classified information have been established and clearance granted. The HPSCI will provide the FBI and the DCI with a list of persons cleared for access to classified information and HPSCI will advise the FBI and DCI when an individual granted a clearance terminates employment with the HPSCI.

Griffin B. Bell

GRIFFIN B. BELL
Attorney General

Dated: Aug. 12, 1977

Edward P. Boland

EDWARD P. BOLAND
Chairman

Dated: August 2, 1977

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OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Serv. ____
Crim. Inv. ____
Fin. & Pers. ____
Ident. ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Insp. ____
Rec. Mgnt. ____
Spec. Inv. ____
Tech. Servs. ____
Training ____
Public Affs. Off. ____
Telephone Rm. ____
Director's Sec'y ____

TO : The Associate Director

DATE: 8/16/77

FROM : Legal Counsel

SUBJECT: HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

PURPOSE:

To advise Attorney General has signed agreement with Chairman of captioned Committee concerning FBI's conducting of background investigations for committee staff members.

DETAILS:

Attached is a copy of a memorandum from the Attorney General to the Director and a memorandum of understanding signed by the Attorney General and Chairman Edward P. Boland of captioned Committee. The memorandum from the Attorney General authorizes the FBI to conduct background investigations of staff members of captioned Committee in accordance with the memorandum of understanding. We have at this time received a request to conduct a background investigation for Michael O'Neil, who will be Counsel for the Committee, as well as an oral request which will be confirmed in writing along with other necessary papers to conduct investigation for Thomas K. Latimer. Mr. Latimer will be Staff Director for captioned Committee.

RECOMMENDATION:

For information.

Enclosure

1 - Mr. Adams - Enclosure
1 - Mr. Leavitt - Enclosure
1 - Mr. Moore - Enclosure
1 - Mr. Mintz - Enclosure
1 - Mr. Monahan - Enclosure
1 - Mr. Hurst - Enclosure
2 - Mr. Daly - Enclosure

PVD:rdw
(9)

1 ENCLOSURE

ST 104
REC-1 62-116464-328

APPROVED:

Director ____
Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____

Adm. Serv. ____
Crim. Inv. ____
Fin. & Pers. ____
Ident. ____
Intell. ____
Laboratory ____

Legal Coun. ____
Plan. & Insp. ____
Rec. Mgnt. ____
Spec. Inv. ____
Tech. Servs. ____
Training ____
Public Affs. Off. ____

AUG 23 1977

11-Daly



5010-110

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

FBI/DOJ

79 SEP 09 1977

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FBI/DOJ

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1 - Mr. T. W. Leavitt
1 - Mr. H. N. Bassett
(Attn: R. L. Olsen)
1 - Mr. A. J. Decker

6/9/77

Mr. T. W. Leavitt

1 - Mr. ~~B. W. Moore~~ F.C.FEHL
(Attn: J. C. Lawn)

R. J. Gray, Jr.

1 - Mr. R. J. Gray
1 - Mr. S. J. Miller

SENSTUDY 75; HOUSTUDY

PURPOSE AND DETAILS:

This is to advise that both captioned files, all enclosures, ticklers, request folders, and other supporting material, formerly maintained in Room 3859, have been moved to Room 8988, J. Edgar Hoover Building, and placed in the custody of SA John C. Lawn.

All Intelligence Division personnel and property have been withdrawn from Room 3859.

RECOMMENDATION:

That captioned files and supporting material be maintained in Room 8988 and that appropriate Records Management Division personnel be advised of this relocation.

(1) - 62-116464 (HOUSTUDY)
1 - ~~62-116395~~ (SENSTUDY 75)

SJM:ded
(9)

62-116464
NOT RECORDED
167 JUN 17 1977

97 JUN 23 1977

ORIGINAL FILED IN 62-116395-1105

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DocId:32169018 Page 15
2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. A. J. Decker
(Attn: W. L. Bailey/
L. W. Brady)

Mr. T. W. Leavitt

6/30/76

1 - Mr. T. W. Leavitt
2 - Mr. S. F. Phillips

S. F. Phillips

SENSTUDY 75
Bufile: 62-116395

HOUSTUDY
Bufile: 62-116464

This informative memorandum to advise of start of "wrap-up" project in connection with files, tickler folders, special indices and other material relating to captioned matters.

With the end of the mandates of the Senate and House Select Committees on Intelligence Activities and the release of the last reports, our "current" work relating to the two Committees has, with the exception of a few loose ends, come to an end. The two remaining clerks in the SENSTUDY 75 Project along with the writer, are now primarily engaged in a "wrap-up" project consisting mainly of the following:

(1) complete a special indices which has been in preparation on a continuing basis and which will provide for ready identification of all documents furnished to the Select Committees;

(2) after consultation with Messrs. W. L. Bailey and L. W. Brady and key clerical personnel of the Records Management Division, we have launched a step-by-step effort which will provide for:

(A) integration into the files themselves of copies of voluminous documents which were delivered and/or given access to the Committees. These documents for the most part have heretofore been maintained with our tickler folders.

(B) appropriate filing of 12 folders containing voluminous public source information such as newspaper clippings, wire service excerpts and magazine clippings. (A separate memorandum is being prepared on this matter.)

62-116464-

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(6)

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NOT RECORDED
46 JUL 15 1976

84 JAN 5 1978

ORIGINAL FILED IN

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Memorandum to Mr. T. W. Leavitt
Re: SENSTUDY 75
Bufile: 62-116395

HOUSTUDY
Bufile: 62-116464

(C) identify all documents delivered and/or given access to the Committees and provide for necessary notations to be placed on the "original file copies" to account for dissemination/access to the Committees.

(D) indices matters--integration of special SENSTUDY 75 indices into Bureau's General Indices; "permanent" retention of special indices. (Separate memorandum to provide for necessary approval of procedures to be worked out, to be submitted.)

(E) "permanent" retention of tickler folders. (Separate memorandum to provide for necessary approval of procedures to be worked out, to be submitted.)

ACTION: None. For information and record purposes.

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OPTIONAL FORM NO.
MAY 1962 EDITION
GSA FPMR (41 CFR) 1(

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Serv. ____
Ext. Affairs ____
Fin. & Pers. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Rec. Mgmt. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

TO : The Associate Director

DATE: 1/17/77

FROM : Legal Counsel

SUBJECT: HOUSE RESOLUTION 82
95TH CONGRESS, FIRST SESSION

The purpose of this memorandum is to advise that Congressman Charles E. Bennett (Florida) submitted House Resolution 82 (copy attached) on 1/4/77.

DETAILS:

On 1/4/77, Congressman Charles E. Bennett (Florida) submitted House Resolution 82, the purpose being to establish a new select committee of the House to be known as the Select Committee on Intelligence, to oversee and make studies of intelligence activities and programs of the United States Government. This Resolution is similar in nature to Senate Resolution 400, 94th Congress, Second Session, which created the Senate Select Committee on Intelligence. If created by the House, this Committee would obtain annual reports from the Director of the CIA, the Secretary of State, Secretary of Defense, and the Director of the FBI concerning intelligence activities. This Committee would also submit to the Committee on the Budget views and estimates regarding matters within the jurisdiction of this Select Committee.

This Select Committee would also require the head of each department and agency of the United States to keep the Select Committee fully and currently informed with respect to intelligence activities, including any significant anticipated activity, provided that it did not constitute a condition precedent to the implementation of any such anticipated intelligence activity.

ENCLOSURE ST-105 REC-50 62-116464-326
21 JAN 28 1977
DE-50 V-18

Enclosure
1 - Mr. Adams (enc.)
1 - Mr. Leavitt (enc.)
1 - Mr. Gallagher (enc.)
1 - Mr. Mintz (enc.)
3 - Mr. Daly (enc.)
1 - Mr. Coulson (enc.)

CONTINUED - OVER

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54 FEB 2 1977

5010-108

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

FBI/DOJ

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Legal Counsel to the Associate Director Memo
RE: HOUSE RESOLUTION 82
95TH CONGRESS, FIRST SESSION

Page 9, line 1, of this Resolution provides "that the head of any department or agency of the United States involved in any intelligence activities should furnish any information or document in the possession, custody, or control of the department or agency, or person paid by such department or agency whenever requested by the select committee with respect to any matter within such committee's jurisdiction." It should be noted that Senate Resolution 400, 94th Congress, Second Session, was silent regarding this type of access. This Select Committee would also look into the desirability of establishing a standing committee of the House on Intelligence Activities, the desirability of establishing a joint committee of the Senate and the House of Representatives on intelligence activities, or of establishing procedures under which separate committee on intelligence activities of the two Houses of Congress would receive joint briefings by the intelligence agencies and coordinate their policies with respect to safeguarding of sensitive intelligence information.

This Resolution was referred to the Committee on Rules for consideration.

RECOMMENDATION:

That the Office of Congressional Affairs, Legal Counsel Division, will follow the deliberations concerning the creation of the House Select Committee on Intelligence.

APPROVED:	Adm. Serv.	Legal Coun.
	Ext. Affairs	Plan. & Insp.
Director	Fin. & Pers.	Rec. Mgt.
Assoc. Dir.	Gen. Inv.	S. & T. Serv.
Dep. AD Adm.	Ident.	Spec. Inv.
Dep. AD Inv.	Intell.	Training

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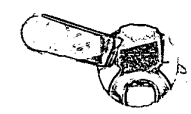

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ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

95TH CONGRESS
1ST SESSION

H. RES. 82

RESOLUTION

To establish a Select Committee on Intelligence in the House of Representatives, and for other purposes.

By Mr. BENNETT

JANUARY 4, 1977
Referred to the Committee on Rules

62-116464-326

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

95TH CONGRESS
1ST SESSION

H. RES. 82

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1977

Mr. BENNETT submitted the following resolution; which was referred to the Committee on Rules

RESOLUTION

Resolved, That it is the purpose of this resolution to establish a new select committee of the House, to be known as the Select Committee on Intelligence, to oversee and make continuing studies of the intelligence activities and programs of the United States Government, and to submit to the House appropriate proposals for legislation and report to the House concerning such intelligence activities and programs. In carrying out this purpose, the Select Committee on Intelligence shall make every effort to assure that the appropriate departments and agencies of the United States provide informed and timely intelligence necessary for the executive and legislative branches to make sound decisions affecting the security

V

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and vital interests of the Nation. It is further the purpose of this resolution to provide vigilant legislative oversight over the intelligence activities of the United States to assure that such activities are in conformity with the Constitution and laws of the United States.

SEC. 2. (a) (1) There is hereby established a select committee to be known as the Select Committee on Intelligence (hereinafter in this resolution referred to as the "select committee"). The select committee shall be composed of fifteen members appointed as follows:

(A) two members from the Committee on Appropriations;

(B) two members from the Committee on Armed Services;

(C) two members from the Committee on International Relations;

(D) two members from the Committee on the Judiciary; and

(E) seven members to be appointed from the House at large.

(2) Members appointed from each committee named in clauses (A) through (D) of paragraph (1) shall be evenly divided between the two major political parties and shall be appointed by the Speaker of the House upon the recommendations of the majority and minority leaders of the

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House. Four of the members appointed under clause (E) of paragraph (1) shall be appointed by the Speaker of the House upon the recommendation of the majority leader of the House and three shall be appointed by the Speaker of the House upon the recommendation of the minority leader of the House.

(3) The majority leader of the House and the minority leader of the House shall be ex officio members of the select committee but shall have no vote in the committee and shall not be counted for purposes of determining a quorum.

(b) No Member may serve on the select committee for more than eight years of continuous service, exclusive of service by any Member on such committee during the Ninety-fifth Congress. To the greatest extent practicable, one-third of the Members of the House appointed to the select committee at the beginning of the Ninety-seventh Congress and each Congress thereafter shall be Members of the House who did not serve on such committee during the preceding Congress.

(c) At the beginning of each Congress, the Members of the House who are members of the majority party of the House shall elect a chairman for the select committee, and the Members of the House who are from the minority party of the House shall elect a vice chairman for such committee. The vice chairman shall act in the place and stead of the chair-

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man in the absence of the chairman. Neither the chairman nor the vice chairman of the select committee shall at the same time serve as chairman or ranking minority member of any other committee referred to in clause 1 of rule X of the Rules of the House.

SEC. 3. (a) The select committee, for the purposes of accountability to the House, shall make regular and periodic reports to the House on the nature and extent of the intelligence activities of the various departments and agencies of the United States. Such committee shall promptly call to the attention of the House or to any other appropriate committee or committees of the House any matters requiring the attention of the House or such other committee or committees. In making such reports, the select committee shall not make any unauthorized disclosure of information which has been classified.

(b) The select committee shall obtain an annual report from the Director of the Central Intelligence Agency, the Secretary of Defense, the Secretary of State, and the Director of the Federal Bureau of Investigation. Such reports shall review the intelligence activities of the agency or department concerned and the intelligence activities of foreign countries directed at the United States or its interest. An unclassified version of each report may be made available to the public at the discretion of the select committee. Nothing

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herein shall be construed as requiring the public disclosure in such reports of the names of individuals engaged in intelligence activities for the United States or the divulging of intelligence methods employed or the sources of information on which such reports are based or the amounts of funds authorized to be appropriated for intelligence activities.

(c) On or before March 15 of each year, the select committee shall submit to the Committee on the Budget of the House the views and estimates described in section 301 (c) of the Congressional Budget Act of 1974 regarding matters within the jurisdiction of the select committee.

SEC. 4. (a) For the purposes of this resolution, the select committee is authorized in its discretion (1) to make investigations into any matter within its jurisdiction, (2) to make expenditures from the contingent fund of the House, (3) to employ personnel, (4) to hold hearings, (5) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the House, (6) to require, by subpena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents, (7) to take depositions and other testimony, (8) to procure the service of individual consultants or organizations thereof, in accordance with the provisions of section 202 (i) of the Legislative Reorganization Act of 1946, and (9) with the prior consent of the Government department or agency concerned

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and the Committee on Rules of the House, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The chairman of the select committee or any member thereof may administer oaths to witnesses.

(c) Subpenas authorized by the select committee may be issued over the signature of the chairman, the vice chairman, or any member of the select committee designated by the chairman, and may be served by any person designated by the chairman or any member signing the subpena.

SEC. 5. No employee of the select committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has (1) agreed in writing and under oath to be bound by the rules of the House (including the jurisdiction of the Committee on Standards of Official Conduct and of such committee as to the security of such information during and after the period of his employment or contractual agreement with such committee; and (2) received an appropriate security clearance as determined by such committee in consultation with the Director of Central Intelligence. The type of security clearance to be required in the case of any such employee or person shall, within the determination of such committee in consultation with the

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Director of Central Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

SEC. 6. The select committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines the national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

SEC. 7. (a) It shall be the duty of the Committee on Standards of Official Conduct to investigate any unauthorized disclosure of intelligence information by a Member, officer, or employee of the House and to report to the House concerning any allegation which it finds to be substantiated.

(b) Upon the request of any person who is subject to any such investigation, the Committee on Standards of Official Conduct shall release to such individual at the conclusion of its investigation a summary of its investigation together with its findings. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that

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there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the House, it shall report its findings to the House and recommend appropriate action such as censure, removal from committee membership, or expulsion from the House, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SEC. 8. The select committee is authorized to permit any personal representative of the President, designated by the President to serve as a liaison to such committee, to attend any closed meeting of such committee.

SEC. 9. All records, files, documents, and other materials in the possession, custody, or control of the House Select Committee on Intelligence established during the Ninety-fourth Congress, under appropriate conditions established by it, shall be transferred to the select committee.

SEC. 10. (a) It is the sense of the House that the head of each department and agency of the United States should keep the select committee fully and currently informed with respect to intelligence activities, including any significant anticipated activities, which are the responsibility of or engaged in by such department or agency: *Provided,* That this does not constitute a condition precedent to the implementation of any such anticipated intelligence activity.

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(b) It is the sense of the House that the head of any department or agency of the United States involved in any intelligence activities should furnish any information or document in the possession, custody, or control of the department or agency, or person paid by such department or agency, whenever requested by the select committee with respect to any matter within such committee's jurisdiction.

(c) It is the sense of the House that each department and agency of the United States should report immediately upon discovery to the select committee any and all intelligence activities which constitute violations of the constitutional rights of any person, violations of law, or violations of Executive orders, Presidential directives, or departmental or agency rules or regulations; each department and agency should further report to such committee what actions have been taken or are expected to be taken by the departments or agencies with respect to such violations.

SEC. 11. Subject to the rules of the House, no funds shall be appropriated for any fiscal year beginning after September 30, 1977, with the exception of a continuing bill or resolution, or amendment thereto, or conference report thereon, to, or for use of, any department or agency of the United States to carry out any of the following activities, unless such funds shall have been previously authorized

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by a bill or joint resolution passed by the House during the same or preceding fiscal year to carry out such activity for such fiscal year:

(1) The activities of the Central Intelligence Agency and the Director of Central Intelligence.

(2) The activities of the Defense Intelligence Agency.

(3) The activities of the National Security Agency.

(4) The intelligence activities of other agencies and subdivisions of the Department of Defense.

(5) The intelligence activities of the Department of State.

(6) The intelligence activities of the Federal Bureau of Investigation, including all activities of the Intelligence Division.

SEC. 12. (a) The select committee shall make a study with respect to the following matters, taking into consideration with respect to each such matter, all relevant aspects of the effectiveness of planning, gathering, use, security, and dissemination of intelligence:

(1) the quality of the analytical capabilities of United States foreign intelligence agencies and means for integrating more closely analytical intelligence and policy formulation;

(2) the extent and nature of the authority of the departments and agencies of the executive branch to

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engage in intelligence activities and the desirability of developing charters for each intelligence agency or department;

(3) the organization of intelligence activities in the executive branch to maximize the effectiveness of the conduct, oversight, and accountability of intelligence activities; to reduce duplication or overlap; and to improve the morale of the personnel of the foreign intelligence agencies;

(4) the conduct of covert and clandestine activities and the procedures by which Congress is informed of such activities;

(5) the desirability of changing any law, House rule or procedure, or any Executive order, rule, or regulation to improve the protection of intelligence secrets and provide for disclosure of information for which there is no compelling reason for secrecy;

(6) the desirability of establishing a standing committee of the House on intelligence activities;

(7) the desirability of establishing a joint committee of the Senate and the House of Representatives on intelligence activities in lieu of having separate committees in each House of Congress, or of establishing procedures under which separate committees on intelligence activities of the two Houses of Congress would

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receive joint briefings from the intelligence agencies and coordinate their policies with respect to the safeguarding of sensitive intelligence information;

(8) the authorization of funds for the intelligence activities of the Government and whether disclosure of any of the amounts of such funds is in the public interest; and

(9) the development of a uniform set of definitions for terms to be used in policies or guidelines which may be adopted by the executive or legislative branches to govern, clarify, and strengthen the operation of intelligence activities.

(b) The select committee shall report the results of the study provided for by this section to the House, together with any recommendations for legislative or other actions it deems appropriate, no later than July 1, 1978, and from time to time thereafter as it deems appropriate.

SEC. 13. (a) As used in this resolution, the term "intelligence activities" includes (1) the collection, analysis, production, dissemination, or use of information which relates to any foreign country, or any government, political group, party, military force, movement, or other association in such foreign country, and which relates to the defense, foreign policy, national security, or related policies of the United States, and other activity which is in support of such activi-

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ties; (2) activities taken to counter similar activities directed against the United States; (3) covert or clandestine activities affecting the relations of the United States with any foreign government, political group, party, military force, movement or other association; (4) the collection, analysis, production, dissemination, or use of information about activities of persons within the United States, its territories and possessions, or nationals of the United States abroad whose political and related activities pose, or may be considered by any department, agency, bureau, office, division, instrumentality, or employee of the United States to pose, a threat to the internal security of the United States and covert or clandestine activities directed against such persons. Such term does not include tactical foreign military intelligence serving no national policymaking function.

(b) As used in this resolution, the term "department or agency" includes any organization, committee, council, establishment, or office within the Federal Government.

(c) For purposes of this resolution, reference to any department, agency, bureau, or subdivision shall include a reference to any successor department, agency, bureau, or subdivision to the extent that such successor engages in intelligence activities now conducted by the department, agency, bureau, or subdivision referred to in this resolution.

SEC. 14. Expenses of the select committee under this

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resolution shall be paid from the contingent fund of the House upon vouchers approved by the chairman of the select committee, except that vouchers shall not be required for the disbursement of salaries of employees paid at an annual rate.

SEC. 15. Nothing in this resolution shall be construed as constituting acquiescence by the House in any practice, or in the conduct of any activity, not otherwise authorized by law.

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

1 - T. W. Leavitt
1 - A. J. Decker
1 - S. F. Phillips

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Serv. ____
Ext. Affairs ____
Fin. & Pers. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Rec. Mgnt. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. T. W. Leavitt TWL

DATE: 11/17/76

FROM : Mr. S. F. Phillips

SUBJECT: HOUSTUDY

Houstudy is the code word assigned to the control file containing communications pertaining to requests made by the House Select Committee on Intelligence Activities.

By memorandum 6/11/75, which was approved, it was recommended that, for purposes of sensitivity and urgency in handling, the Bureau file relating to the captioned matter be maintained in the work area of personnel assigned to the Houstudy Project; presently room 3859. It is noted that the above arrangement must be reevaluated and recommendations submitted on a semiannual basis. The approval was thus updated by memoranda dated 12/4/75 and 6/1/76.

For reasons cited above, maintenance of the above file as indicated has proven to be of invaluable assistance to personnel assigned to the Project and to others having frequent need for review of the file. Therefore, it is recommended that the above arrangment be continued for an additional 6-month period or until such time as the need no longer exists.

RECOMMENDATION

This memorandum should be forwarded to the Records Management Division for action requested above.

62-116464

SEP:kg
(4)

Handled by Special File Room 12-10-76

APPROVED:

Director ____
Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____

Adm. Serv. ____
Ext. Affairs ____
Fin. & Pers. ____
Gen. Inv. ____
Ident. ____
Intell. ____

Legal Coun. ____
Plan. & Insp. ____
Rec. Mgt. ASD/WB
S. & T. Serv. ____
Spec. Inv. ____
Training ____

ST 109

REC-37 62-116464-325

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

5010-108

FBI/DOJ

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt

FROM : S. F. Phillips

SUBJECT: HOUSTUDY

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(Attn: P. V. Daly)
1 - Mr. D. W. Moore, Jr.
DATE: 7/26/76
1 - Mr. T. W. Leavitt
(Attn: W. O. Cregar)
1 - Mr. S. S. Mignosa
(Attn: R. L. McLanahan)
1 - Mr. V. H. Weimar
1 - Mr. S. F. Phillips

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 ____

PURPOSE: To advise of CIA request for permission to mention during Congressional hearing FBI inquiry of Pike Committee Report leak to newsman Daniel Schorr; and our response to CIA that we prefer they do not volunteer such information.

DETAILS: House Committee on Standards of Official Conduct (Ethics Committee) has been conducting public hearings to determine source of leak which resulted in Daniel Schorr, CBS news commentator, providing "The Village Voice," New York City tabloid, information from House Intelligence Committee (Pike Committee) Report. On 7/21/76, Steve Hunt, CIA, telephonically advised S. F. Phillips, HOUSTUDY Project, that Seymour Bolten of CIA Review Staff and Mitchell Rogovin, formerly Special Counsel for Director, Central Intelligence, are to testify week of 7/25/76 at public hearings of Ethics Committee.

From questions already asked of other witnesses, it is anticipated Bolten and Rogovin will be asked if CIA investigated the leak to Schorr. They intend to reply that CIA did not as it is not provided for in its charter; but would like to add a statement to the effect that the FBI has conducted such investigation. Hunt sought Bureau approval for this. On 7/23/76, Bolten telephoned Phillips and expanded request by stating that the question which may be put to him or to Rogovin, may be of a general nature, such as "Did anyone in the Executive Branch investigate this matter?"; or, "Do you know of anyone who investigated this matter?" In answer to such a general question, Bolten desired to be able to respond to the effect that the FBI has conducted investigation in this matter.

ST-113

62-116464

REC-40 62-116464-324

1 - 65-75958 (Disclosure and Publication of Allegedly Classified Information by "The Village Voice," on or about 2/11/76)

5 AUG 11 1976

SFP:ddc (10)

#911368

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/15/00 BY SP2 ALM KP

CONTINUED - OVER

LEGAL COUNSEL

8 AUG 17 1976

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

5010-108

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DocId:32169018 Page 37
2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Memorandum to Mr. T. W. Leavitt
Re: HOUSTUDY

Pursuant to Department letter 2/13/76, "Disclosure and Publication of Allegedly Classified Information by 'The Village Voice,' on or about 2/11/76," we have been conducting a preliminary inquiry in this matter along lines specified by the Department. After conferring with Messrs. J. B. Adams and J. A. Mintz, it was decided that CIA be told that we would prefer that mention of FBI not be volunteered by Bolten or Rogovin. However, if questioned specifically as to any FBI investigation or if asked such general questions as indicated above, we would have no objection to the following reply: "It is our understanding that the FBI, at the instructions of the Department of Justice, initiated a preliminary inquiry into this matter in February, 1976."

The foregoing was telephonically passed by Phillips to Hunt, in Bolten's absence, on 7/23/76. The desired reply in quotes immediately above was read to Hunt who reread it back for accuracy. He expressed agreement with the handling of the matter in this manner and expressed appreciation for our cooperation.

ACTION: None. For information.

APPROVED:	Ext. Affairs	Laboratory
Assoc. Dir.	Fin. & Pers.	Legal Coun.
Dep. AD Adm.	Gen. Inv.	Plan. & Eval.
Dep. AD Inv.	Ident.	Rec. Mgmt.
Asst. Dir.:	Inspection	Spec. Inv.
Adm. Serv.	Intell.	Training

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DocId:32169018 Page 38
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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt

FROM : S. F. Phillips

SUBJECT: HOUSTUDY

1 - Mr. A. J. Decker
(Attn: W. L. Bailey/
L. W. Brady)

DATE: 6/30/76

1 - Mr. T. W. Leavitt
2 - Mr. S. F. Phillips

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 provides for filing of voluminous newspaper and wire service clippings relating to the House Select Committee on Intelligence Activities (HSC).

Since the inception of the HOUSTUDY Project, we have accumulated 3 thick folders containing newspaper and wire service clippings plus some additional material such as magazine articles and other public source data. Material maintained in tickler folder, Sub A file was never opened. Retained material is in general, but not precise chronological order. With the end of the HSC mandate, it is believed we should now provide for the final and permanent retention of this material.

This matter was discussed by writer with Messrs. W. L. Bailey and L. W. Brady of the Records Management Division on 6/29/76 and it was agreed that the most practical manner of handling would be to file this material as a bulky enclosure behind file and that no indexing would be necessary. Further, that the original of this memorandum be filed in the main HOUSTUDY file, 62-116464, and a copy be filed in Sub A to 62-116464 which should be opened as a repository of it alone. The presence of a copy of instant memorandum in the Sub A will serve as a permanent flag advising where the material is actually filed.

ACTION: Upon approval, Records Management Division will handle in accordance with procedures outlined above. The material is currently maintained in Room 3859 and may be obtained there from the writer.

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Bulky
ENCLOSURE

REC-115

62-116464-323

APPROVED:
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Fin. & Pers.
Gen. Inv.
Ident.
Inspection
Intell.
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Legal Coun.
Plan. & Eval.
Rec. Mgmt.
Spec. Inv.
Training

3 JUL 15 1976

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1 - 62-116464-Sub A
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"ENCLOSURE IN BULKY ROOM"
Key in Rm 3859

6 SEP 28 1976

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. A. J. Decker
1 - Mr. T. W. Leavitt
1 - Mr. S. F. Phillips

TO : Mr. T. W. Leavitt

DATE: 6/1/76

FROM : S. F. Phillips

SUBJECT: HOUSTUDY

4-Bradley
5-Phillips

Assoc. Dir.	
Dep. AD Adm.	
Dep. AD Inv.	
Asst. Dir.:	
Adm. Serv.	
Ext. Affairs	
Fin. & Pers.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Plan. & Eval.	
Rec. Mgnt.	
Spec. Inv.	
Training	
Telephone Rm.	
Director Sec'y	

FBI/DOJ

Houstudy is the code word assigned to the control file containing communications pertaining to requests made by the House Select Committee on Intelligence Activities.

By memorandum 6/11/75, which was approved, it was recommended that, for purposes of sensitivity and urgency in handling, the Bureau file relating to captioned matter be maintained in the work area of personnel assigned to the Houstudy Project, Room 4063 JEH. It is noted that the above arrangement must be reevaluated and recommendations submitted on a semiannual basis. The approval was thus updated by memorandum dated 12/4/75.

For reasons cited above, maintenance of the above file as indicated has proven to be of invaluable assistance to personnel assigned to the Project. It is recommended, therefore, that the above arrangement be continued for an additional six-month period or until such time as the need no longer exists. It should be noted that the Project was relocated from Room 4063 to Room 3859, on 5/26/76.

RECOMMENDATION:

REC-104 62-116464-322

This memorandum be forwarded to the Records Management Division for action requested above.

62-116464

3 JUN 4 1976

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JUN 8 1976

APPROVED:

Assoc. Dir.		Ext. Affairs	Laboratory
Dep. AD Adm.		Fin. & Pers.	Legal Coun.
Dep. AD Inv.		Gen. Inv.	Plan. & Eval.
Asst. Dir.:		Ident.	Rec. Mgmt.
Adm. Serv.		Inspection	Spec. Inv.
		Intell.	Training

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt

FROM : F. J. Cassidy

SUBJECT: HOUSTUDY

1 - Mr. Leavitt

DATE: 5/26/76

1 - Mr. Cassidy

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Serv. ____
Ext. Affairs ____
Fin. & Pers. ____
Gen. Inv. ____
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Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Rec. Mgnt. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

PURPOSE:

To record results of the interview of you and me by August Fipp, investigator for the Standards of Official Conduct Committee of the House, with regard to the handling of the draft report of the House Select Committee (HSC) received on 1/20/76 from the Attorney General's Office. (First Draft Final Report)

SYNOPSIS:

On 1/20/76 two copies of the First Draft Final Report of the HSC were received from the Attorney General's Office at approximately 5 p. m. with instructions to review for classified information or information which contained errors relating to Bureau operations. As best as can be recalled, five Xerox copies were made of this report, with one copy being furnished to Mr. J. B. Adams; one copy to then Assistant Director W. R. Wannall; one copy to you; one copy maintained by IS-3 Section, INTD, which Section coordinated the review; one copy to SA David Ryan; one copy split up for review by the various Sections of INTD; and one copy split up for review by Inspection, General Investigative, and Finance and Personnel Divisions. With regard to disposition, the copies of Mr. Adams, Wannall and your copy were returned to Mr. Rogovin's office, CIA, by liaison on 3/5/76, on instructions of Department. IS-3 copy returned to the Attorney General's Office at their request. SA Ryan's copy, as well as the two copies which were broken down for various Sections of INTD and other Divisions, were destroyed.

RECOMMENDATION:

None. For information.

REC-101 62-116464-321

17 JUN 3 1976

62-116464

FJC:glw
(3)

CONTINUED - OVER

84 MAY 7 1976

5010-108

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

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DocId:32169018 Page 41
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Memorandum to Mr. T. W. Leavitt
Re: Houstudy
62-116464

DETAILS:

On 5/18/76 Mr. August Fipp, investigator for the Standards of Official Conduct Committee of the House, interviewed you and me in your office concerning the Bureau's handling of the first version of the final draft report of the HSC, which version was received by INTD on 1/20/76.

Mr. Fipp was furnished the following information, which to the best of my recollection was the way in which this was handled by INTD.

At approximately 5 p. m. on 1/20/76 SA Dalseg received from Douglas Marvin, Special Assistant to the Attorney General, two copies of the draft report. SA Dalseg furnished these two copies to then Assistant Director Wannall who in turn appointed me to coordinate the review of the report, which consisted of approximately 340 pages, for classified material and any errors concerning information furnished by the Bureau to the HSC. This review was to be accomplished by 9 p. m. 1/20/76 and the results furnished to Mr. Mitch Rogovin at CIA. Based on Mr. Wannall's instructions, each Section Chief, INTD, was assigned approximately 50 pages to review. SA Ryan was assigned the task of reviewing the Cointelpro portions of the report and, as the report contained considerable information concerning the U. S. Recording Company, the Inspection Division was requested to review that portion of the report. Tom Hardy, a former informant handled by General Investigative Division, had been interviewed by the Committee. Accordingly, General Investigative Division was requested to review that portion of the report. As former SA Arthur Murtagh had testified before the Committee and made a number of allegations concerning the Bureau, a portion of the report was referred to the Finance and Personnel Division for review.

With the short deadline imposed, five Xerox copies of the report were made making a total of seven copies of the report in the possession of the INTD. These copies were handled as follows: one copy to Mr. Adams, one copy to Mr. Wannall; one copy to you; one copy to IS-3, INTD; one copy to Mr. Ryan; one copy split up for review by appropriate Sections of INTD; and one copy split up for review by Inspection, General Investigative, and Finance and Personnel Divisions.

- 2 - CONTINUED - OVER

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Memorandum to Mr. T. W. Leavitt
Re: Houstudy
62-116464

With regard to the disposition of the seven copies, the following is set forth: on receipt of instructions from the Department on 2/17/76 that copies of this report were to be returned to the CIA, a canvass of all Sections and Front Office of INTD was made by SA Thomas J. McNiff, who located three such copies. These copies were the ones furnished to Mr. Adams, Mr. Wannall and yourself. Memorandum S. F. Phillips to Mr. Leavitt, dated 3/1/76, captioned "Houstudy 75," contains the notation that on 3/5/76 Liaison Agent Weimar returned three copies to Mr. Rogovin's office at CIA.

At the request of Mr. Douglas Marvin of the Attorney General's Office, we had previously furnished to him the IS-3 Section copy of the report.

SA Ryan has advised that the copy utilized by him to accomplish the review for classification and errors was destroyed.

It is the recollection of both myself and SA R. H. Ross, IS-3 Section, who assisted me in coordinating this matter, that the working copies broken up and distributed to the various Sections of INTD and the other Divisions were destroyed.

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt

FROM : W. O. Cregar

SUBJECT: HOUSTUDY 75

1-Mr. Adams
1-Mr. Leavitt
2-Mr. Mintz
(1-Mr. Hotis)
1-Mr. Phillips
1-Mr. Cregar

DATE: 4/30/76

T-GEW
-FINAL
DRAFT REPORT

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Director Sec'y ____

PURPOSE: To advise that on 4/29/76 Mr. Norman McDaniels (former SA), a member of the investigating staff looking into the leak of the House Select Committee Intelligence Report, telephonically contacted Deputy Associate Director Adams for the purpose of obtaining information regarding the Bureau's knowledge of the drafts of the House Select Committee Intelligence report.

DETAILS: On 4/29/76 Mr. Norman McDaniels (former SA), a member of the investigating staff looking into the leak of the House Select Committee Intelligence Report, telephonically contacted Deputy Associate Director Adams indicating he desired to meet with representatives of the Bureau in an effort to determine what knowledge the Bureau had regarding the disposition of the reports of the House Select Intelligence Committee.

After conferring with Assistant Director Mintz it was agreed that Deputy Assistant Director Cregar would contact McDaniels telephonically and advise him that his request should be submitted in writing to the Attorney General over the signature of the Chairman of the Committee looking into this matter. This was done on the afternoon of 4/29/76 and McDaniels said that he would definitely be contacting the Attorney General's Office but probably would do so by telephone rather than in writing. Cregar advised McDaniels that the Bureau would take no further action in this matter pending advice from the Attorney General's Office. McDaniels agreed with this arrangement.

It will be recalled that on the morning of Saturday, 1/24/76, the secretary of Mitchell Rogovin, the attorney hired by William Colby, then Director of Central Intelligence Agency, telephonically contacted Cregar in an effort to arrange delivery of the "final report of the House Select Intelligence Committee to the Attorney General." The secretary indicated that the Attorney General needed the report inasmuch as the report was to be discussed at the White House the following day and the Attorney General's presence had been requested. At that time Rogovin's

REC-1 62-116464-320

WOC: enm
(7)

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CONTINUED - OVER

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secretary indicated that this was an "informal" copy of the final report and that its availability should be restricted.

Prior to calling McDaniels Cregar cleared with Mr. Seymour Bolten, the official of CIA handling the House Select Intelligence Committee matter for that agency. Bolten advised Cregar that McDaniels had contacted him and arrangements had been made for McDaniels to interview Bolten at CIA Headquarters on 5/4/76. Bolten also advised that McDaniels was aware of the fact that Mitchell Rogovin had gotten informal copies of the final draft of the House Select Committee Intelligence Report and in fact knew the identity of the person from whom Rogovin obtained this informal copy. Bolten advised that CIA interposed no objection to the Bureau's furnishing to McDaniels the precise sequence of events leading up to the FBI's obtaining a copy of the final draft of the House Select Committee Intelligence Report through Rogovin's office.

In the event McDaniels does obtain the Attorney General's approval and we are notified by the Attorney General's Office that we should cooperate with McDaniels, Cregar will meet with McDaniels to respond to any questions he might have regarding the Bureau's receipt and handling of the draft of the House Select Committee Intelligence Report.

As a matter of information, Bolten advised that Mitchell Rogovin, who has been completely cooperative with the Bureau while representing CIA, suffered a mild heart attack approximately two weeks ago and is currently hospitalized in Georgetown Hospital, Washington, D.C.

ACTION: For information and record purposes.

KY

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Houstudy

(INTELLIGENCE)
(BY DANIEL GILMORE)
WASHINGTON (UPI) -- DESPITE A HOUSE COMMITTEE'S CHARGES OF "ATROCIOUS AND HORRENDOUS" THINGS DONE BY THE CIA AND FBI, ATTORNEY GENERAL EDWARD LEVI WARNED TODAY AGAINST GIVING THE COURTS VIRTUAL CONTROL OF CRIMINAL INVESTIGATIONS.

HE ALSO ACCUSED THE WHITE HOUSE OF PROMOTING PREVIOUS MISUSE OF THE FBI FOR POLITICAL PURPOSES.

TESTIFYING BEFORE A HOUSE JUDICIARY SUBCOMMITTEE ON PROPOSED GUIDELINES FOR OPERATING THE FBI, HE OBJECTED TO SUGGESTIONS THAT COURT-APPROVED WARRANTS BE REQUIRED FOR PRACTICALLY EVERY INVESTIGATION.

"THERE IS A TEMPTATION TO RESORT TO HAVING THE COURTS MAKE DIFFICULT DAY-TO-DAY DECISIONS ABOUT INVESTIGATIONS," LEVI SAID. "WHEN A FOURTH AMENDMENT SEARCH OR SEIZURE IS INVOLVED, OF COURSE, RECOURSE TO A COURT OR A JUDICIAL WARRANT IS IN MOST CIRCUMSTANCES REQUIRED."

THE HOUSE INTELLIGENCE COMMITTEE ENDED IT WORK YESTERDAY, LEAVING BEHIND AN UNPUBLISHED REPORT ON "ATROCIOUS AND HORRENDOUS THINGS" DONE BY THE CIA AND FBI AND A STACK OF RECOMMENDATIONS ON HOW TO PREVENT ILLEGAL ACTIVITIES AND ABUSES. BUT LEVI TOLD THE JUDICIARY PANEL TODAY THAT CONGRESSIONAL ZEAL PROMPTED BY SUCH REPORTS COULD PRODUCT DECISIONS WHICH HAMSTRING OR AT LEAST SLOW DOWN LAW ENFORCEMENT.

"FOR EXAMPLE, IT HAS BEEN SUGGESTED THAT THE FBI OUGHT TO OBTAIN A WARRANT BEFORE USING AN INFORMANT. EXTENDING THE WARRANT REQUIRE IN THIS WAY...WOULD BE A STEP TOWARD THE INQUISITORIAL SYSTEM IN WHICH JUDGES, AND NOT MEMBERS OF THE EXECUTIVE, ACTUALLY CONTROL THE INVESTIGATION OF CRIMES."

LEVI POINTED A FINGER AT THE WHITE HOUSE AS RESPONSIBLE FOR A NUMBER OF PAST INCIDENTS "IN WHICH THE FBI WAS MISUSED FOR POLITICAL PURPOSES."

"...IN MOST CASES WE DISCOVERED WHERE THE MISUSE WAS THE INITIATION OF AN IMPROPER REQUEST WAS MADE BY A WHITE HOUSE MEMBER -- ACTING IN THE PRESIDENT'S NAME -- TO A [illegible] FBI. [illegible] REQUESTS WERE OFTEN MADE ORALLY. WHITE HOUSE STAFF [illegible] IN A [illegible]

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WASHINGTON CAPITAL NEWS SERVICE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

5-113a (Rev. 3-21-73)

SECRET

Intelligence Division

INFORMATIVE NOTE

Date 4/8/76

The attached relates to a request from the Assistant Attorney General (AAG), Criminal Division, to conduct an expedite preliminary inquiry regarding a package of CIA documents located in the Los Angeles, California, area, but which originally had been provided to the House Select Committee on Intelligence Activities between 11/15-12/12/75. Three of these documents are classified "Top Secret" and contain codeword indicators. Documents presently in possession of Mr. Fred Land, Document Control Officer, R & D Associates Los Angeles, California, and possibility exists they were previously in possession of an unknown media representative.

CIA, by letter dated 3/20/76, requested the Attorney General (AG) initiate investigation into this matter. AAG has requested FBI to conduct preliminary inquiry and has set forth nine questions to be answered regarding the identification and classification of the questioned documents.

Investigation being immediately instituted to comply with AAG's request. You will be advised of any pertinent developments in this matter. Classified by 5019, XGDS 2, Indefinite.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

SECRET

Memorandum

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Director Sec'y ___

TO : Director
Federal Bureau of Investigation

DATE: April 6

FROM : Richard L. Thornburgh
Assistant Attorney General
Criminal Division

SUBJECT: Unauthorized Release of CIA Classified Documents

Housturdy

There is attached hereto a copy of a memorandum, dated March 20, 1976, from the Director of the Central Intelligence Agency to the Attorney General, concerning an alleged unauthorized disclosure of three Top Secret CIA documents. The CIA requests that an investigation be initiated to determine the extent of the disclosure of the three Top Secret documents, as well as the individuals responsible.

In order to determine whether any action by the Department of Justice is necessary, you are requested to conduct a preliminary inquiry along the following lines:

1. Whether the documents were properly classified.

2. The origin of the documents and the name of the individual responsible for the security of the classified data.

3. The extent of official dissemination of the data.

4. Whether the data has been the subject of prior official releases.

Classified By CIA (derived)
Exempt from General Declassification
Schedule of Executive Order 11852
Exemption Category II
Automatically Declassified on Indefinite

Phillips

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5. Whether prior clearance for publication or release of the information was sought from proper authorities.

6. Whether the material or portions thereof or enough background data has been published officially or in the press to make an educated speculation on the matter possible.

7. Whether the data can be declassified for the purpose of prosecution and, if so, the name of the person competent to testify concerning the classification.

8. Whether declassification had been decided upon prior to the publication or release of the data.

9. What effect the disclosure of the classified data could have on the national defense.

In addition to the above questions, you should, through appropriate liaison channels, determine the particulars of any agreement among the White House, the CIA, and the House Select Committee on Intelligence Activities with regard to the use and disposition of classified materials furnished by the Executive Branch to the Committee. Please obtain copies of any written agreements and conduct necessary interviews of persons having knowledge of any such agreement in order that the Department may have complete information regarding its terms.

This limited inquiry should be handled expeditiously and the results furnished promptly to this Division.

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SECRET

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D. C. 20503

OFFICE OF THE DIRECTOR

RECEIVED
OFFICE OF THE
ATTORNEY GENERAL
MAR 22 1976

20 March 1976

MEMORANDUM FOR: The Honorable Edward H. Levi
The Attorney General

FROM : George Bush

SUBJECT : Unauthorized Release of Agency Classified Documents

1. On 4 February 1976 this Agency learned that a package of Agency documents, three of which are classified Top Secret and contain codeword indicators, are in the possession of Mr. Fred Land, Document Control Officer, R&D Associates, 4640 Admiralty Way, Marina del Rey (Los Angeles area), California. This package of documents was placed in the custody of Mr. Land by Mr. Roland Herbst, an executive of R&D Associates. Mr. Herbst apparently received the package from one Dr. Albert Wohlstetter who may have received the documents from an unknown media representative.

2. Copies of all of the documents in the package were provided by the Agency to the House Select Committee on Intelligence Activities between 15 November and 12 December 1975. One of the three Top Secret documents was sent directly to the White House by this Agency for release to the House Select Committee in response to the subpoena levied by the House Select Committee against the White House. This particular document, considered the most sensitive of the three, is an extract from the National Intelligence Daily of 5 July 1974. All of the documents in the package pertain to SALT.

CLASSIFIED BY 083209
EXEMPT FROM GENERAL DECLASSIFICATION SCHEDULE OF E. O. 11652, EXEMPTION CATEGORY:
§ 5B(1), (2) or (3) (circle one or more)
AUTOMATICALLY DECLASSIFIED ON
Impossible to Determine
(unless impossible, insert date or event)

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3. Apparently, some of the unclassified documents in the package were released to the press by the House Select Committee on 17 December 1975. A review of press coverage of this release would suggest that the Top Secret documents were not generally included in this distribution. This Agency did not authorize the release of these three classified documents.

4. You are requested to initiate an investigation designed to identify the extent of exposure of the three Top Secret documents as well as those individuals responsible. This Agency would appreciate receiving the investigative results, which should be directed, Attention: Director of Security. In the interim the Director of Security will coordinate any Agency support of the investigation you may require.

George Bush
Director

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt

FROM : F. J. Cassidy

SUBJECT: HOUSTUDY

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
DATE: 3/25/76
1 - Mr. T. W. Leavitt
1 - Mr. S. F. Phillips
1 - Mr. F. J. Cassidy
1 - Mr. R. H. Ross

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Telephone Rm. ____
Director Sec'y ____

PURPOSE:

To advise regarding comments in Jack Anderson column 3/23/76, concerning House Select Committee (HSC) report.

SYNOPSIS:

Bureau personnel have no knowledge concerning alleged watering down of HSC report by HSC Chief Counsel A. Searle Field.

RECOMMENDATION:

For information.

APPROVED:	Comp. Syst.	Laboratory
Assoc. Dir.	Ext. Affairs	Legal Coun
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Dep. AD Inv.	Ident.	Rec. Mgmt.
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DETAILS:

Mr. Callahan requested comments regarding the last two paragraphs in the Jack Anderson column of 3/23/76, attached. Bureau personnel involved in the review of the HSC report have no information regarding the alleged pressure by "FBI's powerful friends in Congress" to cause HSC Chief Counsel A. Searle Field to "water down" the final draft report as alleged by unnamed HSC staff aides as reported in the article.

EX-101 REC-61 62-116464-379

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Enclosure

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Earlier discontent with Field had been expressed by HSC staff aide James Oliphant to SA Paul V. Daly, Legal Counsel Division, in that Field was thought to have furnished the "New York Times" with a copy of the HSC report (see memorandum Legal Counsel to J. B. Adams, captioned "HOUSTUDY," dated 2/24/76).

The only known FBI changes in the HSC report occurred as a result of FBI write-ups which were furnished to the Committee. As background, at the request of the Attorney General's staff on 1/20/76, INTD reviewed the first draft of the HSC report, and prepared requested comments concerning inaccuracies and classified data in the report. The comments were furnished to the Attorney General and Mr. Mitchell Rogovin, Special Counsel to the Director of Central Intelligence. Rogovin had been designated spokesman for the intelligence community in negotiating changes in the HSC report. He met with the HSC staff on 1/22/76, to negotiate such changes, utilizing the Bureau write-ups. The final HSC report printed in "The Village Voice" varied from the first draft in that some of the changes set out in the FBI write-ups had been incorporated. No FBI representative was present at the 1/22/76, negotiations. The write-ups furnished to Rogovin were the only changes suggested by the Bureau prior to the release of the final HSC report.

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The Washington Merry-Go-Round

CIA Knew of Multinationals' Payoffs

By Jack Anderson and Les Whitten

For years, the Central Intelligence Agency has known all about illegal foreign payoffs by multinational corporations. The State and Defense departments, too, were at least aware that foreign leaders were being systematically bribed.

We have pieced together the story from several government sources.

It was standard policy, they report, for the multinationals to keep in contact with the CIA about information that would be helpful in securing contracts abroad.

Our sources distinctly recall that Lockheed representatives, for example, participated in briefings with the CIA in various U.S. embassies.

Like their holdings, the power of these great multinational, multibillion-dollar consortiums extends beyond any national boundaries. Some have become governments unto themselves, with their own foreign service, intelligence apparatus, secret codes and other governmental trappings.

Some corporations, including Lockheed, have used a secret intelligence group composed of former CIA agents in London. Although Lockheed claims to have cut its ties with the group, our sources say the secret organization is still operating.

CIA officials, questioned behind closed doors by Sen. Frank Church's subcommittee, denied any knowledge of the foreign payoffs. The agency, nevertheless, provided the subcommittee with a biography of Yoshio Kodama, Lockheed's $7 million consultant in Japan.

We have also established that the State Department kept tabs on multinational dealings, including the under-the-table payments. Foreign Service officers made it their business to know whom the corporations were dealing with on foreign soil, informed sources swear. Yet for the record, the State Department also has denied any knowledge of the bribery.

The Defense Department also maintained a secret list of foreign agents who received commissions on defense contracts from multinational corporations. The military brass should have been aware from the list, say our sources, that illegal money was being slipped to foreign bigwigs.

Incidentally, our sources acknowledge somewhat ruefully that the bribery often produced contracts.

White House Revolt — President Ford's speech researchers threatened to walk out en masse just as he was hitting stride in his political campaign two weeks ago.

If the five researchers had quit, Mr. Ford would have been deprived suddenly of experts who search out the facts not only for his political speeches, but for his foreign and domestic pronouncements. They also produce research for the White House staff on a variety of subjects.

The squall blew up in the office of Robert T. Hartmann, the veteran Ford aide, who supervises presidental speech writing and the research that goes into it.

After three unhappy speechwriters quit last December, Hartmann reorganized his office. As part of the change, he assigned a trusted political aide, Gwen Anderson, to supervise the researchers even though she has little research experience.

The Washington Post B-12
Washington Star-News ___
Daily News (New York) ___
The New York Times ___
The Wall Street Journal ___
The National Observer ___
The Los Angeles Times ___

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Anderson tangled with the respected White House research chief, Agnes Waldron, and tried to fire her. When Waldon's loyal staff heard the news, they all threatened to quit, with varying degrees of vehemence.

But they deferred the walk-out until Waldron could get a hearing before Dr. James Connor, the amiable presidential Cabinet secretary, who has also developed into an informal White House mediator.

Connor, as diplomatic with staffers as he is with testy department heads, urged everyone to "cool it" while a solution was worked out that would keep President Ford supplied with research.

At this writing, Waldron is still at the White House, but there is no assurance she will stay. Meanwhile, Anderson is holding her own supervision of the speech researchers to a cautious minimum.

Footnote: Hartmann could not be reached for comment. Some White House insiders blame him for the flare-up, while others say he is helping to resolve it. Anderson and Waldron did not return our calls.

Another Revolt—To appease the FBI's powerful friends in Congress, the House intelligence committee's criticism of the FBI was watered down on orders of the staff chief, A. Searle Field.

This caused a mini-revolt among the staff members who prepared the FBI section of the report. Infuriated, they fired off an angry letter of protest to Field, charging that the weakened report was an "unhappy structure," which "we don't like."

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : MR. CALLAHAN

DATE: 3/19/76

FROM : MR. J. B. ADAMS

SUBJECT: MISSING CIA DOCUMENTS

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Director Sec'y ___

Dave Bowers, investigator for Congressman Flynt's Committee on Ethics and Standards, called this morning to advise that with the approval of Congressman Flynt he wished to advise that about a week ago a friend in another investigative agency had advised that another individual has stated that someone on the street has for sale missing documents which had been allegedly furnished by CIA to the Pike Committee during its inquiries and had been determined missing upon the termination of the Pike Committee. These apparently are documents which have been referred to in news articles recently wherein it has been stated that over 200 CIA documents may be missing.

Mr. Bowers advised that his friend in the other agency intends to meet with his source on Saturday to attempt to secure additional details and will thereafter get back in touch with Mr. Bowers. Mr. Bowers and Congressman Flynt feel that inasmuch as this matter may involve a criminal violation that any information developed by them should be furnished to the FBI for appropriate handling.

REC-16 62-116464-318

These documents are not the Pike Committee report which was obtained by Daniel Schorr, however, may have some bearing on that matter also. Accordingly, it is felt that the Department should be orally alerted at this time by the Intelligence Division as well as CIA. Intelligence Division has been instructed to make appropriate contacts with the Department and CIA.

8 MAR 30 1976

ACTION:

For information.

CIA advised through Vern Weeman, Branch, 3-19-76. RC
John Martin, Department, advised 3/19/76 by R.M. Egan

1 - Mr. Leavitt
1 - Mr. Mignosa

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : J. J. McDermott 199m

DATE: 3-12-76

FROM : W. L. Bailey / WLB

SUBJECT: Houstudy

The attached HR. 591 2-11-76 has been received in the Records Section, appropriately initialed, and indicated for file. By use of instant transmittal memorandum, all necessary recording and indexing will be accomplished. It is to be noted this form is for internal use only within the Records Section, principally by the Routing Unit where bulky material not accompanied by memorandum is usually received.

The enclosure, if bulky and not usually filed with other papers in file, may be detached but this action should be clearly noted under the word "Enclosure."

Enc.

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NOT RECORDED

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Union Calendar No. 421

94th Congress, 2d Session - - - - - - - House Report No. 94-833

RECOMMENDATIONS OF THE FINAL REPORT

OF THE

HOUSE SELECT COMMITTEE ON INTELLIGENCE

BY THE

HOUSE SELECT COMMITTEE ON INTELLIGENCE

NINETY-FOURTH CONGRESS

SECOND SESSION

PURSUANT TO

H. Res. 591

A RESOLUTION ESTABLISHING A SELECT COMMITTEE ON INTELLIGENCE TO CONDUCT AN INQUIRE INTO THE ORGANIZATION, OPERATIONS, AND OVERSIGHT OF THE INTELLIGENCE COMMUNITY OF THE UNITED STATES GOVERNMENT

Rec'd 3/10/76 JJM

File 5-[illegible] 62-116464

FEBRUARY 11, 1976.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

57-006 WASHINGTON : 1976

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

SELECT COMMITTEE ON INTELLIGENCE

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ROBERT N. GIAIMO, Connecticut
JAMES V. STANTON, Ohio
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MORGAN F. MURPHY, Illinois
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DALE MILFORD, Texas
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LETTER OF TRANSMITTAL

SELECT COMMITTEE ON INTELLIGENCE,
U.S. House of Representatives,
Washington, D.C., February 11, 1976.

Hon. TED HENSHAW,
Clerk of the House,
H–105 The Capitol, Washington, D.C.

DEAR MR. HENSHAW: Pursuant to House Resolution 982, enclosed herewith please find the recommendations of the House Select Committee on Intelligence together with additional recommendations of Hon. Les Aspin, Hon. Ronald Dellums, Hon. William Lehman, Hon. Dale Milford, Hon. Morgan Murphy, Hon. James Stanton, Hon. Robert McClory, Hon. David Treen, Hon. Robert Kasten, Jr..

Please file same.

Very truly yours,

OTIS G. PIKE, *Chairman.*

COMMITTEE RECOMMENDATIONS

A. A HOUSE COMMITTEE ON INTELLIGENCE

1. The select committee recommends that there be formed a standing Committee on Intelligence of the House of Representatives.

a. The committee membership should reflect a broad representation of political and philosophical views.

b. The committee should consist of not more than 13 or less than nine members, designated by the Speaker in consultation with the minority leader, representing approximately the same political ratio as the House of Representatives.

c. No member of the committee may serve more than 3 consecutive terms on the committee, and no member of the staff may serve more than 6 years.

d. Any past or current member of the committee staff who shall release, without authorization of the committee, materials or information obtained by the committee shall be immediately terminated from employment and shall be fully subject to criminal and civil action, notwithstanding legislative immunity.

e. The committee shall be vested with subpoena power and shall have the right to enforce by a proceeding for civil contempt its subpoenas in the U.S. District Court for the District of Columbia or any other court of competent jurisdiction, without authorization from the House, provided the committee has so designated by resolution. The committee staff shall be given statutory standing to represent the committee in any proceeding arising from the issuance of a subpoena.

f. The committee's jurisdiction shall include all legislative and oversight functions relating to all U.S. agencies and departments engaged in foreign or domestic intelligence. The committee shall have exclusive

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jurisdiction for budget authorization for all intelligence activities and exclusive jurisdiction for all covert action operations. All remaining oversight functions may be concurrent with other committees of the House.

B. RELEASE OF INFORMATION

1. The select committee recommends that rule XI.2 (e)(2) of the House Rules is amended to read as follows:

"Each committee shall keep a complete record of all committee action which shall include a copy of all reports, statements, and testimony of witnesses whether received in open or in executive session."

2. The committee shall have the right to release any information or documents in its possession or control by a vote of a majority of the members of the committee under such terms and conditions as the committee shall deem advisable. The committee, in making the decision whether or not to release such information, shall have the right, but not the duty, to consult with other agencies of the Government within the intelligence community or executive branch with regard to any decision relating to the release of such heretofore secret information.

3. In the event of a negative vote by the committee on the release of certain classified information, a member of the committee may apprise the other Members of the House that the committee possesses information which he believes ought to be made public. Other Members of the House would then be authorized to have access to that information, provided they sign an agreement not to divulge the information. If these other Members agree that this information ought to be made public, they will sign a petition attesting to that. Upon obtaining the signatures of one-fifth of the House, the House shall convene in secret session for the purpose of advising the entire membership of the House of that information. The House may then vote to release the information to the public.

4. The select committee recommends that the rules of the House be revised to provide that any Member who reveals any classified information which jeopardizes the national security of the United States may be censured or expelled by a two-thirds vote of the House.

C. COVERT ACTION

1. The select committee recommends that all activities involving direct or indirect attempts to assassinate any individual and all paramilitary activities shall be prohibited except in time of war.

2. The select committee recommends that as to other covert action by any U.S. intelligence component, the following shall be required within 48 hours of initial approval.

a. The Director of Central Intelligence shall notify the committee in writing, stating in detail the nature, extent, purpose, risks, likelihood of success, and costs of the operation.

b. The President shall certify in writing to the committee that such covert action operation is required to protect the national security of the United States.

c. The committee shall be provided with duplicate originals of the written recommendations of each member of the 40 committee or its successor.

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3. All covert action operations shall be terminated no later than 12 months from the date of affirmative recommendation by the 40 committee or its successor.

D. NSA AS AN INDEPENDENT AGENCY

1. The select committee recommends that the existence of the National Security Agency should be recognized by specific legislation and that such legislation provide for civilian control of NSA. Further, it is recommended that such legislation specifically define the role of NSA with reference to the monitoring of communications of Americans.

E. DISCLOSURE OF BUDGET TOTALS

1. The select committee recommends that all intelligence related items be included as intelligence expenditures in the President's budget, and that there be disclosure of the total single sum budgeted for each agency involved in intelligence, or if such an item is a part or portion of the budget of another agency or department that it be separately identified as a single item.

F. PROHIBITION OF FUND TRANSFERS

1. The select committee recommends there be appropriate legislation to prohibit any significant transfer of funds between agencies or departments in connection with intelligence activities.

2. The select committee recommends there be appropriate legislation to prohibit any significant reprograming of funds within agencies or departments in connection with intelligence activities without the specific approval of the Intelligence Committee and appropriate committees of Congress.

3. The select committee recommends there be appropriate legislation to prohibit any significant expenditures of reserve or contingency funds in connection with intelligence activities without specific approval of the Intelligence Committee and appropriate committees of Congress.

G. DIRECTOR OF CENTRAL INTELLIGENCE

1. The select committee recommends that a Director of Central Intelligence shall be created, separate, from any of the operating or analytic intelligence agencies for the purpose of coordinating and overseeing the entire foreign intelligence community with a view to eliminating duplication in collection and promoting competition in analysis. The DCI shall be nominated by the President with the advice and consent of the Senate. This office shall have the following powers and duties:

(*a*) The DCI shall be the chief foreign intelligence officer of the United States, and shall be responsible for the supervision and control of all agencies of the United States engaged in foreign intelligence.

(*b*) The DCI shall be a Member of the National Security Council.

(*c*) the DCI may not hold a position or title with respect to any other agencies of Government.

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(*d*) The DCI shall, along with such other duties, constitute an Office of Inspector General for all of the foreign intelligence agencies, including other agencies of government or branches of the military which have foreign intelligence functions. Such agencies shall have the obligation to report all instances of misconduct or allegations of misconduct to the DCI. This shall not constitute a limitation upon the respective agencies reporting to the DCI from maintaining their own Inspector General staff or similar body.

(*e*) The DCI shall have an adequate staff for the purposes expressed herein and be responsible for the national intelligence estimates and daily briefings of the President.

(*f*) The DCI shall be responsible for the preparation of the national intelligence estimates and such reports shall be immediately supplied to the appropriate committees of Congress on request.

(*g*) All budget requests shall be prepared by the agencies under the jurisdiction of the DCI. As those parts of budget of the military services or components of Department of Defense, they shall be submitted as an independent part of such budgets to the DCI.

(*h*) The DCI shall be charged with the functions of coordinating foreign intelligence agencies under its jurisdiction, the elimination of duplication, the periodic evaluation of the performance and efficiency of the agencies in question, and shall report to Congress on the foregoing at least annually.

(*i*) The DCI shall conduct a comprehensive inquiry into the causes of intelligence failures, including: inadequate collection tasking; analytical bias; duplication; unusable technical output; excessive compartmentation; and withholding of information by senior officials, and report to the Committee on Intelligence within 1 year.

H. FULL GAO AUDIT AUTHORITY

1. The select committee recommends that the General Accounting Office be empowered to conduct a full and complete management as well as financial audit of all intelligence agencies. There shall be no limitation on the GAO in the performance of these functions by any executive classification system, and the audit function of GAO shall specifically apply to those funds which presently may be expended on certification of a Director of an Agency alone.

I. INTERNAL FINANCIAL MANAGEMENT

1. The select committee recommends that the CIA internal audit staff be increased and given complete access to CIA financial records, and that overseas stations be audited at least annually. It is further recommended that all proprietary and procurement mechanisms be subjected to annual comprehensive review, by the CIA's internal audit staff.

J. FULL DISCLOSURE TO CONGRESS

1. The select committee recommends that existing legislation (National Security Act of 1947, Sec. 102 (d)(3)) restricting the Direc-

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tors and heads of foreign intelligence agencies from providing full information to Congress should be amended to exclude committees of Congress having appropriate jurisdiction.

K. NEW FOREIGN OPERATIONS SUBCOMMITTEE OF NSC

1. The select committee recommends that the National Security Act of 1947 be amended to provide for the establishment of a permanent Foreign Operations Subcommittee of the National Security Council. The subcommittee's jurisdiction, function and composition shall be as follows:

(*a*) The subcommittee shall have jurisdiction over all authorized activities of U.S. foreign intelligence agencies except those solely related to the gathering of intelligence.

(*b*) The subcommittee shall advise the President on all proposed covert or clandestine activities and on hazardous collecting activities.

(*c*) Each member of the subcommittee shall be required by law to submit his individual assessments of each proposal to the President in writing. The assessment should cover such matters as the likelihood of success, the benefits of success, the damage resulting from failure or exposure, the risks against the potential benefits and alternate ways of accomplishing the goal.

(*d*) The subcommittee shall be chaired by the Assistant to the President for National Security Affairs and shall be composed of:

Assistant to the President for National Security Affairs;
Director of Central Intelligence;
Secretary of State;
Secretary of Defense;
Deputy Director for Intelligence of CIA;
Chairman of the Joint Chiefs of Staff;
The ambassador(s), if there is one, and assistant secretaries of state for the affected countries and areas.

L. DEFENSE INTELLIGENCE AGENCY

1. The select committee recommends that the Defense Intelligence Agency be abolished and that its functions be transferred to the Assistant Secretary of Defense for Intelligence and the CIA.

M. DETAILEES

1. The select committee recommends that intelligence agencies disclose the affiliation of employees on detail to other Government agencies or departments to all immediate colleagues and superiors.

N. ASSISTANT FOR NATIONAL SECURITY AFFAIRS

1. The select committee recommends that the Assistant to the President for National Security Affairs be prohibited from holding any cabinet-level position.

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O. RESTRICTIONS ON POLICE TRAINING AND RELATIONSHIPS

1. The select committee recommends that no agency of the United States engaged principally in foreign or military intelligence, directly or indirectly engage in the training or the supplying of domestic police agencies of the United States, and that contacts between police agencies of the United States and U.S. foreign or military intelligence agencies be limited to those circumstances which shall be required on account of internal security or the normal requirements and functions of such police agencies.

P. MEDIA, RELIGION, AND EDUCATION

1. The select committee recommends that U.S. intelligence agencies not covertly provide money or other valuable consideration to persons associated with religious or educational institutions, or to employees or representatives of any journal or electronic media with general circulation in the United States or use such institutions or individuals for purposes of cover. The foregoing prohibitions are intended to apply to American citizens and institutions.

2. The select committee further recommends that U.S. intelligence agencies not covertly publish books, or plant or suppress stories in any journals or electronic media with general circulation in the United States.

Q. RESTRICTIONS ON MILITARY INTELLIGENCE

1. The select committee recommends that the intelligence components of the armed services of the United States be prohibited from engaging in covert action within the United States. It is further recommended that clandestine activities against nonmilitary U.S. citizens abroad be proscribed.

R. CLASSIFICATION

1. The select committee recommends that the classification of information be the subject of the enactment of specific legislation; and further, as an adjunct to such legislation there be provided a method of regular declassification.

S. INSPECTOR GENERAL FOR INTELLIGENCE

1. The select committee recommends the establishment of an independent Office of the Inspector General for Intelligence, who shall have full authority to investigate any possible or potential misconduct on the part of the various intelligence agencies or the personnel therein. The IGI shall be appointed by the President, with the approval of the Senate, for a term of 10 years and shall not be permitted to succeed himself. The IGI shall have full access on demand to all records and personnel of the intelligence agencies for the purpose of pursuing his investigations. He shall make an annual report to the Congress of his activities and make such additional reports to the intelligence committees or other appropriate oversight committees as he may choose or the committees may direct.

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T. DOMESTIC

1. The select committee recommends that judicial warrant must issue, on probable cause, before an informant or any other agent of the FBI may infiltrate any domestic group or association, when investigation of such group or association or its members is based solely on title 18 U.S.C. §§ 2383, 2384, 2385.

2. The select committee recommends that the Director of the FBI have a term of office no longer than 2 presidential terms.

3. The select committee recommends that the Internal Security Branch of the Intelligence Division be abolished and that the counter-intelligence branch be reorganized to constitute a full division named the Counter-Intelligence Division; that the mission of this Division be limited to investigating and countering the efforts of foreign directed groups and individuals against the United States.

4. The select committee recommends the transfer of all investigations of alleged criminal activity by domestic groups or individual members thereof to the General Investigative Division.

5. The select committee recommends that regulations be promulgated that tie the investigation of activities of terrorist groups closely to specific violations of criminal law within the investigative jurisdiction of the FBI and that charge the Department of Justice with determining when a domestic political action group may be appropriately targeted for investigation of terrorist activities.

Additional Recommendations of Hon. Les Aspin

All the hearings, all the hassles and all the headlines should have underscored the fact that the Select Committee really faced three challenges:

how to banish abuses from the intelligence system;
how to control covert operations; and
how to improve the intelligence product, the analyses for which we spend so much money.

The committee has approved a number of recommendations which go to the heart of these problems.

The establishment of an Independent Inspector General for Intelligence will provide an office designed exclusively to hawkeye the intelligence community and see that it is adhering to the law.

The institutionalization of a successor to the 40 Committee will provide systematic direction of covert operations by the executive branch for the first time.

And creation of a more powerful director of central intelligence will for the first time give one man the authority to whip the many intelligence fiefdoms into line and eliminate the duplication and waste that the committee found to be rife.

I think that there is more that we could have done and I have two additional proposals.

The select committee suggested that a standing committee be informed of an approved covert operation within 48 hours after its ap-

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proval. I have proposed that a standing committee be informed of covert operations before they are approved by the President. The standing committee or committees should not have veto power, but the committees, or their members individually, should have the opportunity to make their views known to the President.

No doubt a number of members would simply write out a list of reservations to cover themselves in case an operation went wrong. But is that bad? It is a good idea to have advice reaching the President from a few people who have a bias for negativism. There is too much me-tooism in the executive branch already.

Furthermore, if the members of the new 40 Committee knew that Congress was part of the consultative process, they would be likely to move with greater care and discretion than has been true in the past. Prior notification of Congress is one more governor on the intelligence vehicle which could inhibit the kind of reckless driving the committee uncovered in its investigations.

The committee, in a number of its recommendations, has sought to provide a framework for improvement. But we have left the CIA high and dry organizationally. I believe that the CIA should be divided into two separate agencies—one devoted only to analysis and the other responsible for clandestine collection and covert operations.

Splitting the CIA is the key to attracting the kinds of young men and women we need in intelligence analysis. The hostility the CIA has aroused is bound to discourage many good people from applying. Furthermore, the analysts need interchanges with academia, and these ties have been strained by the public perceptions that anyone connected with the CIA has blood on his hands.

We have also seen, as in the Bay of Pigs, that proximity breeds bias. One side of the CIA planned the Bay of Pigs. The other side of the CIA was not in a position to analyze it independently and critically.

Critics say it is impossible to separate covert collection from covert operations, that many of the same people are used for the two purposes. This is quite true. However, my proposal leaves covert collection and covert operations in the same organization and simply splits them off from the analytical function.

No improvements will result if proposals for reform are consigned to the archives like the report of this committee. Our intelligence services have been ignored by Congress in the past—and we have seen the consequences of that inattention. Congress now has a second chance to decide if it wishes to play Pontius Pilate and wash its hands of an unpleasant business or confront the issue headon. I hope the Congress will not abdicate its responsibilities any more.

LES ASPIN.

ADDITIONAL RECOMMENDATIONS OF HON. RONALD V. DELLUMS

I supported the committee majority in bringing to the House of Representatives those recommendations finally adopted by the committee. However, this should not indicate my approval of all the adopted recommendations; several are not strong enough and several additional recommendations should have been adopted.

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These recommendations should stimulate extremely important and timely discussion, debate and consensus about such vital and basic questions as:

(1) Is secrecy compatible with principles of democracy ostensibly embodied in our constitutional form of government?

(2) If and where is secrecy necessary?

(3) How much secrecy is required and what forms should it take?

(4) What safeguards against abuse are required?

(5) What, if any, are our legitimate and necessary intelligence needs?

(6) How much change, restructuring, and/or elimination of organizations are required to meet on the one hand the "legitimate" intelligence needs of our Nation, and on the other hand safeguard against abuse of people, power, and the Constitution?

(7) As our world continues its rapid changes and shifts, what level of our already limited resources do we perceive as necessary to meet our intelligence needs?

These and other questions must be discussed and debated within an atmosphere of reason. To resolve these questions and reach some consensus, it will demand the best within each of us as representatives of the people. The issues both implicitly and explicitly raised by the committee recommendations are of extreme importance and must be addressed within that context.

I oppose the committee's recommendation regarding: (A) A House Committee on Intelligence, insofar as, ". . . The committee shall have exclusive jurisdiction . . . for all covert action operations." I believe that this information should be more widely shared. Discerning oversight is facilitated by involving several relevant committees, and I think jurisdiction over covert action operations should be shared with those committees presently involved.

I am opposed to that part of the recommendation regarding: (B) Release of information (4) "The select committee recommends that the rules of the House be revised to provide that any member who reveals any classified information which jeopardizes the national security of the United States may be censored or expelled by a two-thirds vote of the House."

"National security" is now an infamous phrase, one open to mischievous interpretation. There is a great danger in constructing a chilling system which allows demagogues the easy opportunity of injuring a member by making reckless charges.

The committee's recommendation on covert action is not satisfactory. The committee recommendations say, "1. The select committee recommends that all activities involving direct or indirect attempts to assassinate any individual and all paramilitary activities shall be prohibited except in time of war."

We should prohibit all covert action.

We live in a world becoming increasingly smaller and interdependent, a world in which secrecy and cloak and dagger methods, in my estimation, are anachronisms from the past. They should have no place today in the world we will continue to live in.

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It seems to me that whatever action this country takes in a world that is becoming this small and this interdependent ought to be overt action. The United States ought to begin to play an aggressive role as an advocate of peace in the world, as an advocate of humanitarian concerns, and frankly I believe that the level of secrecy that we have been exposed to as members of this committee flies in the face of democratic principle.

Many people conveniently wrap themselves quite fully in the flag, but when pressed to the wall on whether or not they are willing seriously to support democratic principles, I find that they are willing to sidestep principle.

Democracy is based on a notion of the development of a consensus. In my estimation covert action does not provide for that consensus. It does not provide for debate needed to achieve consensus. Instead, covert actions are recommended and approved by a small select group of people. The actions can at some point be extremely expensive, at some point extraordinarily risky and at some point fly in the face of open debate on any given question. I think that detrimental to the democratic process.

I am willing to try democracy. My concern is that our democracy has been, for the most part, a charade or merely symbolic, and I am not sure that many of us truly believe in the concept of majority rule.

I am concerned about secretly providing arms and aid to other countries, presidents able to sit down with other presidents and making deals. Yet these things are issues we found that are part of the range of covert actions utilized by this country.

I think our world is much too complicated to continue to function effectively in this manner. The more we get involved in covert action, the more we become accused of covert actions in places where we may not be involved at all.

So, the question is, does it really assist this country's role in the world to continue these kind of activities. My answer is no. Indeed, I think we do much more harm continuing to function covertly.

Many of these operations are well-known except to the people of the States and/or their representatives. So where does the covert rationale apply? It keeps people who are part of this society out of the decision, and it comes at a level which keeps representatives of the people out of those decisions.

I see no justification for covert operations. If we want to assist, then why not do it in the open and let the debate deal with the question of what our role "ought" to be somewhere in the world. On the basis of a consensus publicly made, then we can assist. But why do we have to play games? Why do we have to get involved?

Another related question is where have covert operations taken us? Are the nations that we have been involved with free democratic societies where the masses of people have benefits of democracy, or are those nations for the most part, military dictators, right-wing juntas, or regimes with extraordinary wealth and power in the hands of a few elitists?

If the latter holds, it totally contradicts stated principles of this country. If we have been involved in covert actions which generated democracy, freedom and justice around the world, maybe we might arrive at some different conclusion. But I don't think anyone can

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justify continued covert action on grounds that we foster and develop democracy around the world.

If covert action isn't banned, the committee's recommendations on covert action should be strengthened and it should be required that the Oversight Committee have preknowledge of all major covert activities.

The nature of covert actions and espionage subtract from the main responsibility of the CIA—to serve as an independent central research and analysis facility. Since active involvement in clandestine operations can force analysis to be silenced for policy needs, certain present functions of the CIA should be divided and a separate espionage (human intelligence)/clandestine operations agency be formed.

In his testimony, Dr. Ray S. Cline called for a central research and analysis facility to provide objective assessments of national security data to Congress and the National Security Council. I agree, and I believe this ought to be a separate organization, not linked to any policymaker other than the President and as free from other institutional bias as possible. Actually, research and analysis are the original functions of the CIA and are functions that the Central Intelligence Agency apparently does better than any other agency in the intelligence community. Its research and analysis functions should be facilitated.

I recommend that the Central Intelligence Agency be split into two agencies—an intelligence research and analysis agency and a second agency to conduct whatever espionage and covert action functions are authorized.

In addition, I recommend that both the new intelligence research and analysis agency and the new espionage and covert agency be independent agencies subject to all controls recommended by this Committee.

Possible violations of law by intelligence agency employees or agents should be investigated and, if required, prosecuted by the Department of Justice. No agency should have the right or capability to bar investigation or prosecution. In addition to criminal penalties there must be provision for civil liability for abuses of authority. Legislation should provide for jurisdiction, justiciability and standing, discovery, and relief.

Several other recommendations are included in my supplemental views to the report of the House Select Committee on Intelligence. Every member and the public must have access to that report.

It is imperative that the House of Representatives now consider these issues and pass legislation based on these recommendations.

RONALD V. DELLUMS.

ADDITIONAL RECOMMENDATIONS OF HON. WILLIAM LEHMAN

There is no question in my mind that the United States must have a strong, effective, professional intelligence service. Our national security depends on it.

Yet that intelligence service is but part of our Government. And, like all parts, it must be balanced against a continuing need for and

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our tradition of an open society, as well as this Nation's moral position throughout the world. For, if this Nation does not maintain that moral position, there is now no other country in the world who can take our place.

If I were CIA Director, I would be happy to see a strong congressional oversight committee, because it would be the most effective safeguard against wrongly conceived and wrongly motivated covert actions originating in the executive branch.

Despite allegations to the contrary, congressional investigations have not prevented the Agency from doing an effective job. Past performance bears this out; in fact, the failure of the CIA and other intelligence agencies to give adequate warning of several international crises may simply indicate the limited ability of intelligence to safeguard our national security.

There was, for example, the October 1973, Mideast war, where there was more than enough information available to warn of the impending Arab attack. There were other failures as well: the 1974 coup in Cyprus and the subsequent Turkish invasion; the Indian nuclear explosion; the Soviet invasion of Czechoslovakia; the Tet offensive in Vietnam; and the leftist coup in Portugal. All of these "failures" occurred long before any congressional committee was directed to investigate the intelligence community.

The intelligence community has operated in the past with a virtual blank check budget. This not only removes any incentive to curtail wasteful programs, but, through the very availability of funds, leads to both foolish and dangerous covert operations.

Yet, I am concerned by the committee's recommendation that a line-item figure for the CIA appear in the budget. Is it really possible to get a true and accurate figure? In the event that one of the branches of the armed services details a vessel to the CIA, is the cost of that vessel a part of the costs of intelligence? In my view, a line-item figure for the Agency must conform to principles of sound accounting practice. Only then will it have any meaning at all.

THE FBI

The committee hearings on the FBI documented the problem of informants turned agents-provocateur. Informants are necessary; the use of provocateurs is totally contrary to principles of decency and honesty.

One of these agents-provocateur was William Lemmer, who worked in Florida as an informant for the Bureau. Lemmer infiltrated the Vietnam Veterans Against the War and became one of the most active members of the chapter. As such, he allegedly suggested violent means of expressing VVAW disagreement with the country's Vietnam war policy. This kind of activity, directed by the Nation's foremost law enforcement agency, is plainly and starkly wrong.

THE IRS

IRS projects such as "Operation Leprechaun", "Operation Trade Winds", and "Operation Haven", clearly demonstrate that the IRS has gone far beyond its prescribed role in tax enforcement. Each of

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these projects involved illegalities and abuses by the intelligence division of IRS in my own State of Florida.

I would only comment here that our system is grossly misused when Federal agencies violate the law in their attempts to enforce it. To adopt the methods of criminals is to become indistinguishable from them.

RECOMMENDATIONS

I strongly support the committee's recommendation that no member of the House serve on the new oversight committee we propose for more than 6 years. Such a limitation will help to ensure that the committee's members retain their objectivity and not come to look on the intelligence community as their own private preserve.

A similar limitation should be imposed on the Directors of the CIA and FBI, so that neither is allowed to serve for so many years that he can no longer distinguish between himself and his job.

One of the committee's recommendations would require the FBI agents or informants have a judicial warrant before attempting to infiltrate any domestic group or association. I agree that this requirement is necessary to protect the rights of American citizens, but, in light of recent tragedies perpetrated by international terrorists groups, I feel that such a restriction should not be imposed when the group or association is wholly or partly made up of aliens.

SUMMARY

In comparison with other intelligence agencies, and, indeed, with Government agencies in general, I find the CIA to be highly professional and very dedicated. Despite past lack of accountability, the CIA is doing a high level, cost effective job, particularly in its intelligence gathering function.

However, there are serious deficiencies in the operation of the CIA. Much constructive rebuilding must be done if American intelligence activities are to be conducted with responsibility and integrity—and without undermining the spirit of our democratic society.

BILL LEHMAN.

RECOMMENDATIONS OF HON. DALE MILFORD

A. A HOUSE COMMITTEE ON INTELLIGENCE

1. I recommend that there be formed a standing Committee on Intelligence of the House of Representatives, and that committee shall consist of members who hold the respect and confidence of the general membership of the House.

a. The membership of the standing Committee on Intelligence shall be selected from sitting members of the following House committees:

2 Members from Armed Services.
2 Members from Internal Relations.
1 Member from Science and Technology.
1 Member from Banking and Currency.
1 Member from Judiciary.

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1 Member from Public Works and Transportation.
1 Member from Government Operations.
1 Member from Interstate and Foreign Commerce.
A Chairman to be nominated by the Speaker.

b. The candidates for membership on the standing Committee on Intelligence shall be nominated by resolution from the above listed committees, supplying the number of members designated above. Nominees shall then be confirmed by the Democratic caucus or the Republican conference by means of a secret ballot. Vacancies shall be filled by like action.

c. Candidate selection for service on the standing Committee on Intelligence shall be based on individual qualifications and technical expertise, rather than party affiliation, except that, the total membership of the standing Committee on Intelligence must always have no less than one-third of its total members from each of the major parties. Should the occasion arise when a Major Party does not have one-third of its members represented on the committee, the Speaker shall designate to the nominating committee or committees the necessary number of partisan candidates to be selected.

B. RELEASE OF INFORMATION

1. I recommend that the standing Committee on Intelligence, or any member of the committee, shall not directly or indirectly release any information, documents or data bearing a security classification unless and until the following sequential procedures have been completed:

(*a*) The committee passes a resolution expressing the need and reason for declassification.

(*b*) The appropriate administrative agency has been allowed reasonable time to agree with the declassification or to present reasons for opposition.

(*c*) A House Leadership Committee, consisting of the Speaker, the Majority Leader, the Minority Leader, the Majority and Minority Whips and the chairmen of the committees from which the Intelligence Committee Membership has been selected (a majority of the total being present), shall approve or disapprove of the declassification and release.

(*d*) Notwithstanding the committee's approval or disapproval, any committee member who disagrees shall have a right to petition individual members of the Leadership Committee. If three or more members of the Leadership Committee shall concur, said member shall have a right to be heard by the full Leadership Committee.

(*e*) Any Intelligence Committee member who shall release any materials, documents, or data bearing a security classification, without complying with the above provisions shall be subject to expulsion from the House of Representatives and shall be subject to appropriate criminal or civil action, notwithstanding legislative immunity.

2. a. Any member of the House having knowledge of classified materials, documents or data who shall release such material, documents or data without obtaining the approval of a majority of the

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members of the Leadership Committee shall be subject to expulsion from the House of Representatives and shall be subject to any appropriate criminal or civil actions, notwithstanding legislative immunity.

C. PENALTIES FOR IMPROPER RELEASE OF CLASSIFIED INFORMATION

I recommend that the United States Code be amended to provide criminal sanctions against any person who shall disclose or reveal properly classified information, documents, data, or plans concerning the national security of the United States, such sanctions to apply regardless of intent to harm the United States or to aid a foreign nation, notwithstanding legislative immunity.

DALE MILFORD.

RECOMMENDATION OF HON. MORGAN F. MURPHY

In light of the investigation by the House Select Committee on Intelligence, I recommend that Congress enact legislation or amend existing legislation to protect the confidentiality of tax records of American citizens.

Section 6103 of the Internal Revenue Code refers to tax returns as "public records" but specifies that they be "open to inspection only upon order of the President and under rules and regulations prescribed by the Secretary or his delegate and approved by the President."

Public use and abuse of the records, however, have been more the rule than the exception in the recent past. There has been little emphasis on the need for protecting the confidentiality of tax records.

I recommend a shift in emphasis back to the basic right of taxpayers to privacy regarding their tax affairs. We must do more than limit disclosures to certain agencies, individuals, congressional committees, and States. We must require the entity seeking tax information to prove that such information is essential to the entity's function and further, that the tax information cannot otherwise be acquired. I suggest that House and Senate committees with jurisdiction act with all deliberate speed to finalize their work on legislation to better ensure the privacy of tax records.

MORGAN F. MURPHY.

ADDITIONAL RECOMMENDATION OF HON. JAMES V. STANTON

I would go beyond recommendation N of the select committee, which proposes that the Assistant to the President for National Security Affairs be prohibited from holding any Cabinet-level position, by recommending the enactment of legislation which (1) states that the individual who holds this position cannot hold any other office in the Federal Government, nor may he be a member of the Armed Forces, (2) requires Senate confirmation of this position, and (3) in order to achieve these purposes, establishes statutorily the position of Special Assistant to the President for National Security Affairs. I have introduced a bill, H.R. 10754, which embodies these provisions.

JAMES V. STANTON.

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ALTERNATIVE RECOMMENDATIONS OF HON. ROBERT MCCLORY

I support the recommendations contained in the majority report under headings: D, F, G, I, J, L, N, O, Q, R, and S (with the exception of section 1). I do not approve of the other recommendations and I offer the following alternative recommendations in those areas in which I believe reform is necessary and appropriate.

ALTERNATIVE RECOMMENDATIONS OF HON. ROBERT MCCORY

I recommend that there be established a permanent standing Committee on Intelligence of the House of Representatives.

1. The committee shall consist of five members composed of one member from each of the following committees: (a) Appropriations, (b) Armed Services, (c) International Relations, (d) Judiciary, and (e) Government Operations; no more than three of whom shall be members of the same political party. The committee membership should reflect a broad representation of political and philosophical views.

2. No member of the committee may serve more than 3 consecutive terms on the committee, and no member of the staff may serve more than 6 consecutive years.

3. Any past or current member of the committee staff who shall release, without authorization of the committee, materials or information obtained by the committee shall be immediately terminated from employment and shall be fully subject to criminal and civil liability, notwithstanding legislative immunity.

4. The committee's jurisdiction shall include all legislative and oversight functions relating to all U.S. agencies and departments engaged in foreign or domestic intelligence activities. The committee shall have exclusive jurisdiction for budget authorization for all intelligence activities and exclusive jurisdiction for all covert action operations. All remaining oversight functions may be concurrent with other committees of the House.

5. The committee shall be vested with subpoena power, and the rules of the House should be amended to give the committee the right to enforce its subpoenas through a civil contempt proceeding in the U.S. District Court for the District of Columbia without specific authorization from the full House.

B. RELEASE OF INFORMATION

1. I recommend that the House Committee on Intelligence have the right to release any classified information or documents in its possession or control only if the following procedures are adhered to:

(*a*) the committee shall have the duty to consult with other agencies of the Government within the intelligence community or the executive branch with respect to the public disclosure of any classified information before any formal committee vote on release.

(*b*) After such consultation, the committee may, by an affirmative vote of a majority of the members, submit the material proposed to be released to the President.

(*c*) If within a reasonable period of time the President certifies in writing that the disclosure of the material would be deteri-

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mental to the national security of the United States, the material would not be disclosed or released. Failing any such Presidential certification, the committee would be able to release the material.

(*d*) In the event of such a certification by the President, the committee shall be given standing to sue and the U.S. District Court for the District of Columbia shall be given jurisdiction over such disputes, so that the matter can be submitted to the courts for judicial determination.

C. COVERT ACTION

1. I recommend that all activities involving direct or indirect attempts to assassinate any individual be prohibited by law except in time of war.

2. I recommend that appropriate legislation be enacted to require prior approval by the House Committee on Intelligence for all military and paramilitary covert actions proposed by the U.S. Government, including those actions in which arms or funds for arms would be provided covertly.

3. I recommend that, as to all other covert actions of a significant size or involving significant risk, the Director of Central Intelligence be required, within 48 hours of initial implementation, to notify the committee in writing and in detail of the nature, extent, purpose, risk and costs of the operation.

D. IMPROVED SECURITY FOR CLASSIFIED INFORMATION IN THE HOUSE

1. I recommend that the Rules of the House be revised to provide that any member who violates the confidentiality of any executive session of any House committee may be censured or expelled by a two-thirds vote of the House.

2. I recommend that the rules of the House be amended to provide that any committee of the House which has access to classified information has the authority to discipline any member which it reasonably believes has disclosed or publicized such information in violation of the rules of confidentiality duly adopted by such committee. These committees ought to be delegated authority by the full House to take appropriate disciplinary action against such a member to ensure compliance with the rules of confidentiality. Appropriate disciplinary action could be taken only after a vote of a majority of the majority members and a majority of the minority members of the committee; and any member against whom such disciplinary action is taken shall have a right of appeal to the full House.

E. GAO AUDIT AUTHORITY

I recommend that the General Accounting Office be empowered to conduct full and complete financial audits of all intelligence agencies. There should not be any limitation on GAO access in the performance of these functions by any classification system, and the financial audit function of GAO should specifically apply to those funds which currently may be expended on certification of a Director of an agency alone.

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F. DETAILEES

I recommend that intelligence agencies disclose the affiliation of their employees on detail to other Government agencies or departments to the heads of such agencies; and that detailees not be placed in any position in which an actual or apparent conflict of interest might exist.

ROBERT MCCLORY.

DISSENTING AND ADDITIONAL RECOMMENDATIONS OF HON. DAVID C. TREEN

(To the Recommendations of the House Select Committee on Intelligence)

The following are my specific recommendations (on the subjects which they concern) which may differ, vary or coincide with recommendations on similar subjects by the majority. The absence of any recommendation on a subject covered by the majority is not to be construed as concurrence or nonconcurrence with the majority recommendation.

Recommendation No. 1: Joint Oversight Committee

I recommend that there be established a Joint Congressional Committee on Foreign Intelligence which committee shall have oversight and legislative authority with respect to all foreign intelligence activities.

(*a*) The joint committee shall consist of no more than 14 members, equally divided between the House and Senate. The committees of the House and Senate having jurisdiction over international affairs, armed services, and defense appropriations shall each be entitled to representation on the joint committee by at least one member of those committees.

(*b*) Membership on the joint committee shall be limited to a period of 6 years and, beginning with the fifth year, at least one-third of the committee membership shall consist of new members.

(*c*) Any past or current member of the joint committee staff who shall release, without proper authorization, materials or information obtained by the joint committee shall be immediately terminated from employment and shall be fully subject to criminal and civil action, not withstanding any plea of legislative immunity.

(*d*) The joint committee shall be vested with subpoena power, and the rules of the House shall be amended to give the joint committee the right to enforce its subpoenas through a civil contempt proceeeding in the U.S. District Court for the District of Columbia without specific authorization from the full House.

Recommendation No. 2: Obligations of the Executive Branch

I recommend that the executive branch be required to keep the joint committee promptly and fully informed as to all intelligence activities, including covert actions, and including full disclosure of allocations wherever they may be in the budget with regard to foreign intelligence and all expenditures of funds by all departments and

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agencies of the executive branch for foreign intelligence and covert activities.

Recommendation No. 3: Access to and Release of Classified Information

I recommend that the rules of the House and Senate, where necessary, be conformed to accommodate the following recommendations, and that, where necessary, legislation be enacted in aid thereof:

(*a*) Access to information and materials furnished to the joint committee in executive session or classified secret by the executive branch shall not be accessible to other members of Congress except upon a resolution permitting such access adopted by a two-thirds vote of the membership of both the House and Senate Members, voting in person and not by proxy.

(*b*) Prior to any action to permit access of such information to other Members of Congress, the executive branch shall be given reasonable opportunity to testify and present evidence in executive session regarding the proposed action.

(*c*) Materials and information received from the executive branch in executive session of the joint committee or otherwise classified secret by the executive branch may be publicly released only upon adoption of the resolution specified in subparagraph (a) above and upon the adoption of a resolution permitting public disclosure adopted by a two-thirds vote of the membership of both the House and Senate, the debate on which shall be conducted in secret session, and the vote on which shall be in open session by recorded vote.

(*d*) Any Member of Congress who reveals any information in violation of the foregoing procedures may be censured or expelled by a two-third vote of the House or the Senate, as the case may be.

Recommendation No. 4: Agreements for the Handling of Classified Information

I recommend that any information furnished to the joint committee by the executive branch under an agreement with the joint committee for the handling of such information shall be binding in accordance with the terms of that agreement on the joint committee, on the House and Senate, and on each Member of Congress. Violation of the terms of the agreement shall be grounds for censure or expulsion by a two-thirds vote of the House or Senate, as the case may be.

Recommendation No. 5: Director of Central Intelligence

I recommend that a Director of Central Intelligence shall be established, separate from any of the operating intelligence agencies, for the purpose of coordinating and overseeing the foreign intelligence community. His purpose shall be to eliminate duplication in collection and promote competition in analysis.

(a) The DCI shall be appointed by the President with the advice and consent of the Senate.

(b) The DCI shall be the chief foreign intelligence officer of the United States, and shall be responsible for the supervision and control of all agencies of the United States engaged in foreign intelligence.

(c) The DCI shall be a member of the National Security Council.

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(d) The DCI may not hold any other position, office or title in the U.S. Government.

(e) The DCI shall, along with such other duties, constitute an office of Inspector General for all of the foreign intelligence agencies, including all agencies of Government which have foreign intelligence functions. Such agency shall have the obligation to report all allegations of misconduct and/or unlawful activities to the DCI.

(f) The DCI shall be responsible for the national intelligence estimates and daily briefings of the President.

(g) The DCI shall be responsible for reporting to the Joint Committee on Intelligence and other appropriate committees of Congress.

(h) All budget requests which include funds for foreign intelligence or covert activities shall, insofar as such funds are concerned, be prepared in consultation with the DCI. Although the funds for foreign intelligence activities will continue to be budgeted in the respective agency budgets, the DCI shall be responsible to the joint committee for full reporting on the foreign intelligence and covert activities funding set forth in all agency budgets.

(i) The DCI shall coordinate the functions of all foreign intelligence agencies under his jurisdiction, shall eliminate unnecessary duplication, conduct periodic evaluation of the performance and efficiency of the agencies, and report to Congress on the foregoing at least annually.

Recommendation No. 6: Disclosures to Congress

I recommend that existing law (Sec. 102(d)3 of the National Security Act of 1947) which restricts officials of the executive branch from providing information be amended to specifically exclude from any such prohibition all committees of Congress having appropriate jurisdiction.

Recommendation No. 7: Assistant for National Security Affairs

I recommend that the Assistant to the President for National Security Affairs be prohibited from holding any other position, office or title in the U.S. Government.

Recommendation No. 8: News Media and Publications

(1) I recommend that U.S. foreign intelligence agencies be prohibited from covertly providing money or other valuable consideration to employees or full-time representatives of any journal or electronic media with general circulation in the United States, and prohibited from utilizing such individuals for purposes of cover; except that such prohibition shall not apply to the occasional or casual furnisher of news stories or articles to the news media.

(2) I recommend that the U.S. intelligence agencies be prohibited from the covert publication of books, articles or stories in any journals or electronic media with general circulation in the United States.

Recommendation No. 9: Classification

I recommend that the classification and declassification of information be the subject of specific legislation by the Congress.

Recommendation No. 10: Director of the FBI

I recommend that the Director of the FBI have a term of office of 5 years and that no director serve more than two 5-year terms.

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Recommendation No. 11: Infiltration of Groups or Associations

I recommend that judicial warrant must issue, on probable cause, before an informant or any other agent of the FBI may infiltrate any domestic group or association, when (1) investigation of such group or association or its members is based solely on title 18 U.S.C. sec. 2383, 2384, 2385, and (2) there is no credible evidence that such group or association, or any person connected therewith has encouraged, advocated or suggested the use of violence, terrorists activities or other unlawful activity.

Recommendation No. 12: Study of Intelligence Operations of Foreign Nations

I recommend that the Joint Congressional Committee on Intelligence (or, in the absence of the creation of such a committee, the appropriate congressional committee or committees) promptly commence a detailed investigation and study of the intelligence operations of foreign nations, including, but not limited to the intelligence operations of the U.S.S.R. and the Peoples Republic of China, which investigation and inquiry shall include, but not be limited to, the following:

(a) The means by which intelligence is gathered relating to activities of the United States and its allies, both within and outside of the United States.

(b) The extent of valuable and/or critical intelligence information gathered by foreign nations from publicly available journals and documents.

(c) The methods employed by and the extent of success of foreign nations in the recruitment of American or allied nationals in espionage activities, and the methods employed by and the extent of success of foreign nations in infiltrating the U.S. Government or U.S. organizations, corporations, associations and groups.

DAVID C. TREEN.

ALTERNATIVE RECOMMENDATIONS OF HON. ROBERT W. KASTEN, JR.

INTRODUCTION

Although I wholeheartedly support many of the recommendations proposed by the committee's majority, the majority proposals collectively do not accurately reflect my judgments concerning the reforms and improvements which should be made in the U.S. intelligence community.

To indicate specific points of agreement and disagreement, I have reproduced below the majority recommendations together with my own alternative or additional proposals. Language in the majority report with which I disagree has been stricken out; my alternative or additional language has been underscored.* In several instances, I have also added brief comments in brackets following the recommendation to which the comments refer.

A. A HOUSE COMMITTEE ON INTELLIGENCE

1. The select committee recommends that there be formed a [standing] *Joint* Committee on Intelligence of the House of Representatives *and the Senate.*

* GPO style, set in italic type.

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a. The committee membership should reflect a broad representation of political and philosophical views.

b. The committee should consist of not more than 13 or less than nine members, designated by *the President pro tem of the Senate and* the Speaker of the House in consultation with the minority leader of *each House. The majority shall have one more than one-half of the members appointed from either House.*

c. No Member of the committee may serve more than 3 consecutive terms on the committee, and no member of the staff may serve more than 6 years.

d. Any past or current member of the committee staff who shall release, without authorization of the committee, materials or information obtained by the committee shall be immediately terminated from employment and shall be fully subject to criminal and civil action, notwithstanding legislative immunity.

e. The committee shall be vested with subpoena power and shall have the right to enforce by a proceeding for civil contempt its subpoenas in the U.S. District Court for the District of Columbia or any other court of competent jurisdiction, [without authorization] *if authorized* [from the House, provided the committee has so designated] by resolution. The committee staff shall be given statutory standing to represent the committee in any proceeding arising from the issuance of a subpoena.

f. The committee's jurisdiction shall include all legislative and oversight functions relating to all U.S. agencies and departments engaged in foreign or domestic intelligence. The committee shall have exclusive jurisdiction for budget authorization for all intelligence activities and exclusive jurisdiction for all covert action operations. All remaining oversight functions may be concurrent with other committees.

[NOTE: I am opposed to the creation of two oversight committees on intelligence: one in the House and one in the Senate. I favor instead the creation of a joint committee because it will reduce the burden on the DCI and intelligence officials of repeating testimony before committees with similar jurisdiction and also reduce the burden of Congress by having many members assigned to tasks which are duplicative. In addition, concentration of oversight in one joint committee would reduce the possibility of unauthorized disclosure of information and more importantly would help assure that problems would not "fall between two chairs" and be addressed by neither committee. The fact that each appropriations committee in reviewing the budget of the intelligence-gathering agencies would have an oversight function reduces the possibility that one joint committee would be co-opted by the intelligency agency.]

B. RELEASE OF INFORMATION

1. The select committee recommends that rule XI.2 (e) (2) of the House Rules is amended to read as follows:

"Each committee shall keep a complete record of all committee action which shall include a copy of all reports, statements, and testimony of witnesses whether received in open or in executive session."

[2. The Committee shall have the right to release any information or documents in its possession or control by a vote of a majority of the

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Members of the Committee under such terms and conditions as the committee shall deem advisable. The Committee, in making the decision whether or not to release such information, shall have the right, but not the duty, to consult with other agencies of the government within the intelligence community or executive branch with regard to any decision relating to the release of such heretofore secret information.]

2. (a) The Joint Committee on Intelligence may disclose any information upon the committee's determination that the national interest would be served by such disclosure. In any case in which such committee decides to disclose any information requested to be kept secret by the President, such committee shall notify the President to that effect. Such committee may not disclose such information until the expiration of 10 days following the day on which notice is transmitted to the President. If (1) prior to disclosure of such information the President submits a written certification to the Senate and the House through such committee stating his opinion, and the reasons therefor, that the threat to national security posed by such disclosure outweighs any public interest in disclosure and that the question of disclosure is of such importance to the vital interests of the United States that it requires a decision by the full Senate and the House of Representatives and (2) after receipt of a certification by the President made pursuant to this subsection, the Joint Committee on Intelligence decides to refer the question of disclosure of such information to the Senate and the House of Representatives, such information may not be disclosed unless the Senate and the House of Representatives agree to a resolution approving the disclosure of such information, or the Senate and the House of Representatives agree to a resolution referring the matter to the Joint Committee on Intelligence for final disposition and the Joint Committee on Intelligence thereafter approves the disclosure of such information.

(b) Any question referred to the Senate and the House of Representatives by the Joint Committee on Intelligence pursuant to subsection (a) shall be disposed by the Senate and the House of Representatives by a vote on such question within 3 calendar days following the day on which the question is reported to the Senate and the House of Representatives excluding days on which the Senate and the House of Representatives are not in session.

[3. In the event of a negative vote by the Committee on the release of certain classified information, a Member of the Committee may apprise the other Members of the House that the Committee possesses information which he believes ought to be made public. Other Members of the House would then be authorized to have access to that information, provided they sign an agreement not to divulge the information. If these other Members agree that this information ought to be made public, they will sign a petition attesting to that. Upon obtaining the signatures of one-fifth of the House, the House shall convene in secret session for the purpose of advising the entire Membership of the House of that information. The House may then vote to release the information to the public.]

3. [4.] The select committee recommends that the rules of the House be revised to provide that any member who reveals any classified information which jeopardizes the national security of the United States may be censured or expelled by a two-thirds vote of the House.

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C. COVERT ACTION

1. The select committee recommends that all activities involving direct or indirect attempts to assassinate any individual [and all paramilitary activities] shall be prohibited except in time of war.

2. The select committee recommends that as to other covert action by any U.S. intelligence component, the following shall be required within 48 hours of [initial] approval *by the President.*

a. The Director of Central Intelligence shall notify the *joint* committee in writing, stating in detail the nature, extent, purpose, risks, likelihood of success, and costs of the operation.

[b. The President shall certify in writing to the Committee that such covert action operation is required to protect the national security of the United States.]

[c.] *b.* The committee shall be provided with duplicate originals of the written recommendations of each member of the 40 Committee or its successor.

3. *Reports on all* covert action operations shall be [terminated no later than 12 months from the date of affirmative recommendation by the 40 Committee or its successor.] *submitted every 6 months by the DCI, or as requested, to the joint committee.*

D. NSA

[1. The Select Committee recommends that the existence of the National Security Agency should be recognized by specific legislation, and that such legislation provide for civilian control of NSA. Furthere, it is recommended that such legislation specifically define the role of NSA with reference to the monitoring of communications of Americans.]

1. The Director and the Deputy Director of the NSA shall be appointed by the President and confirmed by the Senate.

[E. DISCLOSURE OF BUDGET TOTALS]

[1. The Select Committee recommends that all intelligence related items be included as intelligence expenditures in the President's budget, and that there be disclosure of the total single sum budgeted for each agency involved in intelligence, or if such an item is a part or portion of the budget of another agency or department that it be separately identified as a single item.]

[F.] *E.* PROHIBITION OF FUND TRANSFERS

1. The select committee recommends there be appropriate legislation to prohibit any significant transfer of funds between agencies or departments in connection with intelligence activities.

2. The select committee recommends there be appropriate legislation to prohibit any significant reprogramming of funds within agencies or departments in connection with intelligence activities without the specific approval of the Intelligence Committee and appropriate committees of Congress.

3. The select committee recommends there be appropriate legislation to prohibit any significant expenditures of reserve or contin-

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gency funds in connection with intelligence activities without specific approval of the Inteligence Committee and appropriate committees of Congress.

[G.] *F.* DIRECTOR OF CENTRAL INTELLIGENCE

1. The select committee recommends that a Director of Central Intelligence shall be created, separate from any of the operating or analytic intelligence agencies for the purpose of coordinating and overseeing the entire foreign intelligence community with a view to eliminating duplication in collection and promoting competition in analysis. The DCI shall be nominated by the President with the advice and consent of the Senate. This office shall have the following powers and duties:

a. The DCI shall be the chief foreign intelligence officer of the United States, and shall be responsible for the supervision and control of all agencies of the United States engaged in foreign intelligence, *including FBI counterintelligence.*

[b. The DCI shall be a Member of the National Security Council.]

[c.] *b.* The DCI may not hold a position or title with respect to any other agencies of government.

[c. *d.* The DCI shall, along with such other duties, constitute an Office of Inspector General for all of the foreign intelligence agencies, including other agencies of government or branches of the military which have foreign intelligence functions. Such agencies shall have the obligation to report all instances of misconduct to the DCI. This shall not constitute a limitation upon the respective agencies reporting to the DCI from maintaining their own Inspector General staff or similar body.]

d. The DCI shall have an adequate staff for the purposes expressed herein and be responsible for the national intelligence estimates and daily briefings of the President.

e. The DCI shall be responsible for the preparation of the national intelligence estimates and such reports shall be immediately supplied to the appropriate committees of Congress on request.

f. All budget requests shall be prepared by the agencies under the jurisdiction of the DCI. As to those parts of budget of the military services or components of Department of Defense, they shall be submitted as an independent part of such budgets to the DCI.

g. The DCI shall be charged with the functions of coordinating foreign intelligence agencies under its jurisdiction, the elimination of duplication, the periodic evaluation of the performance and efficiency of the agencies in question, and shall report to Congress on the foregoing at least annually.

h. The DCI shall conduct a comprehensive inquiry into the causes of intelligence failures, including: inadequate collection tasking; analytical bias; duplication; unusable technical output; excessive compartmentation; and withholding of information by senior officials, and report to the Committee on Intelligence within 1 year.

i. The President's Foreign Intelligence Advisory Board (PFIAB) should be created by statute as an oversight and advisory board whose mission would be to oversee and advise on the direction, guidance and control of the intelligence community through the authority of the DCI who would also serve as chairman of the PFIAB.

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The DCI would have overall authority and responsibility for making recommendations to the National Security Council on any intelligence related matter. 50 U.S.C. sec. 403(d)(1)(2) would be deleted from the statutory authority of the CIA and transferred to the DCI as chairman of the PFIAB:

> *(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the DCI under direction of the National Security Council—*
>
> *(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;*
>
> *(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as related to the national security.*

[NOTE: In essence, the PFIAB Chairman/DCI would become the Nation's principal foreign intelligence officer, with authority over intelligence community budgets and resources, with independence from CIA institutional affiliation, and with right of direct access to the President as well as being statutory advisor to the National Security Council.

The President's Foreign Intelligence Advisory Board—a prestigious board of private citizens acting in coordinated capacity with their chairman, the DCI, would enable the nation to benefit from the exceptional knowledge and experience of its private citizens who would exercise both an oversight and advisory role on sensitive intelligence matters.]

[H.] *G.* FULL GAO AUDIT AUTHORITY

1. The select committee recommends that the General Accounting Office be empowered to conduct a full and complete management as well as financial audit of all intelligence agencies. There shall be no limitation on the GAO in the performance of these functions by an executive classification system, and the audit function of GAO shall specifically apply to those funds which presently may be expended on certification of a Director of an agency alone.

[I. INTERNAL FINANCIAL MANAGEMENT]

[1. The Select Committee recommends that the CIA internal audit staff be increased and given complete access to CIA financial records, and that overseas stations be audited at least annually.] It is further recommended that all proprietary and procurement mechanisms be subjected to annual comprehensive review, by the [CIA's internal audit staff.] *GAO.*

[J.] *H.* FULL DISCLOSURE TO CONGRESS

1. The select committee recommends that existing legislation (National Security Act of 1947, sec. 102(d)(3)) restricting the Directors and heads of foreign intelligence agencies from providing full information to Congress should be amended to exclude [Committees of Congress having appropriate jurisdiction.] *the Joint Committee on*

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Intelligence; Provided that they, in accordance with the DCI's statutory duty to protect sources and methods, could withhold the names of agents, sources and methods of intelligence from such committee.

[K.] *I.* NEW FOREIGN OPERATIONS SUBCOMMITTEE OF NSC

1. The select committee recommends that the National Security Act of 1947 be amended to provide for the establishment of a permanent Foreign Operations Subcommittee of the National Security Council. The subcommittee's jurisdiction, function and composition shall be as follows:

[a. The Subcommittee shall have jurisdiction over all authorized activities of U.S. foreign intelligence agencies except those solely related to the gathering of intelligence.]

b. The subcommittee shall advise the President on all proposed covert or clandestine [activities] *operations* and on hazardous collecting activities.

c. Each member of the subcommittee shall be required [by law] to submit his individual assessments of each proposal to the President in writing. The assessment should cover such matters a the likelihood of success, the benefits of success, the damage resulting from failure or exposure, the risks against the potential benefits and alternate ways of accomplishing the goal.

d. The subcommittee shall be chaired by the Assistant to the President for National Security Affairs and shall be composed of:

Assistant to the President for National Security Affairs;
Director of Central Intelligence;
Secretary of State;
Secretary of Defense;
Deputy Director for Intelligence of CIA;
Chairman of the Joint Chiefs of Staff;
[The ambassador(s), if there is one, and]
The assistant secretaries of state for the [affected countries and areas.] *region affected.*

[L.] *J.* DEFENSE INTELLIGENCE AGENCY

1. The select committee recommends that the Defense Intelligence Agency be abolished and that its functions be transferred to [the Assistant Secretary of Defense for Intelligence and the CIA.] *J–2 of the Joint Chiefs of Staff.*

[M.] *K.* DETAILEES

1. The select committee recommends that intelligence agencies disclose the affiliation of employees on detail to other government agencies or departments to all immediate colleagues and superiors *and to the director of such department or agency.*

[N.] *L.* ASSISTANT FOR NATIONAL SECURITY AFFAIRS

1. The select committee recommends that the Assistant to the President for National Security Affairs be prohibited from holding any cabinet-level position.

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[O.] *M.* RESTRICTIONS ON POLICE TRAINING AND RELATIONSHIPS

1. The select committee recommends that no agency of the United States engaged principally in foreign or military intelligence, directly or indirectly engage in the training or the supplying of domestic police agencies of the United States, and that contacts between police agencies of the United States and U.S. foreign or military intelligence agencies be limited to those circumstances which shall be required on account of internal security or the normal requirements and functions of such police agencies.

[P.] *N.* MEDIA, [RELIGION, AND EDUCATION]

1. The select committee recommends that U.S. intelligence agencies not covertly provide money or other valuable consideration [to persons associated with religious or educational institutions, or] to employees or representatives of any journal or electronic media with general circulation in the United States or use such institutions or individuals for purposes of cover. The foregoing prohibitions are intended to apply to American citizens and institutions.

2. The select committee further recommends that U.S. intelligence agencies not covertly publish books *or articles* or plant [or suppress] stories in any journals or electronic media with general circulation in the United States.

3. In the event that an employee of an intelligence agency publishes a book or article he shall be identified in the publication as an employee of such agency.

[Q. RESTRICTIONS ON MILITARY INTELLIGENCE]

[1. The Select Committee recommends that the intellgence components of the Armed Services of the United States be prohibited from engaging in covert action within the United States. It is further recommended that clandestine activities against non-military United States citizens abroad be proscribed.]

[R.] *O.* CLASSIFICATION

1. The select committee recommends that the classification of information be the subject of the enactment of specific legislation; and further, as an adjunct to such legislation there by provided a method of regular declassification.

[S.] *P.* INSPECTOR GENERAL FOR INTELLIGENCE

1. The select committee recommends the establishment of an independent Office of the Inspector General for Intelligence, who shall have full authority to investigate any possible or potential misconduct on the part of the various intelligence agencies or the personnel therein. The IGI shall be appointed by the President, with the approval of the Senate, for a term of 10 years and shall not be permitted to succeed himself. The IGI shall have full access on demand to all records and personnel of the intelligence agencies for the purpose of pursuing his investigations. He shall make an annual report to the Congress of his activities and make such additional reports to the

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intelligence committees or other appropriate oversight committees as he may choose or the committees may direct.

[T. DOMESTIC]

[1. The Select Committee recommends that judicial warrant must issue, on probable cause, before an informant or any other agent of the FBI may infiltrate any domestic group or association, when investigation of such group or association or its members is based solely on title 18 U.S.C. § 2383, 2384, 2385.

[2. The select committee recommends that the Director of the FBI have a term of office no longer than 2 presidential terms.

[3. The select committee recommends that the Internal Security Branch of the Intelligence Division be abolished and that the Counter-Intelligence Branch be reorganized to constitute a full division named the Counter-Intelligence Division; that the mission of this division be limited to investigating and countering the efforts of foreign directed groups and individuals against the United States.

[4. The select committee recommends the transfer of all investigations of alleged criminal activity by domestic groups or individual members thereof to the General Investigative Division.

[5. The select committee recommends that regulations be promulgated that tie the investigation of activities of terrorist groups closely to specific violations of criminal law within the investigative jurisdiction of the FBI and that charge the Department of Justice with determining when a domestic political action group may be appropriately targeted for investigation of terrorist activities.]

CONCLUSION

As these recommendations indicate, my service on the select committee has convinced me that reforms are necessary to improve the organization, performance, and control of the U.S. intelligence community. At the same time, the experience of the past months has again confirmed my understanding of how important an effective intelligence capability is to the future security of the American people. Intelligence officials can and must operate in a manner consistent with the individual rights and liberties guaranteed by the Constitution. These protections must be guaranteed, but so must the right of the American people to live in security and peace. It is both possible and essential for the intelligence agencies to perform their responsibilities effectively, and by means which protect both individual rights and national security.

At a minimum, the intelligence community must regain the trust and confidence of the people whom it serves. It is tragic that it was necessary to establish this committee to inquire into the activities of agencies on which we depend so heavily for our security. But it would be even more tragic if the results of our investigation were now to be ignored. Implementing the recommendations I have proposed will contribute significantly to ensuring that there will be no need for another such committee to be established in the future. Both Congress and the American people must recognize the need to complete the task which we have only begun.

ROBERT W. KASTEN, Jr.

O

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1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)

March 10, 1976

1 - Mr. J. J. McDermott
1 - Mr. T. W. Leavitt
1 - Mr. S. F. Phillips
1 - Mr. T. J. McNiff
1 - Mr. S. J. Miller
1 - Mr. A. J. Duffin

The Attorney General

Director, FBI

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Enclosed herewith is a Xerox copy of my letter to Captain John Matheny, Office of the Assistant to the President for National Security Affairs, which advises him concerning documents which had been furnished to the HSC which are presently unaccounted for.

Pursuant to an agreement between Central Intelligence Agency (CIA) and the HSC, documents provided to the HSC by Executive Branch departments and agencies are presently stored under seal at CIA Headquarters pending a decision as to their final disposition.

On February 13, 17 and 20, 1976, Bureau personnel inventoried and segregated FBI documents in possession of the HSC and thereafter, they were sealed and transported to CIA. As a result of this inventory, it was determined that certain FBI documents were unaccounted for and apparently missing.

62-116464-317

By memorandum February 27, 1976, CIA requested interested departments and agencies to advise Captain John Matheny, Office of the Assistant to the President for National Security Affairs, whether any documents are missing. Captain Matheny is to prepare and maintain a consolidated list of Executive Branch documents which are reported as missing should same be needed for a future investigation.

~~62-116464-1488~~

REC-38

AJD:mjg (13)

EX-115

7 MAR 18 1976

SEE NOTE PAGE TWO

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
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Gen. Inv. ____
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Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Secty ____

TO BE HAND-DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS

MAIL ROOM ☐ TELETYPE UNIT ☐

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GPO : 1975 O - 594-120

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Director Sec'y __

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EX-115

SEE NOTE PAGE TWO

(13)

The Attorney General

Washington, D.C.

Dear Mr. Attorney General:

Pursuant to the Federal Advisory Committee Act, Public Law 92-463, 86 Stat. 770, we are hereby notifying you of the establishment of the Select Committee on Assassinations of the U.S. House of Representatives.

The Committee is a House committee established by House Resolution 1540, 94th Congress, 2nd Session, agreed to by the House of Representatives on September 17, 1976. A copy of the Resolution is attached.

The Committee is authorized and directed to conduct a full and complete investigation and study of the circumstances surrounding the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr., including any and all evidence developed by any governmental agency, any and all evidence available from nongovernmental sources, and any and all evidence developed or available from any source whatsoever which the Committee believes may be relevant to such assassinations. The Committee is also authorized and directed to make such findings and recommendations to the House of Representatives as it deems appropriate in the light of its investigation and study.

The Committee is composed of twelve members, six from each party, appointed by the Speaker of the House of Representatives. The Committee has been organized and is now functioning.

Pursuant to Section 5(b)(2) of the Federal Advisory Committee Act, we request the views of the Department of Justice concerning the establishment of the Committee and its functions.

Sincerely yours,

(Mr. Stokes)
(Mr. Preyer)

Chairmen, FCA

The Honorable Edward H. Levi
(cc: Intelligence Coordinating Group)

Dear Mr. Attorney General:

Enclosed herewith is a Xerox copy of my letter to Chairman Stokes requesting Office of the Attorney General views concerning Advisory Committee Act matters which have been furnished to the FBI which are presently classified.

Sincerely,

Mr. J. B. Adams
Mr. J. A. Mintz
(1 - Mr. P. V. Daly)

March 10, 1976

Mr. J. A. Mintz
Mr. J. B. Adams
Mr. T. E. Bishop
Mr. S. F. Phillips
Mr. T. J. McNiff
Mr. S. J. Miller
Mr. A. J. Decker
Mr. J. L. McDermott

The Attorney General

Washington, D.C.

Dear Mr. Attorney General:

By memorandum February 27, 1976, GSA requested interested departments and agencies to advise Carmine Bellino, Office of the Attorney General, Department of Justice, whether any documents are classified. Copies of the pertinent documents were furnished to the FBI for review. Attached is a consolidated list of classified documents which were reviewed by the Bureau and should remain classified for a future investigation.

Sincerely yours,

(Mr. Stokes)
(Mr. Preyer)

Chairmen, FCA

The Honorable Edward H. Levi
(cc: Intelligence Coordinating Group)

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(Mr. Preyer)

Chairmen, FCA

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(cc: Intelligence Coordinating Group)

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Sincerely,

Mr. J. B. Adams
Mr. J. A. Mintz
(1 - Mr. P. V. Daly)

March 10, 1976

The Attorney General

The enclosed Xerox copy of the FBI letter to Captain Matheny sets forth descriptively the FBI documents that are unaccounted for.

Enclosure

62-116464

1 - The Deputy Attorney General (Enclosure)
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE:

See memorandum S. F. Phillips to Mr. T. W. Leavitt dated 3/8/76, prepared by AJD:lhb.

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt

FROM : S. F. Phillips

SUBJECT: HOUSTUDY 75
RE: DISPOSITION OF HOUSE SELECT COMMITTEE (HSC) RECORDS

1 - Mr. J. Adams
2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
1 - Mr. J. J. McDermott
1 - Mr. T. W. Leavitt

DATE: 3/8/76

1 - Mr. S. F. Phillips
1 - Mr. T. J. McNiff
1 - Mr. S. J. Miller
1 - Mr. A. J. Duffin

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 ____

S. F. PHILLIPS

SYNOPSIS:

To set forth details regarding disposition of HSC records. HSC records, including documents furnished by the FBI, have been placed under seal with CIA pending decision as to final disposition. FBI documents were sealed in seven cartons on 2/13, 2/17 and 2/20/76, and immediately transported to CIA. In conducting inventory of FBI documents at that time, it was determined certain items were unaccounted for and apparently missing. These items involve documents furnished concerning tax deductions made from informant payments during calendar years 1970-73 (generic lists, no informants identified) and certain documents involving the various criteria which have been utilized to include an individual on ADEX, as well as information regarding ADEX and its precedent, the Security Index. CIA has asked executive branch departments and agencies to advise the Office of the Assistant to the President for National Security Affairs whether any of their documents are missing.

Enclosures - Sent 3-12-76

62-116464

AJD:lhb/lh6
(10)

4 ENCLOSURE

5 - Duffin

EX-115 62-116464-376

REC-38 62-116464-191

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Memorandum to Mr. T. W. Leavitt
Re: Houstudy 75
Disposition of House Select
Committee (HSC) Records
62-116464

RECOMMENDATIONS:

(1) That attached letter advising John Matheny, Office of the Assistant to the President for National Security Affairs, that certain FBI documents are unaccounted for, be sent. This letter identifies the missing documents.

(2) That attached letter to the Attorney General, enclosing a copy of the letter to Captain Matheny, be sent, pursuant to telephonic instructions of Mr. Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination, Department of Justice.

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Memorandum to Mr. T. W. Leavitt
Re: Houstudy 75
Disposition of House Select
Committee (HSC) Records
62-116464

DETAILS:

On 2/11/76, Captain John Matheny, supra, telephonically advised Senstudy 75 Project that on that date a hasty agreement had been reached between the executive branch and HSC concerning the interim disposition of the HSC's documents. Captain Matheny stated the agreement was reached in negotiations between CIA and Representative Otis G. Pike, Chairman of the HSC, and HSC Staff. Captain Matheny stated the details of this agreement, other than the fact documents would be going to CIA under seal, were as yet unclear; however, he would immediately advise when same were known.

On the p.m. of 2/12/76, Captain Matheny telephonically advised Senstudy 75 Project details of the agreement were as follows:

(1) All documents furnished to the HSC by executive branch departments or agencies on an "on loan" basis would be returned to the originating department or agency.

(2) All items or materials received from the National Security Council would be returned thereto.

(3) All transcripts of hearings, public and executive, and interviews conducted by the HSC and all materials received unsolicited or otherwise generated by the HSC would be placed in safekeeping with the National Archives.

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(4) All other material received from executive branch departments or agencies would be placed for safekeeping with CIA in sealed cartons which are not to be disturbed, opened or their contents examined except on further authorization from the House of Representatives or the Speaker of the House.

Captain Matheny stated it had been decided that the material going to CIA under seal would be first segregated as to originating department or agency and thereafter placed in separate cartons, sealed and the originator identified thereon.

He further stated that Mr. Antonin Scalia, Assistant Attorney General, Office of Legal Counsel, Department of Justice, had agreed to the above arrangements on behalf of the Department of Justice and its agencies.

He advised that Bureau representatives should be present beginning on 2/13/76 in order to oversee the segregation of documents and to account for and seal material provided by the Bureau.

On 2/13/76, and again on 2/17 and 2/20/76, Special Agents Andrew J. Duffin and Sammy J. Miller of the Senstudy 75 Project were physically present at the HSC offices, along with representatives of several other departments and agencies. It is noted the HSC's resolution had expired as of 1/31/76 and present on behalf of the HSC during this particular period were only Ms. Jacqueline Hess, HSC Security Officer, several unidentified HSC Staff Members involved in extraneous and personal matters not connected with this project, and a uniformed guard.

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Memorandum to Mr. T. W. Leavitt
Re: Houstudy 75
Disposition of House
Select Committee (HSC) Records
62-116464

It was stated by Ms. Hess that there was some urgency involved with the segregation and transportation of the HSC documents to CIA as the physical protection being provided to the HSC premises by the security guard would cease as of 2/20/76.

It should be noted it was immediately obvious that chaotic conditions had existed at the HSC, particularly evident in the complete disarray of their records and materials. All materials, irrespective of originating department or agency, were haphazardly commingled and the elementary records management system attempted by the HSC, by Ms. Hess' admission, had failed. She stated HSC Staff Members, in their haste to depart, had returned documents which had been in their personal possession en masse, including numerous reproductive copies of various and sundry documents, as well as personal notes, memoranda and memorabilia.

At the outset, it was determined the material furnished by the FBI was accounted for by the HSC upon receipt only by filing the FBI transmittal LHM adjacent to a copy of the pertinent HSC request letter in a loose-leaf binder. (This binder is sealed in carton at CIA marked "HSC Transmittal Books.") Ms. Hess stated that this was not done in every instance and, in fact, particularly if the FBI LHM contained pertinent information, it more often than not was furnished directly to the HSC Staff Member who had initiated the request. In cases such as this, the LHM may or may not have ultimately been incorporated in her notebook.

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Memorandum to Mr. T. W. Leavitt
Re: Houstudy 75
Disposition of House Select
Committee (HSC) Records
62-116464

Initially, Ms. Hess had extracted some portions of the FBI material and had it ready for inventory. Thereafter, in her search through various filing cabinet drawers, she would come upon different batches of material and would make these available. For the most part, these included not only material originating with the FBI but from various other departments and agencies. Due to the enormity of the task, the constraints of time and the existing working conditions, it was impossible to log in or itemize each and every FBI document on hand. Therefore, the inventory undertaken was in the form of accounting for each FBI response made to HSC requests by locating each particular responsive LHM and matching it with its enclosures, if any. In the absence of the LHM, documents, which were obviously enclosures, were generically described and at a later date, through Senstudy 75 Project records available at FBIHQ, identified with specific HSC requests and FBI responses, and thereby accounted for.

FBI material inventoried and sealed amounted to approximately 6 ½ cardboard cartons which were sealed with Scotch-brand filament tape and identified on the ends with the markings "HSC/FBI" followed by an arabic number for the carton. It is noted that box number 7, in addition to FBI materials, also contains materials from State, DEA, Civil Service, OMB, Treasury/IRS and IC. This was done to limit the number of boxes involved as none of the above had sufficient material to fill an additional box.

As FBI material was accounted for and sealed, a Xerox copy of the generic inventory maintained was provided to Ms. Hess as well as to Ms. Libby Moran, CIA Review Staff Representative, who was overseeing this entire

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matter for CIA. At a subsequent time at FBIHQ, this generic inventory was reconciled with Senstudy 75 Project Unit records and an additional inventory was compiled setting forth in date order HSC requests, noting date of FBI response, as well as the box number location of the material involved. Upon completion of this detailed reconciliation, it was determined that 13 original FBI LHMs which were sent to the HSC in response to requests, 11 of which had no enclosures, are unaccounted for and, at this point, they are presumed, by Ms. Hess, destroyed. (The enclosures transmitted with the two were accounted for.) This presumption is made because Ms. Hess reiterated many times that LHMs which contained information of interest to the HSC were often not logged by her and were forwarded directly to interested HSC Staff Members. She noted that, during the waning days of the Committee, much material the Staff Members considered expendable was destroyed by shredding. Specifically, concerning FBI LHMs, she stated it was the HSC's position that they, if they transmitted enclosures, were nothing more than letters of transmittal requiring no accountability. If they contained information without enclosures, they were considered to be Committee, not FBI, property and could be disposed of at the Committee's pleasure.

In addition, it was determined that two LHMs, both with enclosures, were unaccounted for and their disposition is unknown. By way of description, these documents concern: (1) FBI 9/14/75 response to an 8/19/75 request which transmitted to the HSC four generic lists regarding tax reports filed by the FBI with the IRS setting forth deductions made from informant payments covering calendar years 1970, 1971, 1972 and 1973. These

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lists do not identify informants and only set forth amount of taxes withheld; and (2) FBI 11/11/75 response to a 9/30/75 request which transmitted numerous documents setting forth the various criteria which have been utilized to include an individual's name on the ADEX, a chart portraying a statistical breakdown of the ADEX, authority for maintaining the ADEX and documents pertaining to its predecessor, the Security Index.

With the above exceptions, all other FBI responses were accounted for, it being emphasized again, that not each and every document was logged. Further, there is no way of accounting for the multiple copies of documents reproduced by the HSC Staff from those made available by the Bureau, other than to the extent that extra copies located during the above inventory were personally shredded by Bureau personnel.

The original generic inventory, as well as the detailed reconciliation, is being maintained with the Senstudy 75 Project files.

There is attached a 2/27/76 CIA memorandum for executive branch departments and agencies in which CIA, as custodian of the documents, asks interested parties to advise Captain John Matheny, Office of the Assistant to the President for National Security Affairs, whether any documents are missing. Captain Matheny will prepare and maintain a consolidated list of executive branch documents which are reported as missing should same be needed for a future investigation. This CIA memorandum encloses a letter from Director, CIA, to Mr. Pike acknowledging and accepting responsibility for safekeeping of the classified

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documents at CIA, as well as the disposition of other documents, as set forth in the synopsis of this memorandum. This letter notes that 46 cartons of material, 6 ½ of which are FBI documents, are being maintained at CIA. Also attached are letters dated 2/20/76 from Mr. Pike to Director, CIA, and Archivist of the United States concerning the agreement reached between the HSC and CIA.

There is also attached for approval a letter to Captain Matheny in accordance with CIA's request, supra. This letter identifies the missing Bureau documents in detail, and a Xerox copy of each missing LHM is attached to its yellow. It is noted, the LHMs which are presumed destroyed are included in the letter as missing Bureau documents because their true disposition is, in fact, unknown.

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CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

27 February 1976

MEMORANDUM FOR: Executive Branch Departments and Agencies

SUBJECT: Classified Documents Returned from the House Select Committee on Intelligence

Chairman Pike has designated the CIA as the interim custodian of the Executive Branch materials heretofore held by the House Select Committee pending final determination by the House of Representatives regarding these materials. Attached for your information and possible future reference is a copy of a letter dated February 25, 1976, from the Director of Central Intelligence to Representative Otis Pike, Chairman of the House Select Committee on Intelligence, regarding the disposition and safekeeping of classified materials furnished to or generated by the Select Committee. Also attached for your information are copies of Chairman Pike's letters of February 20, 1976, to Director Bush and to the Archivist of the United States.

Those addressees whose classified materials are now stored at CIA Headquarters should advise Captain John Matheny, Office of the Assistant to the President for National Security Affairs, whether any of their documents are missing. Captain Matheny will prepare and maintain a consolidated list of Executive Branch documents which are listed as missing should this be needed for a future investigation.

Seymour R. Bolten
Assistant to the Director
Review Staff

Attachments: As Stated

Distribution:
William Hyland/NSC
John Marsh/White House
Thomas Latimer/DOD
Antonin Scalia/DOJ
Peter Bensinger/DEA
William Cregar/FBI
Gerald Nensel/Treasury
Donald Alexander/IRS
Harold Saunders/State-INR
Donald Ogilvie/OMB
Robert Hampton/CSC
Benjamin Bailar/U.S. Postal Service
James Rhoads/National Archives and Records

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

62-116464- 316
ENCLOSURE
~~62-116464~~ 1161

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CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

25 February 1976

The Honorable Otis Pike, Chairman
Select Committee on Intelligence
House of Representatives
Washington, D. C. 20515

Dear Chairman Pike:

I hereby acknowledge and accept the terms set forth in your letter of February 20 for safekeeping of the three categories of sensitive classified documents furnished to or generated by the House Select Committee on Intelligence.

As to the first category, pursuant to your letter, the "on loan" material which was loaned to the Select Committee by the Executive branch has been received by the CIA and such material has been returned to the originating departments and agencies.

With regard to the second category of materials, the transcripts of testimony taken from current and former Federal officials in executive sessions of the Select Committee, it is my understanding that these documents will be placed in the National Archives building for safekeeping in the custody of the Archivist of the United States, and that no one is to be given access to these materials pending further instructions from the House of Representatives or Speaker of the House. As you indicated in your letter of February 20 to the Archivist, highly sensitive classified information is contained in these transcripts, and they should be treated accordingly by the Archivist. I am also concerned about any future plans for the disposition of these transcripts. This material includes information involving sensitive sources and methods which I am charged by law to protect from unauthorized disclosure. I would, therefore, appreciate it if you would bring this concern to the attention of the Speaker of the House and request that I be involved in any decision regarding the future disposition of this material.

Finally, with respect to the third category of materials received by the CIA from the Select Committee for storage at CIA Headquarters, we have attempted to reconcile our records of documents

62-116464-316

ENCLOSURE ~~62-116464-175~~

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delivered to the Select Committee with the inventory of documents received for storage at CIA Headquarters, and we find that a number of CIA documents are missing. The materials transferred to CIA Headquarters for storage were initially inventoried and sealed in cartons by Executive branch representatives on the premises of the Select Committee in the presence of Committee staff members during the period of February 18-20. Because a number of documents were unaccounted for, it was agreed with your staff representative that certain cartons should be inventoried again to determine whether the missing documents might be in those cartons. Thus, a thorough second inventory of certain sealed cartons was conducted at CIA on February 21 with your concurrence and in the presence of Ms. Jacqueline Hess of the Select Committee staff. While a few of the missing documents were found in the second inventory, a number of documents are still missing.

As soon as a complete list of the missing materials is prepared, my representatives will seek an early meeting with you to determine what measures can be taken to account for or locate the missing documents. Other Federal agencies are also checking their records and inventories to determine whether any of their documents are missing.

The foregoing pertains only to the missing materials as we have no way of accounting for the multiple copies of classified documents reproduced by the Select Committee staff from originals made available by the CIA and other Executive departments and agencies. To the extent that the multiple copies have not been included in the materials to be stored at CIA or the National Archives, I trust that those documents have been destroyed in accordance with procedures appropriate for classified materials.

The following is a summary of the third category of material now held in sealed cartons at CIA Headquarters pending further instructions from the House of Representatives or the Speaker of the House:

Rockefeller Commission Files	:	13 Cartons
CIA Files	:	11 Cartons
Dept. of Defense Files (1 carton of DoD files labeled "pending resolution of on loan material")	:	7 Cartons

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IC Files (Carton 2 has partial materials from: Treasury, Civil Service, CMB, and Post Office)	:	3 Cartons
DEA Files	:	2 Cartons
Dept. of State Files	:	1 Carton
Dept. of Justice/Atty. General:		1 Carton
FBI Files (Carton 7 has partial files from State, DEA, Civil Service, CMB, Treasury/IRS and IC)		7 Cartons
HSC Transmittal Books	:	1 Carton
	TOTAL:	46 Cartons

Unless advised by you to the contrary, we will assume that this breakdown of cartons accords with your records and that the Speaker of the House has been so advised. The contents of each carton have been individually inventoried and Ms. Hess has receipted for the contents of each carton. Copies of these inventories have been supplied to Ms. Hess for transmittal to the office of the Speaker of the House.

I wish to express my personal appreciation for your cooperation in making possible, in the short time available, the transfer of the materials to be held for safekeeping at the CIA Headquarters.

Sincerely,

George Bush
Director

cc: Honorable Carl Albert,
Speaker of the House
of Representatives

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

OTIS G. PIKE, N. Y., CHAIRMAN

BERT N. GIAIMO, CONN.
MES V. STANTON, OHIO
NALD V. DELLUMS, CALIF.
RGAN F. MURPHY, ILL.
S ASPIN, WIS.
LE MILFORD, TEX.
ILIP H. HAYES, IND.
LLIAM LEHMAN, FLA.

ROBERT MC CLORY, ILL.
DAVID C. TREEN, LA.
JAMES P. JOHNSON, COLO.
ROBERT W. KASTEN, JR., WIS.

Select Committee on Intelligence
U.S. House of Representatives
Washington, D.C. 20515

A. SEARLE FIELD, STAFF DIRECTOR
AARON B. DONNER, COUNSEL

TELEPHONE: (202) 225-9731

February 20, 1976

The Honorable George Bush
Director
Central Intelligenee Agency
Washington, D. C. 20505

Dear Mr. Bush:

Pursuant to your request and the understanding worked out between your staff and the staff of the House Select Committee on Intelligence, all documents furnished to the Committee on an "on loan" basis have heretofore been returned to the agencies from which received.

All items or materials received from the National Security Council have been returned to the National Security Council. All transcripts of hearings, public and executive, interviews conducted by members of our staff, and all other materials received unsolicited or otherwise generated by the Committee staff will be placed for safekeeping in the National Archives building.

The materials which have been placed for safekeeping in the possession of the Central Intelligence Agency (those materials not received on an "on loan" basis) are placed in your custody with the explicit understanding that they will not be disturbed, that the cartons containing these materials will not be opened nor their contents examined except on further authorization from the House of Representatives or the Speaker of the House.

I believe that the return of all documents or the placing of all materials in safekeeping has been accomplished as expeditiously as possible and I thank you and your staff for your cooperation in the matter.

Yours very truly,

Otis G. Pike

OTIS G. PIKE

OGP:o

62-116464-316

ENCLOSURE ~~62-116464~~ 1161

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

OTIS G. PIKE, N. Y., CHAIRMAN
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...NTON, OHIO
...ELLIONS, CALIF.
...NNY, ILL.
...VIS.
...D, TEX.
...ES, IND.
...MAN, FLA.
ROBERT MCCLORY, ILL.
DAVID C. TREEN, LA.
JAMES H. JOHNSON, COLO.
ROBERT W. KASTEN, JR., WIS.

A. SEARLE FIELD, STAFF DIRECTOR
AARON B. DONNER, COUNSEL
TELEPHONE: (202) 225-9731

Select Committee on Intelligence
U.S. House of Representatives
Washington, D.C. 20515

February 20, 1976

Mr. James B. Rhoads
Archivist of the United States
National Archives and Records Service
Seventh Street and Pennsylvania Avenue
Washington, D. C. 20408

Dear Mr. Rhoads:

Pursuant to House Resolution 591, as amended, and in furtherance of an agreement between the House Select Committee on Intelligence, there is transmitted herewith certain material both classified and unclassified, which is the property of the former House Select Committee on Intelligence and is to be kept in your custody in a safe place pending further instructions from the House of Representatives or the Speaker of the House of Representatives.

Some of the material enclosed herewith is highly sensitive and I would suggest that all should be given maximum security possible. No one should be permitted access to this material until directed by a further action of the House of Representatives or the Speaker of the House of Representatives.

I appreciate your cooperation in this matter.

Yours very truly,

Otis G. Pike

OTIS G. PIKE

OGP:o

62-116464-316

ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
(Attn: P. V. Daly)
1 - Mr. T. W. Leavitt

Mr. T. W. Leavitt

3/2/76

1 - Mr. S. S. Mignosa
(Attn: R. L. McLanahan)
1 - Mr. F. J. Cassidy
1 - Mr. S. F. Phillips
1 - Mr. D. Ryan

F. J. Cassidy

DISCLOSURE AND PUBLICATION OF ALLEGEDLY CLASSIFIED INFORMATION BY "THE VILLAGE VOICE," ON OR ABOUT FEBRUARY 11, 1976

This is to set forth our suggested response to a request by the Criminal Division of the Department for detailed information relating to classified FBI information disclosed by "The Village Voice" in its 2/16/76 supplement which incorporated portions of the House Select Committee on Intelligence Activities (HSC) suppressed report.

By memorandum dated 2/13/76, Assistant Attorney General Richard L. Thornburg, Criminal Division, made reference to the publication by "The Village Voice" of the HSC suppressed report. Thornburg, in his memorandum, requested this Bureau solicit other agencies and to furnish information relating to FBI classified material that was disclosed in "The Village Voice." He indicated this inquiry was necessary to determine if any action by the Department of Justice is necessary.

Memorandum from Mr. Cassidy to Mr. Wannall dated 1/21/76, captioned "Houstudy," advised that appropriate components of FBIHQ had been solicited and only one instance was determined where classified material appeared in the Draft Final Report of the HSC. This occurred in the identification of three of our foreign counterintelligence programs by title, it being noted the names of these programs had been classified "Secret" by the Attorney General.

Enclosure

CONTINUED - OVER

1 - 62-116009 (Cointelpro)
1 - 62-116464 (Houstudy)

SECRET MATERIAL ATTACHED

62-116464-

DR:lfj
(10)

NOT RECORDED
46 MAR 16 1976

ENCLOSURE

84 MAR 18 1976

NW 89804 DocId:32169018
Page 108

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Memorandum to Mr. T. W. Leavitt
Re: Disclosure and Publication of Allegedly Classified Information by "The Village Voice," on or about February 11, 1976

Information regarding the appearance of this classified material relating to the counterintelligence programs was furnished to Mr. Mitch Rogovin at CIA Headquarters on 1/20/76, it being noted he was coordinating the intelligence community's response to this report.

Attached is a copy of a write-up responding to the 11 areas of inquiry mentioned in Mr. Thornburg's memorandum, as pertains to the one instance of classified information which appeared in the HSC report which was disclosed by "The Village Voice."

ACTION:

If approved, this memorandum and its attachment should be referred to the CI-3 Section of the Intelligence Division so the information in the attachment may be referred, with information furnished by other intelligence agencies, to the Criminal Division of the Department in response to the Department's request for this preliminary inquiry.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

SECRET

1 - Mr. J. P. Adams
1 - Mr. J. A. Mintz
(Attn: Mr. P. V. Daly)
1 - Mr. T. W. Leavitt
1 - Mr. S. S. Mignosa
(Attn: Mr. R. L. McLanahan)
1 - Mr. F. J. Cassidy
1 - Mr. S. F. Phillips

March 2, 1976

1 - Mr. D. Ryan

DISCLOSURE AND PUBLICATION OF ALLEGEDLY CLASSIFIED INFORMATION BY "THE VILLAGE VOICE," ON OR ABOUT FEBRUARY 11, 1976

The following relates to classified information originating with the Federal Bureau of Investigation (FBI) which was disclosed in a 24-page supplement of "The Village Voice," a weekly New York City newspaper, edition dated February 16, 1976:

1. The date and identity of the article or articles disclosing the classified information.

The classified information appears on page 91 of the 24-page supplement of "The Village Voice," edition of February 16, 1976, column 3, lines 2-4.

2. Specific statements in the article which are considered classified and whether the data was properly classified.

The specific statement in the article which was classified "Secret" by the Attorney General, Exempt from GDS, Category Number 3, Date of Declassification Indefinite, relates to three foreign counter-intelligence programs conducted by the FBI which are described in the article as . . . "Operation Border Coverage (1961), the Cuban program (1961) and the Yugoslav program (1969)." It is understood that the titles of these three programs were classified "Secret" by the Attorney General on or about May 17, 1975, after he consulted with the White House and/or the Secretary of State. No information has been developed indicating the above data was not properly classified.

1 - 62-116009 (Cointelpro)
1 - 62-116464 (Houstudy)

SECRET

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(10)

Classified by 5736
Exempt from GDS, Category Number 3
Date of Declassification Indefinite

ENCLOSURE
62-116464

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Disclosure and Publication of Allegedly Classified Information by "The Village Voice," on or about February 11, 1976

3. Whether the classified data disclosed is accurate.

The identities (titles) of these three foreign counterintelligence programs as published are accurate.

4. Whether the data came from a specific document and, if so, the origin of the document and the name of the individual responsible for the security of the classified data disclosed.

As indicated in "The Village Voice" article, the existence of the three classified counterintelligence programs above was revealed to staff investigators of the House Select Committee on Intelligence (HSC) at a briefing held at the Intelligence Division of the FBI on August 22, 1975. At this time the HSC members were advised the titles of the three foreign counterintelligence programs had been classified "Secret" by the Attorney General.

Information relating to the three classified counterintelligence programs was initially set forth by the Attorney General in letters directed to Senator Frank Church, with a copy to Senator John Tower; Senator James O. Eastland, with a copy to Senator Roman L. Hruska; and to Congressman Don Edwards, with a copy furnished to Congressman M. Caldwell Butler, all dated May 17, 1975, and all classified "Secret." This letter states it is classified "Secret" "because we have been advised that disclosure of references to the Mexican, Puerto Rican, Yugoslavian and Cuban operations could damage our relations in those areas." Subsequently, on May 23, 1975, the Attorney General issued a press release describing five newly-discovered FBI counterintelligence programs. This release described "Three foreign intelligence programs classified, 'Secret,'" without mentioning the programs by title.

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Page 111

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Disclosure and Publication of Allegedly Classified Information by "The Village Voice," on or about February 11, 1976

5. The extent of official dissemination of the data.

The identities of the three programs have not been publicized to date. Dissemination has been made by the FBI to the Department of Justice and, to our knowledge, by the Department of Justice only as noted above. The identities of the three programs were furnished to Central Intelligence Agency in January, 1976.

6. Whether the data has been the subject of prior official releases.

As indicated, the identities of these three programs have not been publicized although they have been referred to in a press release dated May 23, 1975, only as "three foreign intelligence programs."

7. Whether prior clearance for publication or release of the information was sought from proper authorities.

The FBI received no request for prior clearance for publication or release of the classified titles of the three programs.

8. Whether the material or portions thereof or enough background data has been published officially or in the press to make an educated speculation on the matter possible.

We have no knowledge of any information published officially or appearing in the press which would make an educated speculation regarding the identity of the three foreign counterintelligence programs possible.

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Page 112

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Disclosure and Publication of Allegedly Classified Information by "The Village Voice," on or about February 11, 1976

9. Whether the data can be declassified for the purpose of prosecution and, if so, the name of the person competent to testify concerning the classification.

A decision relating to declassification should be made by the Attorney General or his designee, possibly if necessary after consultations with the White House and/or the Department of State. The Attorney General or his designee is competent to testify concerning the classification.

10. Whether declassification had been decided upon prior to the publication or release of the data.

As indicated above, the information disclosed was originally classified on or about May 17, 1975, while "The Village Voice" publicized the classified information in a supplement to its issue dated February 16, 1976.

11. What effect the disclosure of the classified data could have on the national defense.

It is noted the Attorney General, in his classified letters to members of Congress dated May 17, 1975, indicated the information was classified "because we have been advised that disclosure of the Mexican, Cuban, Yugoslavian and Puerto Rican operations could damage our relations in those areas."

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Page 113

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

February 27, 1976

1 - Mr. S. F. Phillips

The Attorney General

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Mr. Fred H. Hall of Plantation, Florida, formerly employed by the FBI and subsequently by the Central Intelligence Agency, from which Agency he retired about six years ago, has made available to this Bureau a copy of a letter he wrote a short while ago to Senator Frank Church, Chairman of the SSC. Hall also sent a copy of his letter to Congressman Otis G. Pike, Chairman of the House Select Committee on Intelligence Activities.

I thought you would be interested in Mr. Hall's observations and am therefore enclosing a copy of his letter.

Enclosure

62-116395

1 - The Deputy Attorney General (Enclosure)
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

1 - 62-116464 (Houstudy)
1 - 67- (Personnel file former SA Fred H. Hall)

SFP:mjg
(11)

NOTE:

Hall furnished the copy of his letter to Supervisor S. F. Phillips of the Senstudy 75 Project. Phillips and Hall have been close friends for many years and Hall made the letter available on a recent visit of Phillips to Florida. Hall indicated that Phillips could feel free to show it to anyone who may want to see it. The letter is very critical of the activities of both the Senate and House Select Committees.

84 MAR 1 1 1976

DUPLICATE YELLOW

62-116395-1446

ORIGINAL FILED IN

NW 89804 DocId:32169018
Page 114

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Dear Seymour:

Attached is sent per your request. Feel free to show it to anyone you may want to see it. I wrote it and am not ashamed of it.

I enjoyed the golf game. I just hope that the next time you come to our area I can have you out to dinner

Sincerely

Jack Hall

Opillon

62-116395-1444

62-116464-

NOT RECORDED

170 MAR 8 1976

7 MAR 8 1976

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ORIGINAL FILED IN

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

C_O_P_Y

Hon. Frank Church
U.S. Senate
Washington, D.C.

Dear Sen. Church:

By way of background, I served honorably with both the Federal Bureau of Investigation and the Central Intelligence Agency for a combined total of over 33 years. I am proud of my service with each agency and I feel that my activities were quite worthwhile and in the national interest. I am a graduate of George Washington University Law School and a member of the bar. I am now retired.

As an interested and intellectually curious citizen, I have been reading accounts in the public press concerning the activities of the committee which you happen to chair and of the House Committee which Rep. Otis Pike happens to chair, both dealing with the U.S. investigative and intelligence programs.Briefly stated, I am totally nauseated by the irresponsible way in which both of you demand highly sensitive and classified data which seems to be publicized soon after you get it. It is my opinion and that of many friends that your committees are effectively destroying the credibility of these agencies and making impossible their effective performance in the future.

Before going further, let me state that I do not condone irregularities, improprieties or illegalities by either agency in their normal,routine activities but I do see the justification,in serious security or Mafia like criminal activities,for certain "extracurricular" activities to achieve needed ends and I think that the Congress should quietly recognize such,with reasonable controls. You should be proud and complimentary,for instance in my opinion,about the highly publicized and often misrepresented mail intercept program when you stop to realize that it was confined to mail to and from Russia and,insofar as I read, the results were given appropriate safeguards.

I have no objection to having some type of scrutiny and supervision of these agencies by some well qualified and impartial panel and I do not object to having appropriate administrative action taken against offending employees and officials,if their rights are protected. What I do strongly object to is the pathetically inept and horrendously damaging procedures whereby your inquiries on sensitive matters are regularly reported,sometimes incompletely and for apparent political reasons. It just seems to me that someone connected with your committees is afflicted with political "diarrhea of the mouth" which impels them to babble without regard to common sense or the welfare of our intelligence programs and, as I read the press, you two gentlemen both have this weakness.

I am sure that the intelligence organizations of all major nations make some mistakes.But have you ever seen the British,the French,the Russians,the Germans,the Israeli or the Japanese governments conduct such a "three ring circus" on sensitive matters as you men are doing to your everlasting discredit? I am sure also that we are the laughing stock of all the above enumerated nations. What foreign official will entrust sensitive and confidential data to U.S. intelligence agents in the foreseeable future when he knows that he may soon see his data publicized because of some misguided Congressional activity? I very sincerely feel that strong administrative and/or criminal action should be taken in any cases where either or both of your committees and/or their personnel have been the vehicle for embarrassing or damaging the U.S. by actions which resulted in confidential data being reported.

In order that there be no misunderstanding,this letter represents nothing more than my very sincere conviction of great personal contempt and disgust with the way in which you and your committees have done a great disservice to the United States by sadly mishandling your responsibilities to these agencies and to our nation.

Sincerely,

cc: Rep. Otis G. Pike
House Intelligence Committee
Washington, D.C.

FRED H. HALL
6903 Cypress Road,C-21
Plantation,Fla. 33317

ENCLOSURE 62-116469 -

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

0-20 (Rev. 8-5-74)

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

Housty

UP-017

(INTELLIGENCE REPORT)

WASHINGTON (UPI) -- THE HOUSE ETHICS COMMITTEE IS TALKING WITH THE FBI ON HOW TO TRACK DOWN THE SOURCE OF A SECRET REPORT LEAKED TO CBS REPORTER DANIEL SCHORR.

THE NEW YORK VILLAGE VOICE PUBLISHED MAJOR SECTIONS OF THE FINAL REPORT OF THE HOUSE INTELLIGENCE COMMITTEE AFTER THE HOUSE VOTED TWO TO ONE TO WITHHOLD IT UNTIL CLASSIFIED MATERIAL WAS REMOVED.

PRESIDENT FORD THEN OFFERED THE HOUSE THE "SERVICES OF THE EXECUTIVE BRANCH", WHICH INCLUDES THE FBI, TO FIND THE "LEAKER". HOUSE SPEAKER CARL ALBERT SAID HE DIDN'T PLAN TO ACCEPT.

BUT JUSTICE DEPARTMENT SPOKESMAN JOSEPH HAVEL SAID YESTERDAY THERE HAS BEEN "INFORMAL TALKS" WITH THE COMMITTEE ON WHETHER THE FBI MIGHT HELP.

REP. JOHN FLYNT, D-GA., CHAIRMAN OF THE ETHICS PANEL, CONFIRMED THE TALKS BUT SAID NO DECISION ON WHETHER TO USE THE AGENCY HAS BEEN MADE.

SCHORR TODAY ADDRESSES A WASHINGTON PRESS CLUB LUNCHEON ON "PROBLEMS OF NEWSMEN DEALING WITH OFFICIAL SECRETS." THE THREE NETWORKS WERE REPORTED PLANNING TO FILM THE EVENT.

-0-

WASHINGTON (UPI) -- THE GROUP WHICH WAS TO HAVE BEEN A BENEFICIARY OF DANIEL SCHORR'S SALE OF A SECRET HOUSE INTELLIGENCE REPORT TO THE VILLAGE VOICE HAS WASHED ITS HANDS OF THE WHOLE AFFAIR.

THE EXECUTIVE COMMITTEE OF THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS ISSUED A CAREFULLY WORDED STATEMENT YESTERDAY. IT SAID SCHORR APPROACHED IT "WITH A PROPOSAL THAT HE DONATE THE PROCEEDS, IF ANY, THAT HE MIGHT RECEIVE FROM PLACEMENT OF THE...REPORT WITH A PUBLISHER. HE DID NOT ASK FOR ANY COMMITMENT FROM THE COMMITTEE IN RETURN, NOR WAS ANY OFFERED."

UPI 02-25 09:49 AES

NOT RECORDED
46 JUN 14 1976

84 JUN 16 1976

WASHINGTON CAPITAL NEWS SERVICE

file

NW 89804 DocId:32169018
Page 117

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

(Mount Clipping in Space Below)

Putting Reins On The FBI

Disagreement among House subcommittee members over guidelines proposed for domestic intelligence activities of the FBI underscores the challenge legislators face in making rules that meet all free society demands without so handicapping the bureau that it cannot effectively do the job expected of it.

On the one hand are congressmen like Rep. Badillo of New York, who argues for tougher guidelines than those suggested. They would prohibit instigation or commission by the FBI of criminal acts, prohibit incitement of violence, and the dissemination of information to discredit individuals or groups. On the other hand are congressmen like Rep. Edwards of California, who thinks Atty. Gen. Levi has done a good job drafting the guidelines.

In the middle of the picture is FBI Director Clarence Kelley, who appeared before the subcommittee to warn of the dangers of overly restrictive guidelines. Box the FBI in too much, Mr. Kelley was saying in effect, and it will lose its capability to handle such threats to the public safety as those posed by terrorist groups.

Reaction to disclosures of such domestic surveillance programs as Cointelpro has tilted opinion in the direction of demands for assurance of greater protection of individual rights and liberties. And, indeed, those rights must be guaranteed. In the matter of curbs on FBI activities, however, the familiar pattern of response and over-response is showing. The need is to strike a neat balance.

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

(Indicate page, name of newspaper, city and state.)
Page #10A, The News & Courier, Charleston, S.C.

House Study

Date: Feb. 16, 1976
Edition: Morning
Author: Unknown
Editor: ARTHUR M. WILCOX
Title: News & Courier

Character:
or
Classification: 80-249
Submitting Office: COLUMBIA

☐ Being Investigated

62-116469-A

NOT RECORDED
170 APR 5 1976

59 APR 6 1976

8/29 file

NW 89804 DocId:32169018
Page 118

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

0-20 (Rev. 8-5-74)

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Telephone Rm. ____
Director Sec'y ____

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Hausteady

WOG/TJM

UP-013
ADD 1 INTELLIGENCE, WASHINGTON (UP-012)
ASKED TODAY IF HE THOUGHT THE HOUSE WOULD BUY HIS RECOMMENDATIONS, PIKE SAID, "I DON'T KNOW...I'M NOT SURE HOW MUCH WILL THERE IS IN CONGRESS TO EXERCISE OVERSIGHT."
HE SAID HE COULD UNDERSTAND WHY THE EXECUTIVE BRANCH "WANT TO SUPPRESS THIS REPORT."
"IT WOULD INDEED BE EMBARRASSING TO US AS A NATION. BUT I THINK THAT SUPPRESSING THE REPORT WILL HELP TO KEEP THE OLD SYSTEM IN OPERATION AND PREVENT THE RECOMMENDATION FOR A NEW OVERSIGHT COMMITTEE FROM EVER COMING IN.
"I THINK THAT IT IS MORE IMPORTANT THE PUBLIC GENERALLY KNOW WHAT THE HECK IS GOING ON. I BELIEVE THAT WE AS A NATION ARE STRONG ENOUGH TO FACE THE TRUTH ... MATURE ENOOUGH TO LOOK AT WHAT WE ARE DOING. AND DECENT ENOUGH TO CHANGE WHAT WE ARE DOING."
PIKE WAS INTERVIEWED ON THE CBS-TV MORNING NEWS.
UPI 02-11 08:58 AES

62-116464-A

NOT RECORDED
170 MAR 9 1976

File
5-TJM

162
56 MAR 10 1976

WASHINGTON CAPITAL NEWS SERVICE

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

0-20 (Rev. 8-5-74)

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Dep. AD Adm. ____
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Asst. Dir.:
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Comp. Syst. ____
Ext. Affairs ____
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Plan. & Eval. ____
Spec. Inv. ____
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Telephone Rm. ____
Director Sec'y ____

UP-012
(INTELLIGENCE)

WASHINGTON (UPI) -- THE HOUSE INTELLIGENCE COMMITTEE HAS FOLDED ITS TENT, LEAVING BEHIND AN UNPUBLISHED REPORT ON ACTIVITIES OF THE CIA AND FBI AND A STACK OF RECOMMENDATIONS ON HOW TO PREVENT ILLEGAL ACTIVITIES AND ABUSES.

"THESE PROCEEDINGS ARE CLOSED," SAID CHAIRMAN REP. OTIS PIKE IN ENDING THE COMMITTEE'S WORK YESTERDAY. HE GAVE MEMBERS UNTIL TODAY TO FORWARD ANY FINAL MINORITY OBSERVATIONS THEY MIGHT HAVE ON A PACKAGE OF APPROVED RECOMMENDATIONS AND SAID IT ALL WOULD BE SENT TO THE FULL HOUSE FOR ACTION SOON.

THE COMMITTEE'S RECOMMENDATION PACKAGE, APPROVED BY A VOTE OF 9-4 YESTERDAY, INCLUDED ESTABLISHENT OF A PERMANENT HOUSE OVERSIGHT PANEL WITH EXTENSIVE POWERS TO CONTROL COVERT ACTIONS, BUDGETS, AND CRIMINAL PROSECUTION OF INTELLIGENCE AGENTS AMONG OTHER THINGS.

MEANWHILE, HOUSE REPUBLICAN LEADER JOHN RHODES, R-ARIZ., AND REP. WILLIAM COHEN, D-MAINE, YESTERDAY INTRODUCED LEGISLATION TO CREATE A JOINT HOUSE-SENATE COMMITTEE TO OVERSEE THE U.S. INTELLIGENCE COMMUNITY.

AT A NEWS CONFERENCE, THE TWO LEGISLATORS SAID THEIR PROPOSAL WOULD:

-- CREATE A COMMITTEE OF NINE CONGRESSMEN AND NINE SENATORS SELECTED BY THE LEADERSHIP OF BOTH HOUSES.

-- PROVIDE THE COMMITTEE WITH FULL LEGISLATIVE RESPONSIBILITY FOR FUNDS FOR FOREIGN INTELLIGENCE ACTIVITIES.

-- REQUIRE THE PANEL TO OVERSEE ANY ACTIVITY IN THE INTELLIGENCE COMMUNITY FUNDED BY CONGRESS.

-- ESTABLISH SANCTIONS FOR UNAUTHORIZED LEAKS OF INFORMATION BY COMMITTEE MEMBERS.

UPI 02-11 08:58 AES

62-116464-A
NOT RECORDED
46 MAR 5 1976

File
5-TJM

WASHINGTON CAPITAL NEWS SERVICE

84 MAR 8 1976

NW 89804 DocId:32169018
Page 120

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

(Mount Clipping in Space Below)

Stop intelligence purge; it is fatal

THE CURRENT CONGRESSIONAL investigations into United States intelligence operations are an excellent example of how far this nation has strayed from its underlying responsibilities.

We are genuinely delighted that Congress at last is trying to regain some of the balance and authority granted it in the Constitution, but really isn't it time the American people themselves regained control of the entire governmental process, including Legislative, Administrative and Judicial branches?

Many times lately we can believe that the folks in Washington have so isolated themselves from the realities of our lives — and those of the international community — that we can never fully regain historic foundations of representative government provided wisely by our forefathers 200 years ago.

It is all the more tragic that in this Bicentennial year, the heart of federal government has so deteriorated as today to represent the largest and most ominous single threat to human rights and freedoms outside the covetous totalitarianism from without.

We certainly would not advise extreme pessimism as to the future.

However, we would sharply warn that most of the trends of not only federal but state and in some instances local governments these days are approaching an irreversible point from which recovery will be impossible.

Hunstudy

We are no purveyors of the oversimplified doomsday theory, but we would caution that our very end as the grandest democratic experiment in history is all too evident in the naivete, yea isolationist turning away from national and world responsibilities, attitudes pervading the fabric of our everyday lives.

As said above, the most tragicomedic aspect of this has to be the great federal sieve that is draining away the highly necessary cloak of secrecy surrounding the Central Intelligence Agency, State Department diplomacy, Federal Bureau of Investigation, and virtually all governmental functions which formerly demanded covertness to be able to carry out duties assigned to them by more reasonable and wiser branches of government than it appears we have at present.

The House Intelligence Committee "leak" of top secret intelligence materials used in its investigation is only the latest in cathartic spasms of supposedly self-cleansing righteousness which may seem fine now but if continued to the end will be self-destructive.

This world today is no television make-believe cowboys-and-Indians performance to be played out until everybody is either dead or alive, then the "dead" climb up off the

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

(Indicate page, name of newspaper, city and state.)

The Greenville Piedmont

Page 4

RS / Shelford (p2)

Date: 2-3-76
Edition:
Author:
Editor: Wm. C. Morris
Title: Greenville Piedmont
Character:
or
Classification: 80-143
Submitting Office: Columbia
Investigated

62-116464-A

NOT RECORDED
46 MAR 5 1976

File
5-TJM

84 MAR 8 1976

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

ground and everybody goes in the house for punch and cookies.

It is deadly serious business such as — for only modern reference — a new President John Kennedy floundering to block Russian nuclear invasion of nearby Cuba before he may have known the way to all the White House bathrooms, helpless before the cunning of a power-crazed dictator.

It is the awful uncertainty of the 1960s when severest revolutionaries, ideologies hostile to America, well meaning though unrealistic peacenik movements, became almost unextricably jumbled and debilitating except for smooth underground action by agencies charged with the responsibility to protect our nation.

It is the beginning of World War II when the FBI prevented near-fatal sabotage by immediately rounding up German spies and saboteurs, a feat unparalleled in modern times and which would have been impossible without secrecy, plus extraordinary extralegal surveillance and force beforehand.

The necessity for keeping governmental covenants in such extreme situations is fairly obvious.

Not so obvious apparently to many in these seemingly less perilous times is the necessity ever to keep at least similar vigils both at home and abroad lest this type of national and international erosion is allowed to occur again — as it surely will under current Washington purgings.

Let us as a nation not be so simplistic as to believe inside and outside threats are not as dangerous just because there is no close-home war demanding supreme sacrifice and effort.

We too vividly remember the Pearl Harbors, Spains, Ethiopas, Austrias, Balkans, Polands, Czechoslovakias, Asias of past wars big and small, each extracting in its own horrible dimension our very blood and vitality.

We do not believe there are Communists, Reds, facism and similar ideologies lurking around every corner to do us in, but we must in jeopardy of continued democratic existence know where they are just in case they feel bold enough to challenge — and know full well they will when our defenses are riddled sufficiently.

These defenses are being undermined rapidly by softheaded, unrealistic idealists and self-seekers who must be brought into check by the American people now before irreparable damage is done.

A good place to start is to stop toying with the intelligence community, to sew up tight that which should never be common knowledge in the hands of uninitiated jellyfish do-gooders.

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

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. Jenkins

DATE: 2-6-76

FROM : J. J. McDermott

SUBJECT: COST DATA - JANUARY 1976
SENSTUDY AND HOUSTUDY

Due to the fact that this matter is being handled in Records Section through normal mail processing procedures, it is most difficult to determine which specific individual(s) may have typed a certain card or abstract, searched a particular name, reviewed a particular file, etc. Therefore, names of individuals have not been given. In some instances, a specific number of individuals involved may be known and, where applicable, this has been shown. But in some units it is impossible to know even how many persons performed the work relative to a specific subject. All that can be given in some cases is the estimated number of hours in a particular grade or level based on production figures relating to this matter.

SENSTUDY

No. Personnel	Grade	Salary	Man-Hours	Agent/Clerical
8	GS-3	$ 7,102	5 1/4	C
1	GS-4	8,508	1/2	C
*	GS-6	9,946	133 1/4	C
1	GS-6	10,610	1/2	C
2	GS-6	11,606	2	C
1	GS-8	15,071	8	C
1	GS-15	37,573	8	A

62-116464

*Cannot be accurately determined

NOT RECORDED
170 FEB 17 1976

HOUSTUDY

50 FEB 10 1976

2	GS-3	7,102	1 3/4	C
1	GS-6	10,610	1/2	C

Costs incurred in the Communications Section are negligible.

RECOMMENDATION: Refer to the Administrative Division.

WLB:lpc
(5)

56 FEB 26 1976

ORIGINAL FILED IN 62-116395-1386

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

5010-108

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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 ____

DATE: 1/28/76

TO : Mr. McDermott

FROM : W. L. Bailey WLB

Sincerely

SUBJECT: DISPOSITION OF SSC AND HSC RECORDS

On January 21, 1976, Special Agents Andrew J. Duffin, Intelligence Division, and William L. Bailey, Files and Communications Division, accompanied Mr. Thomas Martin, Office of the Assistant Attorney General, Civil Division, Department of Justice, to a conference held at CIA Headquarters. This conference dealt with the disposition of SSC and HSC records that have been obtained from the FBI, CIA, Department of Defense, State Department and National Security Council.

The results of this conference are set forth in the attached memorandum dated January 22, 1976, prepared by Scott D. Breckinridge, CIA. The attached documents are self explanatory and require no further action on the part of the FBI.

RECOMMENDATION:

For information.

6 FEB 3 1976

62-116464-

NOT RECORDED
46 FEB 5 1976

3 ENCLOSURE

3 ENCLOSURE

Enclosure

INITIALS ON ORIGINAL

1 - Mr. Wannall - Enclosure
Attention Mr. Cregar
1 - Mr. Mintz - Enclosure
Attention Mr. Daly
1 - Mr. Duffin - Enclosure

INITIALS ON ORIGINAL

WLB:nlm (6)

84 FEB 9 1976

ORIGINAL FILED IN 62-116464-1347

NW 89804 DocId:32169018
Page 124

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

INTELLIGENCE COMMUNITY STAFF TRANSMITTAL AND DOCUMENT RECEIPT

MR. REX LEE
DEPARTMENT OF JUSTICE

FROM: Intelligence Community Staff
Central Inteiligence Agency
Room 6E-2914
Washington, D.C. 20505

DOCUMENTS LISTED HEREON ARE FORWARDED FOR:

INFORMATION		ACTION		RETENTION		LOAN

CONTROL NUMBER	COPY NO.	DOC. DATE	SUBJECT *(Unclassified preferred)*	CLASS.
-0132/1	22	JAN 76	DISPOSITION OF RECORDS RE: THE INVESTIGATION.	

DATE SENT 22 JAN 76 153710

RECEIPT

NATURE *(acknowledging receipt of above documents)*

E OF RECEIPT

ENCLOSURE

RETURN TO

INTELLIGENCE COMMUNITY STAFF
CENTRAL INTELLIGENCE AGENCY
ROOM 6E-2914
WASHINGTON, D.C. 20505

3772

62-116464-

1 - WHITE, RETURN COPY
2 - PINK, ADDRESSEE HOLD BACK

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Page 125

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

Review Staff: 76/0132/1
22 January 1976

MEMORANDUM FOR: Mr. Rex Lee
Assistant Attorney General
Civil Division
Department of Justice

Herewith is the package I propose to forward as the report on disposition of SSC and HSC investigative records, for submission to ICG.

If you have any questions, please advise them by COB today, as I plan to forward the package to Mr. Rogovin then.

Scott D. Breckinridge

Attachment: a/s

Enclosure
W L Bassey / McDermott
1/22/76
W L Bassey

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Review Staff: 76/0132
22 January 1976

MEMORANDUM FOR: Mitchell Rogovin
SC/DCI

SUBJECT : Handling of HSC and SSC Investigative Materials

Representatives of the Department of State, Department of Defense, Department of Justice, the National Security Council Staff, and the Central Intelligence Agency have considered alternative ways for storing and handling the materials gathered by the Senate and House Select Committees in their current study of the intelligence activities of the government.

The key objectives were those of physically secure storage, with proper controls over access to the materials, the ultimate decision on normal declassification remaining with the departments, agencies or organizations that originated the materials.

Two main alternatives were developed for where the materials should be stored. These were the National Security Agency (NSA) and the National Archives and Records Service (NARS), the preference being for the former. The NSC Staff, in preferring storage at NSA, specified additional handling provisions for its materials.

Attached are alternative draft resolutions, providing for storage at NSA or at NARS. Also attached is the NSC staff proposal for modification of the proposal for storage at NSA, providing for special handling there of NSC materials. These are intended to provide a basis for discussions with SSC and HSC personnel.

It is requested that this report be submitted to the ICG. It is noted that time has become an essential consideration, in view of the imminent conclusion of the HSC investigation.

S. D. Breckinridge

Attachment: a/s

ENCLOSURE

62-116464

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TAB A

Resolved, that all records, including books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by the Select Committee to Study Governmental Operations With Respect to Intelligence Activities established under Senate Resolution 21 of the 94th Congress, shall be transferred upon the termination of the Select Committee's mandate to the National Security Agency, there to be held in secure storage as described below in Section 2, with their use being limited to those persons or organizations authorized in the manner described below in Section 3.

Section 2. All records transferred to the National Security Agency for secure storage by the Senate Select Committee shall be stored in a secure area or areas separate and discrete from all other areas in which records are stored by the National Security Agency. This secure storage shall meet the security specifications designated in Executive Branch standards for appropriate storage of classified and/or unclassified material. The National Security Agency personnel with access to the records will be appropriately cleared and briefed for records requiring special clearance.

Section 3. Use of the records transferred by the Senate Select Committee to the National Security Agency shall be limited to persons cleared and briefed for the classifications and controls of the materials involved, and shall be further limited to those persons and members of organizations authorized in the specific manner described below:

Section 3(a). Use of the records containing information originated by the Senate Select Committee shall be limited to (1) current members of the acting, duly established Senate Legislative Oversight Committee or Committees, (2) appropriate staff members of the acting duly established Senate Legislative Oversight Committee or Committees, as duly authorized by the Chairman of such Committee in writing. Use of such stored records, developed by the Senate Select Committee from the testimony, depositions or affidavits of the employees or of former employees of the various departments, agencies or organizations shall be subject to the requirements of Section 3(b) below, as though furnished by them.

Section 3(b). Records furnished or information provided to the Senate Select Committee shall be available for use by persons, agencies, departments, or organization, or by congressional committee or bodies other than the duly designated Senate Legislative Oversight Committee or Committees, only with the prior concurrence of the originating department, agency, organization, or its successor.

WL Bailey / [illegible]
1/28/76
WL B[illegible]

ENCLOSURE
ENCLOSURE

62-116464

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Section 3(c). Any requests for records or information delivered to the National Security Agency by the Senate Select Committee under this Resolution, other than requests from the duly established Senate Legislative Oversight Committee or Committees (as provided in Section 3(a), supra) shall be made in writing by a representative designated by the department, agency or organization that originated said information. The designated official shall be responsible for ensuring that the proper clearances exist for the requestor.

Section 3(d). The records shall be treated as legislative records for all purposes relating to their availability in litigation or upon request by any person pursuant to law.

Section 4. Eventual downgrading or declassification of classified records transferred by the Senate Select Committee to the National Security Agency shall be carried out by the originating departments, agencies and organizations, or their successors, in accordance with applicable statutes and Executive Orders.

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Page 129
2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Resolved, that all records, including books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by the Select Committee To Study Governmental Operations With Respect To Intelligence Activities, established under Senate Resolution 21 of the 94th Congress, shall be transferred upon the termination of the Select Committee's mandate to the National Archives and Records Service as a trustee for and agent of the Congress, there to be held in secure storage as described below in Section 2, with their use being limited to those persons or organizations authorized in the manner described below in Section 3.

Section 2. All records transferred to the National Archives and Records Service for secure storage by the Senate Select Committee shall be stored in a secure area or areas separate and discrete from all other areas in which records are stored by the National Archives and Records Service. This secure storage shall meet the security specifications designated in Executive Branch standards for appropriate storage of classified and/or unclassified material. The Central Intelligence Agency, acting in behalf of the Executive Branch, will conduct a physical security survey to ensure that the storage facilities meet those standards. National Archives and Records Service personnel with access to the records will be appropriately cleared and briefed for records requiring special clearance.

Section 3. Use of the records transferred by the Senate Select Committee to the National Archives and Records Service shall be limited to persons cleared and briefed for the classifications and controls of the materials involved, and shall be further limited to those persons and members of organizations authorized in the specific manner described below:

Section 3(a). Use of the records containing information originated by the Senate Select Committee shall be limited to (1) current members of the acting, duly established Senate Legislative Oversight Committee or Committees, (2) appropriate staff members of the acting duly established

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Senate Legislative Oversight Committee or Committees, as duly authorized by the Chairman of such Committee in writing. Use of such stored records, developed by the Senate Select Committee from the testimony, depositions or affidavits of the employees or of former employees of the various departments, agencies or organizations shall be subject to the requirements of Section 3(b), below, as though furnished by them.

Section 3(b). Records furnished or information provided to the Senate Select Committee shall be available for use by persons, agencies, departments, or organization, or by congressional committees or bodies other than the duly designated Senate Legislative Oversight Committee or Committees, only with the prior concurrence of the originating department, agency, organization, or its successor.

Section 3(c). Any requests for records or information delivered to the National Archives and Records Service by the Senate Select Committee under this Resolution, other than requests from the duly established Senate Legislative Oversight Committee or Committees (as provided in Section 3(a), supra) shall be made in writing by a representative designated by the department, agency or organization that originated said information. The designated official shall be responsible for ensuring that the requestor has the proper clearances or approvals necessary for access to the requested materials.

Section 4. Eventual downgrading or declassification of classified records transferred by the Senate Select Committee to the National Archives and Records Service shall be carried out by the originating departments, agencies and organizations, or their successors, in accordance with applicable statutes and Executive Orders.

Section 5. Should any request under the authority of 5 U.S.C Section 552 be received for records held by the National Archives and Records Service hereunder, the National Archives and Records Service shall advise any person making such request that the records are not subject to the provisions of 5 U.S.C. Section 552.

WL Bailey [illegible]
1/28/76
WLB: [illegible]

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Page 131
2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Section 2(a): Certain particularly sensitive material supplied to the Select Committee by the White House or the NSC shall be maintained in a separate safe in the secure storage area. Access to the material in this safe will be controlled by the NSC rather than by NSA. The provisions of Section 3 below will apply to the material in this safe in the same manner as to the other material in the secure storage area.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. J. B. Adams
2 - Mr. [illegible] A. Mintz
(1 - Mr. P. V. Daly)
1 - Mr. J. J. McDermott
1 - Mr. T. W. Leavitt
1 - Mr. S. F. Phillips
1 - Mr. T. J. McNiff
1 - Mr. S. J. Miller
1 - Mr. A. J. Duffin

March 10, 1976

BY LIAISON

Captain John Matheny
Office of the Assistant to the
President for National Security Affairs
The White House
Washington, D. C.

Delivered 3/15/76 BCR

Dear Captain Matheny:

Reference is made to CIA memorandum to Executive Branch Departments and Agencies dated February 27, 1976, entitled "Classified Documents Returned from the House Select Committee on Intelligence."

In accordance with the request set out in referenced letter, this is to advise you that the following documents which were submitted by the FBI to the House Select Committee (HSC) are presently unaccounted for and presumed missing:

(1) FBI letterhead memorandum (LHM) dated September 15, 1975, unclassified, in response to HSC request dated August 19, 1975, concerning "Requests for Information Concerning Materials Furnished Senate Select Committee (SSC) and the General Accounting Office (GAO) As Well As Certain Information Concerning FBI Internal Organization, Informant Program and Confidential Funds," containing no enclosures.

EX-115 REC 12 2-116464-315

(2) FBI LHM dated September 17, 1975, unclassified, in response to HSC request dated August 20, 1975, concerning "Requests for Information Concerning This Bureau's Operation of Informants," containing no enclosures.

MAR 16 1976

15 ENCLOSURE

(3) FBI LHM dated October 16, 1975, unclassified, in response to HSC request dated September 9, 1975, concerning "Request for Briefing Concerning This Bureau's Files and Classification Systems," containing no enclosures.

AJD:lhb (11)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
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Files & Com. ____
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Director Sec'y ____

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Page 133
2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Captain John Matheny

(4) FBI LHM dated October 10, 1975, unclassified, in response to HSC request dated September 18, 1975, concerning "Request for Access to Materials Concerning Mr. Dick Wilson, Tribal Chairman of the Pine Ridge Indian Reservation," containing no enclosures.

(5) FBI LHM dated October 30, 1975, unclassified, in response to HSC request dated September 24, 1975, concerning FBI materials regarding several individuals, containing no enclosures.

(6) FBI LHM dated October 6, 1975, unclassified, in response to HSC request dated September 25, 1975, concerning "Requests for Information Concerning Cointelpros." This document transmitted enclosures; however, these enclosures were accounted for and are presently stored at CIA.

(7) FBI LHM dated November 26, 1975, unclassified, in response to "Requests for Information Concerning Cointelpros," containing no enclosures.

(8) FBI LHM dated October 29, 1975, unclassified, in response to HSC request dated October 9, 1975, concerning "Request for Access to Any and All Investigative Files Concerning 13 Individuals," containing no enclosures.

(9) FBI LHM dated November 5, 1975, unclassified, in response to "HSC Request Dated October 15, 1975, Concerning Warrantless Electronic Surveillances and Surreptitious Entries." This document transmitted enclosures; however, these enclosures were accounted for and are presently stored at CIA.

(10) FBI LHM dated November 5, 1975, unclassified, in response to HSC request dated October 28, 1975, concerning "Request for Access To or Production Of Certain FBI Files." This document transmitted enclosures; however, these enclosures were accounted for and are presently stored at CIA.

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Page 134
2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

(11) FBI LHM dated November 18, 1975, unclassified, in response to HSC request dated October 28, 1975, concerning "Request for Materials Concerning Peter Camejo," containing no enclosures.

(12) FBI LHM dated December 1, 1975, unclassified, in response to "Request for Information Concerning Arrests Made in Areas of Sabotage and Espionage," containing no enclosures.

(13) FBI LHM dated December 15, 1975, unclassified, in response to HSC request dated November 24, 1975, concerning material on specific activities and individuals, containing no enclosures.

(14) FBI LHM dated September 8, 1975, unclassified, in response to HSC request dated August 19, 1975, concerning "Request for Information Concerning Identity and Payments to FBI Informants As Well As Tax Records Filed Regarding Such Payments." This document and its enclosures are missing. The enclosures are four generic lists setting forth tax records filed regarding payments to FBI informants.

(15) FBI LHM dated November 11, 1975, unclassified, in response to HSC request dated September 30, 1975, concerning "Security Index (SI) and Administrative Index (ADEX)." This LHM also enclosed additional documents, some of which were classified "Secret," concerning various criteria which have been utilized to include an individual's name on the ADEX, a chart reflecting a statistical breakdown of the ADEX and background information concerning the SI. These enclosures are also missing.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Captain John Matheny

It is noted all of the above documents and enclosures were transmitted to the HSC on a permanent retention basis and the FBI is in possession of receipts verifying actual transmittal of the documents and receipt of same by the Committee.

Sincerely yours,

Clarence M. Kelley
Director

See memorandum S. F. Phillips to Mr. T. W. Leavitt dated 3/8/76, prepared by AJD:lhb.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992







62-116464-315

ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

62-116464

September 15, 1975

1 - Mr. T. J. McNiff

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

RE: REQUESTS FOR INFORMATION CONCERNING MATERIALS FURNISHED SENATE SELECT COMMITTEE (SSC) AND THE GENERAL ACCOUNTING OFFICE (GAO) AS WELL AS CERTAIN INFORMATION CONCERNING FBI INTERNAL ORGANIZATION, INFORMANT PROGRAM AND CONFIDENTIAL FUNDS

Reference is made to HSC letter dated August 19, 1975, requesting certain documents and information relating to specific operations of this Bureau. Set forth below by request number are replies to requests contained in referenced communication which are directed to this Bureau.

Request number 1 refers to HSC request of July 22, 1975, wherein this Bureau was requested to furnish to the HSC copies of all documents and materials provided to the SSC. Pursuant to an agreement reached August 19, 1975, at a conference between representatives of the HSC, Department of Justice and the FBI, this Bureau is making available for review to HSC Staff Members at FBI Headquarters as requested in HSC letter of July 22, 1975, a copy of material furnished to SSC by this Bureau. Material so designated by reviewing HSC Staff Members has been and will continue to be processed for delivery to the HSC.

Request number 2 represents a request made of the Department of Justice.

Request number 3 requests of this Bureau certain information relating to the internal organization of this Bureau as well as information relating to the Bureau's informant program and confidential funds. Material responsive to this request has previously been furnished the HSC by Bureau memoranda dated August 7, 1975, and August 14, 1975.

ORIGINAL AND ONE COPY TO AG

TJM:mjg
(9)

SEE NOTE PAGE TWO

62-116464-315
ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Retyped by ... Dated 9/10/75 ... Same

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. V. Cleveland
1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan

62-116464

September 17, 1975

1 - Mr. R. L. Shackelford
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

RE: REQUESTS FOR INFORMATION
CONCERNING THIS BUREAU'S
OPERATION OF INFORMANTS

Reference is made to HSC letter dated August 20, 1975, requesting specific information concerning this Bureau's operation of informants during the period January 1, 1970, to June 30, 1975.

Item Number 1 requests that this Bureau supply the HSC with the FBI definition of informants. Material responsive to this request is contained in Sections 107, 108 and 130 of this Bureau's Manual of Instructions, copies of which Sections were furnished the HSC by Bureau memorandum dated September 9, 1975.

Item Number 2 requests the total amounts paid to informants by this Bureau for each of the years specified above. Material responsive to this request has been previously furnished the HSC by Bureau memorandum dated August 7, 1975, in response to request for this information contained in HSC letter dated July 28, 1975.

Item Number 3 requests method of payments used by the FBI for informants, i.e., cash, check, loan, etc. Established Bureau procedure requires that payments made to informants, upon recommendation of handling Agent and approval of appropriate supervisory personnel, originate from the office Field Support Account and are drawn from this

TJM:lhb
(12)

SEE NOTE PAGE 4

ORIGINAL AND ONE COPY TO AG

62-116464-315

ENCLOSURE

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

account by check made out to the handling Agent for the amount authorized. The handling Agent cashes the check at a local bank and then pays the informant the authorized amount in cash, for which a receipt is received from the informant and maintained in FBI files.

Item Number 4 requests that for the years specified above, this Bureau should state the portion of the payments to informants made in cash, check or otherwise. As set forth in this Bureau's response to Item 3 above, established procedure is that all Bureau payments made to informants be made in cash.

Item Number 5 inquires whether any statements or reports of payments to informants were filed with the Internal Revenue Service and/or local taxing authorities. Material responsive to this inquiry is contained in Bureau memorandum to the HSC dated September 8, 1975, which was prepared in response to inquiry contained in HSC letter dated August 19, 1975.

Item Number 6 requests of this Bureau specific information concerning prosecution of Bureau informants by Federal or local authorities for violation of law and whether or not the Bureau interceded in any manner in such proceedings.

This Bureau does not maintain a listing or a centralized indices permitting reasonable access to the type information requested above. To be responsive to Item Number 6, this Bureau would have to conduct a manual serial by serial search of every informant file maintained at FBI Headquarters for the period specified. To undertake research of this magnitude would involve an extensive commitment of this Bureau's manpower and resources adversely affecting ongoing and current operations.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

U. S. HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)

RE: REQUESTS FOR INFORMATION CONCERNING THIS BUREAU'S OPERATION OF INFORMANTS

As indicated in this Bureau's response to Item Number 1 above, Bureau informants can generally be classified into three categories: security, criminal and extremist. In an attempt to be responsive to Item Number 6, appropriate supervisory personnel at FBI Headquarters, knowledgeable concerning informant matters, were contacted in this regard.

Personnel handling security- and extremist-type informants advise that they can recall instances in which FBI informants operating in the security and extremist fields were arrested and/or convicted on the basis of criminal activity in no way related to their informant status with this Bureau. These personnel, however, have no recollection of this Bureau ever interceding for a security or extremist informant in judicial proceedings. These personnel also advise that it is established Bureau procedure that when a Bureau security or extremist informant becomes involved in prosecutive matters as a result of criminal activity, his services as an informant are discontinued.

FBI Headquarters personnel handling criminal informants advise that this Bureau is currently operating more than 13,000 informants in the criminal field. The overwhelming preponderance of these informants had been arrested and/or convicted in local and/or Federal court at one time or another on a wide variety of charges. This Bureau has made known to a judge that a defendant convicted in his court has been cooperative with the Government in the past--which may or may not be taken into account when the judge passes sentence. This Bureau, however, makes a point of notifying all informants at the time they are activated that this Bureau will not overlook criminal violations on their part or protect them in the event they become subjects of criminal proceedings.

1 - The Attorney General

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

U. S. HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)

RE: REQUESTS FOR INFORMATION CONCERNING THIS BUREAU'S OPERATION OF INFORMANTS

NOTE:

Information responsive to Item Number 6 in referenced HSC letter was obtained from Mr. Edward P. Grigalus, IS-2 Section; Mr. Homer A. Newman, IS-1 Section; and John E. McHale, Jr., Division 9.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

62-116464

October 16, 1975

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

RE: REQUEST FOR BRIEFING CONCERNING
THIS BUREAU'S FILES AND
CLASSIFICATION SYSTEMS

Reference is made to HSC letter dated September 9, 1975, requesting a briefing by Mr. John J. McDermott, Assistant Director, FBI Files and Communications Division, to discuss this Bureau's files and classification systems.

This is to advise, pursuant to agreement reached with Ellen Miller, HSC Staff Member, on October 14, 1975, Mr. McDermott and/or members of his staff will be available to afford a briefing to HSC representatives as requested in referenced letter. Arrangements have been completed for the requested briefing to commence October 20, 1975, at 10:00 a.m., in Room 5829, J. Edgar Hoover Building.

1 - The Attorney General

TJM:lhb
(9) ORIGINAL AND ONE COPY TO AG

NOTE:

Memorandum W. O. Cregar to Mr. W. R. Wannall, dated 9/16/75, captioned "Houstudy 75," secured approval for the above-requested briefing. On 9/26/75, SA Paul V. Daly, Legal Counsel Division, contacted Ellen Miller supra advising her that the briefing had been approved and requested that she suggest a date for the briefing to be held. On 10/14/75, Miller contacted SA Daly in an attempt to arrange a mutually agreeable time for the briefing. The time and date set forth in the memorandum is a result of a discussion involving interested parties.

62-116464-395

ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

62-116464

October 10, 1975

U. S. HOUSE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (HSC)

RE: REQUEST FOR ACCESS TO MATERIALS
CONCERNING MR. DICK WILSON, TRIBAL
CHAIRMAN OF THE PINE RIDGE INDIAN
RESERVATION

Reference is made to HSC letter dated September 18, 1975, which requested access to all notes, memoranda, files and reports concerning Mr. Dick Wilson, Tribal Chairman of the Pine Ridge Indian Reservation.

This is to advise that the requested materials are available for review at FBI Headquarters, Room 4171, J. Edgar Hoover Building, Washington, D. C.

1 - The Attorney General

AJD:mjg/lhb
(9)

ORIGINAL AND ONE COPY TO AG

NOTE:

Attached to the yellow of this memorandum is a Xerox copy of an indices search revealing all references of Wilson as contained in Bureau indices. Serials as set forth on this search slip are the material available for access with the exception of those references marked n. p., which were determined to be nonpertinent. Only those materials so noted required excisions and an unexcised version of these materials is being maintained by the Senstudy Project group.

62-116464-385

ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

62-116464

October 30, 1975

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Reference is made to HSC letter dated September 24, 1975, requesting access to all notes, memoranda, files and reports regarding the following individuals:

Howard Berry Godfrey
Richard Joe Burton
Henry Lee "Gi" Schafer III
Jill Schafer
Carl Brown
Doug Durham

Pertinent information responsive to above HSC request has been prepared in accordance with established procedures relating to such matters, and this material is available for review at FBIHQ by appropriately cleared personnel of the HSC staff.

1 - The Attorney General

ORIGINAL AND ONE TO THE ATTORNEY GENERAL

KAM:lij
(8)

NOTE: CONFIDENTIAL

All of the above individuals are exposed Bureau informants with the exception of Carl Brown, who is currently an active and high level informant of our Tampa office. In accordance with procedures to protect this Bureau's relationship with informants, no documents will be made available to HSC staff members regarding this individual. In order to complete our response to the HSC inquiry, however, SA Paul V. Daly, who maintains liaison with HSC, will advise a senior HSC staff member of Brown's status upon delivery of this memorandum and the fact no documents concerning Brown will be made available for review by HSC staff members. SA Daly will also advise this information is to be held in strict confidence.

CONFIDENTIAL

62-116464-315

ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

NOTE CONTINUED CONFIDENTIAL

Documents being made available for review concerning the other individuals mentioned above were previously prepared and excised in response to a request by the Senate Select Committee under part IV, item 4, of their letter dated August 20, 1975. In particular, item 4c concerned Durham, 4f concerned Burton, 4h concerned Godfrey, and 4i concerned both Schafers. Documents prepared set forth information provided by, payments to, and Bureau supervision of these former informants.

Tampa will be instructed by separate communication to advise Brown that in response to a HSC request for information concerning him a high level HSC representative was made cognizant on a confidential basis of Brown's relationship with the FBI. This communication will also instruct Tampa to advise Brown that should he be contacted by any HSC representative he should immediately notify his contact Agent before responding to any HSC inquiry. Classified by 6283, XGDS 2, Indefinite.

CONFIDENTIAL

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

2 - Mr. [illegible] A. Mintz
(1 - M[illegible] J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. F. J. Cassidy
1 - Mr. D. Ryan

62-116464 October 6, 1975

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

'RE: REQUESTS FOR INFORMATION
CONCERNING COINTELPROS

Reference is made to the letter of the HSC dated September 25, 1975, requesting documents relating to this Bureau's former Counterintelligence Programs (Cointelpros) directed against Black Extremists and the New Left.

In accordance with this request, the documents numbered 1 to 25 relating to the Black Extremist Program, and 1 to 20 relating to the New Left Program have been appropriately excised and are being delivered to you with this memorandum.

1 - The Attorney General

NOTE:

See letter to the Attorney General dated 10/6/75, captioned "U. S. House Select Committee on Intelligence Activities (HSC), prepared by DKP:lfj.

1 - 62-116009 (Cointelpros)

DKP:lfj
(10)

62-116464-315
ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. B. Hotis)
1 - Mr. J. J. McDermott
(Attn: Mr. J. M. Powers)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar

62-116464

November 26, 1975

1 - Mr. F. J. Cassidy
1 - Mr. D. Ryan

U. S. HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (HSC)

RE: REQUESTS FOR INFORMATION
CONCERNING COINTELPROS

During September, 1975, staff members of the HSC were permitted to review files relating to this Bureau's discontinued Counterintelligence Programs (Cointelpros). By memorandum dated October 6, 1975, this Bureau responded to a request of the HSC for delivery of certain Cointelpro documents, and these were actually delivered to the Committee on October 7, 1975.

Among the material delivered to the Committee on October 7, 1975, was an FBI communication dated September 29, 1970, which indicated authorization was being requested to implement a Cointelpro action against one Mr. James Edward Keenan.

This Bureau is in receipt of a copy of a letter dated October 16, 1975, directed to the Deputy Attorney General from one James Edward Keenan of Durham, North Carolina. In his letter, Mr. Keenan states, "I was informed by a staff member of the House Select Committee on Intelligence on October 15, 1975, that during the year of 1970 I was the victim of certain activities of an FBI group known as Cointelpro," and requests he be provided with records of this Bureau pursuant to the provisions of the Freedom of Information Act.

Review of the files of this Bureau has determined the above request for authorization for a Cointelpro action against Mr. Keenan was denied and he has never been the target of Cointelpro action.

1 - The Attorney General
1 - 62-116009 (Cointelpros)
1 - 100-449698-8 (Cointelpro-New Left-Charlotte)
1 - 100-452516 (James Edward Keenan)

SEE NOTE PAGE 2

DR:lfj
(14)

62-116464-315

ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

U. S. House Select Committee
On Intelligence Activities (HSC)

Re: Requests for Information
Concerning Cointelpros

NOTE:

See letter to the Attorney General dated 11/26/75, captioned "U. S. House Select Committee on Intelligence Activities (HSC)," prepared by DR:lfj.

Charlotte letter to Director dated 9/29/70 indicated a letter had been directed to FBIHQ requesting authorization to furnish information regarding Keenan's New Left background to an established source at the North Carolina State Bar with the view of preventing his admittance to the Bar. No information appears in FBIHQ files indicating further correspondence relating to this or any other Cointelpro action regarding Keenan. On 11/11/75, Supervisor John Kenney, Charlotte Office, telephonically advised a memorandum appears in the Charlotte Office files indicating former Charlotte ASAC Earl Sheets (retired) specifically denied this Cointelpro action.

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

62-116464

October 29, 1975

1 - Mr. T. J. McNiff

U. S. HOUSE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (HSC)

RE: REQUEST FOR ACCESS TO ANY
AND ALL INVESTIGATIVE FILES
CONCERNING 13 INDIVIDUALS

Reference is made to HSC letter dated October 9, 1975, which requested access to any and all investigative files concerning the following individuals:

1. Bruce Bloy
2. Cathy Sledge
3. Joe Ward
4. Matilde Zimmerman
5. Caryl Sholin
6. Marc Rich
7. Laurie Paton
8. Jo-Ann Della Giustina
9. Barbara Kiene
10. Allen Taplin
11. Ann Chase
12. Sue Carroll
13. Maud Wilkinson

This is to advise that the material requested pertaining to all of the above individuals with the exception of Cathy Sledge is available for review at FBI Headquarters, Room 4171, J. Edgar Hoover Building, Washington, D. C. It is noted material concerning Kathy C. Zahrie, also known as Kathy Sledge was furnished to you by letter dated October 22, 1975, in response to your request dated October 1, 1975.

1 - The Attorney General

AJD:mjg
(8)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI .

62-116464-315

ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

62-116464

November 5, 1975

U. S. HOUSE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (HSC)

RE: HSC REQUEST DATED OCTOBER 15, 1975,
CONCERNING WARRANTLESS ELECTRONIC
SURVEILLANCES AND SURREPTITIOUS ENTRIES

The HSC, in a letter dated October 15, 1975, to Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, U. S. Department of Justice, Washington, D. C., requested, among other things, the following:

1. A list of all warrantless wiretaps against domestic targets conducted between 1970 and 1975.

2. A list of all other warrantless electronic surveillances conducted against domestic targets between 1970 and 1975.

3. A list of all break-ins conducted by the FBI between 1970 and 1975.

4. A list of all other trespasses conducted by the FBI between 1970 and 1975.

Pursuant to instructions received from Mr. Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination, Department of Justice, these questions are being answered in the form of lists which identify targets in generic terms. The lists, which are believed responsive to these queries, are attached hereto.

1. Telephone Surveillances on Domestic Targets January 1, 1970, through June 30, 1975.

AJD:mjg/lhb
(9)

ORIGINAL AND ONE COPY TO AG
62-116464-315

SEE NOTE PAGE 2

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

U. S. HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)

RE: HSC REQUEST DATED OCTOBER 15, 1975, CONCERNING WARRANTLESS ELECTRONIC SURVEILLANCES AND SURREPTITIOUS ENTRIES

2. Microphone Surveillances on Domestic Targets January 1, 1970, through June 30, 1975.

3. Targets of Break-ins (Surreptitious Entries) in connection with Microphone Surveillances, January 1, 1970, through June 30, 1975.

4. Targets of Trespass (Surreptitious Entries) not related to Microphone Surveillances, January 1, 1970, through June 30, 1975.

Enclosures (4)

1 - The Attorney General

NOTE:

By letter 10/15/75, HSC requested the above which was pursuant to a briefing given Congressman McClory and members of HSC by INTD on 10/10/75. Subsequent to this request, Mr. Blackhurst advised that it had been decided that only generic lists would be submitted to the Committee in response to these queries and, based on his instructions, these four questions are being responded to by the submission of the attached generic lists. Per Mr. Blackhurst, in accordance with White House instructions, EPCE and Flooding Technique surveillances are not included in lists three and four.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

62-116464

November 4, 1975

U. S. HOUSE SELECT COMMITTEE TO STUDY
GOVERNMENTAL OPERATIONS WITH RESPECT
TO INTELLIGENCE ACTIVITIES (HSC)

RE: REQUEST FOR ACCESS TO OR PRODUCTION
OF CERTAIN FBI FILES

Reference is made to HSC letter dated October 28, 1975, requesting the above which consisted of twelve specific items. The following is our partial response to this request:

Item number 2 in referenced letter requested access to material concerning Matilde Zimmerman which request was previously set forth in your letter dated October 9, 1975. By Bureau letter dated October 29, 1975, you were advised that material relating to this individual is available for review at FBI Headquarters.

Item number 7 in referenced letter requested access to material concerning Robert W. Hardy and William Lemmer, which requests were previously set forth in your letter dated October 3, 1975. By Bureau letter dated November 3, 1975, you were advised that materials relating to the above two individuals are available for review at FBI Headquarters.

Item number 8 in referenced letter requested access to material concerning Richard Joe Burton, which request was previously set forth in your letter dated September 24, 1975. By Bureau letter dated October 30, 1975, you were advised that material relating to Burton was available for review at FBI Headquarters.

RDH:dmt
(8)

SEE NOTE PAGE 2

ORIGINAL AND ONE COPY TO AG

62-116464-315

ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

U. S. HOUSE SELECT COMMITTEE TO STUDY
GOVERNMENTAL OPERATIONS WITH RESPECT
TO INTELLIGENCE ACTIVITIES (HSC)

RE: REQUEST FOR ACCESS TO OR PRODUCTION
OF CERTAIN FBI FILES

Item number 12 in referenced letter requested production of material already reviewed by the HSC Staff concerning Bruce Eloy and Marc Rich. This material, consisting of three documents concerning Eloy and eight documents concerning Rich, is enclosed for the HSC.

The remaining items will be responded to as soon as the pertinent investigative material is available and reviewed.

Enclosures (11)

1 - The Attorney General

NOTE:

The referenced request consists of twelve items referring to various investigative fields. They are being handled as individual requests and will be responded to at a later date.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

62-116464

November 18, 1975

1 - Mr. T. J. McNiff
1 - Mr. R. D. Hampton

U. S. HOUSE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (HSC)

RE: REQUEST FOR MATERIALS CONCERNING
PETER CAMEJO

Reference is made to HSC letter dated October 28, 1975, Item #3, which requests "access to any and all files of FBI concerning Peter Camejo, SWP."

In accordance with established procedures, Bureau file concerning Peter Camejo has been reviewed and appropriately excised materials relating to the basis for the investigation, results of the investigation, and any instruction or guidance from FBI Headquarters (FBIHQ) has been extracted therefrom. This material is presently available at FBIHQ for review by HSC Staff Members.

1 - The Attorney General

1 - 100-431511

RDH:eks/mjg
(11)

NOTE:

Peter Camejo is a leading functionary in the SWP and has been of continuing investigative interest to this Bureau since 1959.

. Dir. ___
AD Adm. ___
AD Inv. ___
Dir.: ___
in. ___
p. Syst. ___
Affairs ___
s & Com. ___
. Inv. ___
t. ___
pection ___
ll. ___
oratory ___
n. & Eval. ___
c. Inv. ___
ining ___
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ctor Sec'y ___

MAIL ROOM ☐ TELETYPE UNIT ☐

62-116464-315

ENCLOSURE

GPO : 1975 O - 561-929

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

62-116464

December 1, 1975

1 - Mr. J. W. Redfield
1 - Mr. R.L. Shackelford
1 - Mr. W.O. Cregar
1 - Mr. T. J. McNiff

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

RE: REQUEST FOR INFORMATION
CONCERNING ARRESTS MADE IN
AREAS OF SABOTAGE AND ESPIONAGE

On November 5, 1975, Assistant Director W. Raymond Wannall, Section Chief Robert L. Shackelford and Special Agent Supervisor David Ryan, all of this Bureau, offered sworn testimony to HSC Staff Members. Page 163 of the transcript, setting forth results of this testimony, contains the following question from HSC Staff Member Richard Vermeire: "How many domestics have been arrested for espionage or sabotage?" By the word domestics, it is believed Mr. Vermeire was referring to United States citizens. As a similar question referring to foreign nationals contained on Page 162 of the transcript limited the time frame from 1960 to 1975, this same time frame will be utilized in replying to the question concerning United States citizens.

Review of Bureau records indicate that, during the years 1960 to 1975, four United States citizens have been arrested for violation of the Sabotage Statute and twelve United States citizens have been arrested for violation of the Espionage Statute.

1 - The Attorney General

TJM:lhb/mjg
(11)

ORIGINAL AND ONE COPY TO AG

NOTE:

Above statistics were compiled as a result of research conducted by Special Agent Louis J. Brune, Jr., IS-2 Section.

62-116464-315

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

December 15, 1975

62-116464

U. S. HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (HSC)

Reference is made to HSC letter dated November 24, 1975, requesting access to all notes, memoranda, files and reports pertaining to specific activities concerning the following individuals who were informants or alleged to be informants of this Bureau:

Alfred Burnett--Seattle bombings
Jeff Degaond--Seattle bombings
David Sannes--Seattle bombings
Horace Parker--Seattle court house damage
Thomas Mosher--Stanford University Anti-war movement
Moalnung Singnata Thomas Tongyai M'ayondiya--Hobart College, S.D.S. Anti-war demonstration
Boyd F. Douglas, Jr.--'East Coast Conspiracy to Save Lives'
Larry Grantwohl--Weatherman S.D.S.
Carl Decker--Vietnam Veterans Against the War (VVAW)
Pablo Manuel Fernandez--VVAW
Eustacio (Frank) Martinez--Chicano organizations
Emerson Poe--VVAW
George Demerle--'Crazies'
Terrence Norman--Kent State University
Charles R. Grimm--University of Alabama
Lawrence Goff--Revolutionary Union

Pertinent material responsive to the above HSC request has been retrieved and is available for review at FBI Headquarters by appropriately cleared personnel of the HSC Staff.

1 - The Attorney General

ORIGINAL AND ONE TO THE ATTORNEY GENERAL

PWC:dew
(9)

SEE NOTE PAGE TWO

62-116464-315

ENCLOSURE

NW 89804 DocId:32169018
Page 157

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

U. S. HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)

NOTE: CONFIDENTIAL

All of the above 16 individuals are known to this Bureau. Six individuals, Alfred Burnett, Jeff Dosmond, David Sannes, Eustacio (Frank) Martinez, Charles R. Grimm and Pablo Manuel Fernandez, were never FBIHQ approved informants although allegations to that effect have been publicized in the past. Nine individuals, Horace Parker, Thomas Mosher, Boyd Douglas, Larry Grantwohl, Emerson Poe, George Demmerle, Lawrence Goff, Momlaung Singhata Thomas Tongyai N'ayondiya and Terrence B. Norman, were Bureau informants, whose confidential relationships with this Bureau have become public knowledge either through giving testimony or because of irresponsible actions on their part.

Requested material appropriately excised concerning the above two categories of informants is being made available to the HSC. These individuals are not being notified by this Bureau of HSC interest in their activities as the informant reports themselves are not being furnished and the information concerning the specified activity has appeared in the mass media.

With regard to Carl Becker, this individual in 8/73 testified at the VVAW trial in Tallahassee, Florida. Since 7/72, because of his subversive and extremist contacts, he continued to furnish valuable information to the New Orleans Office, and is currently operated by the New Orleans Office as a confidential source. If this communication is approved, New Orleans will be advised that the HSC was furnished an excised summary of Becker's relationship with this Bureau up to and including the time of his testimony and no information was volunteered concerning his current status. New Orleans will be instructed to so notify Becker and advise him to be guided accordingly in the event he is contacted by representatives of HSC. He will also be instructed to immediately furnish his contacting Agent the results of any such contact.

Above mentioned pertinent material concerning Sannes, Grimm, Norman, Grantwohl and N'ayondiya has been previously made available to the SSC in response to a similar request from that committee. Documents being made available contain only information concerning specific areas of interest to the HSC with regard to these 16 individuals. Classified by 6570, XGDS 2, Indefinite.

CONFIDENTIAL

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Page 158

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. J. A. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. A. J. Decker, Jr.
Attn: Mr. C. D. Neudorfer
1 - Mr. W. R. Wannall

62-116464

September 8, 1975

1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

RE: REQUEST FOR INFORMATION
CONCERNING IDENTITY AND
PAYMENTS TO FBI INFORMANTS
AS WELL AS TAX RECORDS FILED
REGARDING SUCH PAYMENTS

Reference is made to HSC letter dated August 19, 1975, requesting:

(1) All names, addresses (if known) and dates of payments to all FBI informants from January 1, 1970, to June 30, 1975.

(2) All Federal Internal Revenue or state and local tax records or forms filed by the FBI with respect to informant payments from January 1, 1970, to June 30, 1975.

With regard to Number 1 above, Steven Blackhurst, Deputy Special Counsel for Intelligence Coordination, Department of Justice, on August 21, 1975, advised Special Agent Paul V. Daly of this Bureau that the FBI should not make available material tending to disclose or identify FBI sources.

With regard to Number 2 above, it should be noted that this Bureau did not withhold income tax deductions on payments made to all informants. The overwhelming majority of instances in which such tax deductions were effected involved certain security informants who experienced difficulty for Federal income tax purposes to report payments received from this Bureau for services, without jeopardizing their security as informants. At the conclusion of each tax year

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(10)

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SEE NOTE PAGE 3

62-116464-315

ENCLOSURE

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and as pertinent information pertaining to all such deductions became available, this Bureau would submit to Internal Revenue Service (IRS) a coded list of informants with tax deductions withheld for each, along with a bank check made out to IRS for the total amount withheld. At no time did this Bureau file any individual tax returns for informants.

It should be noted that because IRS records are now computerized, making it impossible for IRS to provide proper security for continuance of the above procedure, and to effect, for this Bureau, a considerable monetary savings in clerical and Agent salaries required to maintain extensive records in this regard, this Bureau, effective August 19, 1975, discontinued the practice of withholding tax deductions made from informant payments.

In response to request Number 2 above, there are enclosed tax reports filed by this Bureau with the IRS reflecting tax deductions made from informant payments covering the calendar years 1970, 1971, 1972 and 1973. A similar report for the tax year 1974 is currently being prepared at FBI Headquarters and upon completion will be similarly submitted to the IRS.

Enclosures (4)

1 - The Attorney General

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

U. S. House Select Committee
On Intelligence Activities (HSC)
Re: Request For Information
Concerning Identity
And Payments To FBI
Informants As Well As
Tax Records Filed
Regarding Such Payments

NOTE:

Information relating to the Department's decision not to disclose the identity of Bureau's informants to the HSC is contained in memorandum from Legal Counsel Division to Mr. J. B. Adams dated 8/22/75, captioned "Houstudy."

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

2 - [illegible]. J. A. Mintz
- Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. A. Branigan (RTFR)
1 - Mr. W. O. Cregar
1 - Mr. K. A. Mendenhall

62-116464

November 11, 1975

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

RE: SECURITY INDEX (SI) AND
ADMINISTRATIVE INDEX (ADEX)

Reference is made to HSC letter dated September 30, 1975, requesting delivery and access to certain documents and information regarding the ADEX and its precedent, the SI. Reference is also made to HSC letter dated October 15, 1975, requesting, under items 5 and 6, a listing of all persons who have been on the ADEX since its inception; a copy of the current ADEX list and a list of all persons on the the SI when it was discontinued. Reference is further made to our memorandum dated September 12, 1975, setting forth background information concerning the SI and the ADEX.

Enclosed are documents reflecting the various criteria which have been and are currently being utilized to include an individual's name on the ADEX and a chart reflecting a statistical breakdown of the ADEX. Additionally, information is set forth in Section 87, item E, page 18, of the FBI Manual of Instructions (MOI), concerning the criteria for inclusion on the ADEX. A copy of this section of the MOI has previously been furnished the HSC.

It is noted that this Bureau has in the past, made available the computerized ADEX listing dated September 15, 1975, for review at FBI Headquarters (FBIHQ) to HSC staff members, Richard Vermeire and James Oliphant. With regard to the HSC request for delivery of this ADEX list, this Bureau is of the firm conviction that an extensive and sensitive list such as the ADEX should not be released from the strict supervision and security afforded at FBIHQ. However, in

ORIGINAL AND ONE TO ATTORNEY GENERAL

KAM:en
(9)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI . SEE NOTE PAGE 4

SECRET MATERIAL ATTACHED

62-116464-315

ENCLOSURE

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Page 162

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

order for the HSC to resolve any questions relating to the operation and maintenance of the ADEX and to enable the HSC to comply with its mandate in every respect, this Bureau will, upon request, continue to make the ADEX list available for review at FBIHQ to appropriate HSC representatives.

Authority for maintaining the ADEX stems from the Attorney General and such authority is set forth in a letter from the Attorney General to the Director of the FBI dated October 22, 1971, a copy of which is enclosed with this memorandum.

Those documents pertaining to the SI to which access was requested are available for review by appropriately cleared HSC staff members at FBI Headquarters. In this regard, it is to be noted that authority for maintaining the SI stemmed from the Attorney General in connection with the Departmental portfolio entitled "Program for Apprehension and Detention of Persons Considered Potentially Dangerous to the National Defense and Public Safety of the United States."

Detailed information and documents concerning what steps were to be taken in event of a national emergency are set forth in the above-mentioned portfolio which, since that document originated with the Department of Justice, should be obtained from that source.

As has previously been stated, the ADEX is reviewed continuously and on a monthly basis is brought up to date with names being added and deleted. The SI list was prepared in the same manner and, as with the former SI, when a new monthly ADEX list is prepared copies of the old list are destroyed inasmuch as they are outdated and no longer serve a useful purpose. Also, as you have previously been advised, names appearing on the former SI and the ADEX have been printed on 5 x 8 cards with a single name printed on each card. Background information, file numbers, and type of activity in which the individual is engaged is also placed on these cards. As was explained to Mr. Vermeire on October 17, 1975, approximately 15,000 of these cards, all outdated, have been located at FBI Headquarters. These

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cards include some which contain the identity of individuals who were maintained on the Priority III level of the former SI and all ADEX cards deleted or cancelled since its inception.

During the initial period of establishing the ADEX, in order to obviate the need for conducting massive file reviews, the ADEX consisted primarily of the identity of those individuals who had been maintained on the former SI. Although these names were originally placed in this manner on the new ADEX, as cases were reviewed under our then existing reporting procedures, each case was to be reviewed on its own merits utilizing the then current criteria for ADEX to determine whether continued inclusion on the ADEX was warranted. If not, the individual's name was deleted. As previously indicated, during 1972 the ADEX was evaluated and revised and as a result, the number of individuals who were included on the ADEX began to decline and thus the high number of cancelled cards. In accordance with Bureau policy, which was instituted during the SI program, these cancelled cards are maintained at FBIHQ for a period of three years and there is no way to reconstruct a former SI or ADEX list for a particular time period by reviewing these cancelled cards. These cards, however, will reflect the identity of those individuals who have been placed on the SI and the ADEX for the period for which these cards were maintained.

Should the HSC so desire, the outdated SI and ADEX cards mentioned above will be made available for review by appropriate HSC representatives at FBIHQ.

Enclosures (9)

1 - The Attorney General

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RE: SECURITY INDEX (SI) AND
ADMINISTRATIVE INDEX (ADEX)

NOTE:

As previously stated, we neither believe it necessary nor desirable to release copies of the ADEX list due to the sensitive nature of this list. Any release of information concerning the identity of individuals maintained on the list could be detrimental to ongoing Bureau investigations, particularly with respect to the identity of those individuals maintained on the espionage section of the ADEX. Per Thomas D. J. Brooks and James Nolan of the CI-1 Section, the espionage section of the ADEX should be classified "Top Secret" inasmuch as disclosure of certain names on the list could adversely affect sensitive sources of this Bureau. Edward P. Grigalus, Unit Chief, IS-2 Section, should contact representatives of the CI-1 Section to coordinate the clasification of this section of the ADEX.

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1 - Mr. J. B. Admas
1 - Mr. T. W. Leavitt

The Attorney General

March 12, 1976

Director, FBI

Housstudy

1 - Mr. S. S. Mignosa
1 - Mr. R. L. McLanahan

#911368
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/14/00 BY SP2 ALM KP

HOUSE COMMITTEE ON ETHICS INVESTIGATION - LEAK OF PIKE COMMITTEE MATERIAL TO VILLAGE VOICE

On March 3, 1976, Mr. David W. Bowers, retired FBI Agent who has been named to direct the investigation by the House Ethics Committee regarding the leak of the Pike Committee report, contacted a representative of this Bureau. Mr. Bowers advised that he has acquired 12 retired FBI employees for the investigative staff of the House Ethics Committee. Mr. Bowers also advised that at this moment they have no need for any personnel from the FBI; however, Chairman Flynt may at a later time find a need for FBI assistance and, therefore, he is not going to withdraw his request of the Attorney General.

According to Mr. Bowers, a Washington, D. C., law firm was approached for the post of Legal Counsel to the Committee but turned it down, and Chairman Flynt has now engaged the services of an Atlanta, Georgia, law firm for this purpose.

REC-3

62-116464-314

On March 4, 1976, United Press International reported that Chairman Flynt stated that the panel had decided not to use the FBI in its investigation of the leak and publication by a newspaper of a secret intelligence report. Chairman Flynt told reporters the panel had decided to hire ten investigators and three lawyers in addition to David Bowers, who will direct the investigation. Chairman Flynt reportedly stated that the FBI was "one option but our present intention is to do it without calling on the Department of Justice to loan us the FBI. We want people who are accountable to us alone."

The above is being furnished for your information.

1 - The Deputy Attorney General
1 - Assistant Attorney General, Criminal Division

RLM:ddc ddc
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XEROX

MAR 16 1976

SEE NOTE PAGE 2

MAILED 15
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MAR 16 1976

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Dep. AD Inv. ___
Asst. Dir.:
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Director Sec'y ___

MAIL ROOM ☐ TELETYPE UNIT ☐

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

The Attorney General

NOTE:

On 2/17/76, the Bureau received a memorandum from Assistant Attorney General Richard L. Thornburgh, Criminal Division, Department of Justice, captioned "Disclosure and Publication of Allegedly Classified Information by The Village Voice, on or About February 11, 1976." This memorandum requested that a preliminary inquiry be conducted in order to determine whether any action is necessary by the Department of Justice. The memorandum sets forth specific information desired in this preliminary inquiry.

While the information contained in this letter is not directly related to the preliminary inquiry requested of this Bureau by the Attorney General, it does relate to another ongoing investigation into the same matter and therefore is being brought to the Attorney General's attention for information purposes only.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

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Spec. Inv. ___
Training ___
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Director Sec'y ___

TO : THE DIRECTOR

DATE: March 3, 1976

FROM : N. P. CALLAHAN

SUBJECT: HOUSE SUBCOMMITTEE ON ETHICS
INVESTIGATION --LEAK OF PIKE COMMITTEE
MATERIAL TO VILLAGE VOICE

Dave Bowers called the writer this morning and advised that he has lined up twelve retired FBI employees to the Investigative Staff of the captioned Subcommittee which he, Bowers, directs. He stated that a Washington law firm was approached for the post of Legal Counsel to the Subcommittee but turned it down and Chairman Flynt has engaged an Atlanta, Georgia, law firm for this purpose.

Bowers stated that at the moment they will have no need for any personnel from the FBI but that Chairman Flynt may at a later time find a need for FBI assistance and therefore is not going to withdraw his request from the Attorney General at this time.

Bowers advised the retired FBI employees who are coming with him are as follows:

John W. Marshall	John E. Kelly, Jr.
Paul F. O'Connell	Frank J. Hudson
Courtland J. Jones	C. Benjamin Fulton
Joseph M. Sizoo	C. Edwin Glass, Jr.
Norman E. McDaniel	J. B. Engelstad
J. Donald Huppert	A. B. Fipp, Jr.

The above is submitted for information.

1 - Mr. Adams
1 - Mr. Jenkins
1 - Mr. Mintz
1 - Mr. Walsh
1 - Mr. O'Connell

NPC:gt
6

REC- 104 62-116464-313

23 MAR 10 1976

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PERS. REC. UNIT

84 MAR 22 1976

5010-108

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

COPY RETAINED IN PERSONNEL RECORDS UNIT

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/13/00 BY SP-2 Alm KP #911368

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. J. B. Adams

DATE: 2/27/76

FROM : Legal Counsel

SUBJECT: DISCLOSURE AND PUBLICATION OF ALLEGEDLY CLASSIFIED INFORMATION BY THE "VILLAGE VOICE" ON OR ABOUT 2/11/76
ESPIONAGE - X

The Intelligence Division requested Legal Counsel Division determine what agreements existed between the Executive Branch and the House Select Committee concerning the handling of classified material by that Committee. This request was prompted by a memorandum from Richard Thornburgh, Assistant Attorney General, Criminal Division, requesting a certain investigation be conducted relative to captioned matter which pertained to the leak of classified information by the House Select Committee.

The only agreement between the Executive Branch and the House Select Committee concerning classified material is based on a letter from former CIA Director William E. Colby addressed to House Select Committee Chairman Otis Pike dated 9/30/75. The Committee's concurrence with the conditions stated in the Colby letter were set forth in a hearing on 10/1/75 of the House Select Committee. A Xerox copy of the pertinent portion of this hearing and of Colby's letter are attached.

According to Rex Lee, Assistant Attorney General, Civil Division, and Michael E. Shaheen, Jr., Special Counsel on Intelligence Coordination, there are no other agreements with the House Select Committee concerning this matter.

62-116466-

NOT RECORDED
191 MAR 10 1976

RECOMMENDATION:

For information.

Enclosures (2)

1 - Mr. Mintz - Encs. (2)
1 - Mr. Wannall - Encs. (2)
1 - Mr. Mignosa - Encs. (2)
1 - Mr. Daly - Encs. (2)

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5 MAR 15 1976

ENCLOSURE

ENCLOSURE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3-13-90 BY SP-2 ALM

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

lution offered by Mr. Giaimo.

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olution is agreed to.

e we will have a committee
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utely correct. We will have a
ll be protected in filing his
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notion that the chairman be
in regard to the resolution
ith the Rules of the House

is so ordered. I assure the
ected with time to file his

s of the committee rules. I
so like to file supplemental

protected.

10 a.m. tomorrow morning.
was recessed to reconvene

U.S. INTELLIGENCE AGENCIES AND ACTIVITIES: COMMITTEE PROCEEDINGS

WEDNESDAY, OCTOBER 1, 1975

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON INTELLIGENCE,
Washington, D.C.

The committee met, pursuant to notice, at 10:05 a.m., in room 2118, Rayburn House Office Building, the Honorable Otis G. Pike [chairman], presiding.

Present: Representatives Pike, Giaimo, Stanton, Dellums, Aspin, Murphy, Hayes, Lehman, McClory, Treen, Johnson, and Kasten.

Also present: A. Searle Field, staff director; Aaron B. Donner, general counsel; Jack Boos, counsel; Gregory G. Rushford and Fred Kirschstein, investigators.

Chairman PIKE. The committee will come to order.

We have essentially two purposes for our meeting this morning. The first is to discuss with the committee members the question of whether we should accept the documents which were turned over to me last night, under the conditions they have set forth, as being in compliance with the subpena which we issued.

[COMMITTEE NOTE.—The subpena referred to is printed on pp. 1477–1478 of the appendixes.]

Mr. Field, do you have the letter from Mr. Colby to me setting forth those conditions? I think they will be familiar to all of you. But I want to make it very clear what those conditions are before we approve or disapprove of this action. Just to summarize them, they are essentially the conditions which Mr. McClory and I discussed with the President the other day as to the release of any classified information.

Do you have that letter, Mr. Field? Would you read it to the committee?

Mr. FIELD. For the record, I would note that the letter is classified "top secret" but there is a stamp on it that says that it may be declassified when the enclosure has been detached. The enclosure has been detached.

Dear Mr. Chairman: With the approval of the President, I am forwarding herewith the classified material, additional to the unclassified material forwarded with my letter of September 29, 1975, which is responsive to your subpena of September 12, 1975. This is forwarded on loan with the understanding that there will be no public disclosure of this classified material (nor of testimony, depositions, or interviews concerning it) without a reasonable opportunity for us to consult with respect to it. In the event of disagreement, the matter will be referred to the President. If the President then certifies in writing that the disclosure of the material would be detrimental to the national security

62-116464-

ENCLOSURE

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of the United States, the matter will not be disclosed by the committee, except that the committee would reserve its right to submit the matter to judicial determination.

In some 12 instances in the enclosed classified material, excisions have been made of particularly sensitive matters. In 10 of these instances, they would pinpoint the identity of individuals who would be subject to exposure. In two cases, this would violate an understanding with a foreign government that its cooperation will not be disclosed. In each such case, Mr. Chairman, I am prepared to discuss with you, and the committee if necessary, the specific basis for this exclusion due to the exceptionally high risk involved, and I am sure that we can come to a mutual understanding with respect to its continued secrecy or a form in which its substance could be made available to the committee and still give it the high degree of protection it deserves. In case of disagreement, the matter will be submitted to the President under the procedure outlined above, and the committee would of course reserve its right to undertake judicial action.

Sincerely,

W. E. COLBY, *Director.*

[The September 30 letter from Mr. Colby and the September 29 letter to which it refers are printed on pp. 1513-1515 of the appendixes.]

Chairman PIKE. Does any member of the committee object to our receiving those documents under those conditions?

Mr. ASPIN. Mr. Chairman, I'd just like to ask a few questions. Does this procedure, in your opinion, conform to what you told the White House you would be willing to accept?

Chairman PIKE. In my mind it conforms to what I told the President that I personally would be willing to accept, but I told him that I could not speak on behalf of the rest of this committee or the Congress.

Mr. ASPIN. A further question, Mr. Chairman. Is the information that has been provided all that we have requested?

Chairman PIKE. That is a very good question. A cable we subpenaed is missing. It is the cable to which Mr. Adams referred in his testimony.

Mr. Colby and Mr. Rogovin simply say they cannot find it. I believe them. I kidded them a little bit, but I told them that in the final analysis I do not believe there is an intentional withholding of a document in their possession.

Mr. ASPIN. A further question, if I may. What is the chairman's feeling about the 50 words, or whatever the number is, which have been deleted from the material that has been presented?

Chairman PIKE. I believe those words have been properly deleted.

Mr. ASPIN. Mr. Chairman, before we vote on this, let me be clear. We are establishing a precedent, am I correct?

Chairman PIKE. I think there is no question that we are establishing a precedent for this committee.

Before we vote, I want to point out that I do not see what we have gotten as any great triumph for this committee. I am not claiming any great triumph here. We have gotten precisely that on which we said we would move for contempt. We have gotten absolutely nothing else.

We have gotten no additional documents which have been requested from the State Department. To the contrary, a document which we discussed at some length yesterday—and which yesterday, I believe, we had been assured would be provided—we learned last night would

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not be provided. So, I think we have gotten exactly that which keeps Mr. Colby from being in contempt and nothing else.

Mr. ASPIN. Then, in the chairman's view, what happens to our resolution should we vote aye—to accept this material under these ground rules?

Chairman PIKE. In my judgment we should go forward with it simply because we have gotten nothing else. I think that the resolution may have to be amended or modified, and addressed to some other person for some other pieces of paper. But that can be done in the Rules Committee on the recommendation of this committee.

I do not wish to lead the committee to believe that there has been any major breakthrough as to access of this committee to documents.

Mr. GIAIMO. Will you yield?

Mr. ASPIN. Yes.

Mr. GIAIMO. I am a little confused because I came in a little late. What is it, then, specifically? Why should we take any vote at this time?

Chairman PIKE. The only reason we should take a vote is that I made an oral commitment—which I am going to keep—that if we do not accept the pieces of paper under these restrictions, I am going to give them back.

Mr. ASPIN. As I understand it, these papers deal with the information that you wanted from Mr. Colby.

Chairman PIKE. That is right. That is all it deals with.

Mr. ASPIN. That is all it deals with.

I am not trying to create a confrontation. I think we should avoid that wherever possible. By the same token it seems clear that until we in Congress insist, we get little, if any, action from the executive branch. So insisting and taking a hard position is important. But what concerns me is that if we set precedents here today, they will be binding on Congress in the future.

Chairman PIKE. They will certainly be binding on this committee, and I would tend to agree that they would be used as precedents for the Congress generally.

Mr. ASPIN. Do we have to create a precedent here today? That is my question. Can't we just take Mr. Colby's testimony and not work out an arrangement formally?

Chairman PIKE. I do not think we can. I think they have offered the documents to us in good faith under certain conditions, and we are committed to accept those conditions or give the documents back. Mr. McClory.

Mr. MCCLORY. Mr. Chairman, I notice that we have the second of the two bells ringing.

Would you rather we recess before I make a statement?

Chairman PIKE. Yes; we will recess for 15 minutes. I think it is important that we discuss this.

[Brief recess.]

Chairman PIKE. The committee will come to order.

Mr. Lehman, you had a question?

Mr. LEHMAN. Yes, Mr. Chairman. I just have kind of a thing about deletions. In accepting these documents with these 50 some-odd deletions——

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Chairman PIKE. I don't want the deletions to be misunderstood. I am told it is some 50-odd words. A deletion, on the other hand, can be very, very big.

Mr. LEHMAN. Yes. Now what concerns me is that if we accept these documents with deletions as stated by the chairman, will this prevent us or preclude us, if we so decide, from going back to Mr. Colby and saying that we need these particular names?

Chairman PIKE. No, it will not.

Mr. LEHMAN. If we want these deletions filled in, it will be up to us?

Chairman PIKE. No, that is not accurate, either. We have never been prohibited from going back to Mr. Colby, arguing the case, and taking it up to a higher level. We can take it up to the President. But I do not want to indicate to you that we will get it, no matter how hard we argue for it.

Mr. LEHMAN. But it does not preclude us from trying?

Chairman PIKE. No, it certainly will not.

Mr. LEHMAN. Thank you.

Chairman PIKE. Mr. Aspin.

Mr. ASPIN. There are two things I would like to talk to the chairman a little bit about to make a record on this issue. There are two aspects to this precedent setting we are doing here—if it is precedent setting, and I believe it is.

One is, what kind of precedent this establishes for obtaining further information—not only from the CIA, but from other intelligence agencies? Have there been any assurances, or any verbal discussions with the President or anybody in the White House, about what will happen in the future if we accept this information under these ground rules? What about our other requests—not only further requests of the CIA, but also the DIA and other agencies?

Chairman PIKE. I hate to say this in Mr. McClory's absence. I will say it and repeat it in his presence. Other than Mr. McClory's optimism, I have no such assurance at the present time. Would the staff agree with that? You know, you get vague hints, allusions and promises of goodies down the road; but at the present time I have no assurance, either written or oral, that our acceptance of these documents under these conditions is going to mean anything with respect to other documents from other departments.

Mr. ASPIN. A further question: It also does nothing about the problem we are having with the State Department concerning access to witnesses for questioning; is that right?

Chairman PIKE. Not one iota.

Mr. ASPIN. So what we are really doing is accepting this information as presented because the items in our resolution are included. But we have no guarantee that the procedure will go beyond that and solve other problems of access that are facing this committee.

Chairman PIKE. Mr. McClory, I want to repeat what I said earlier. Mr. Aspin asked whether I have any assurances that our acceptance of these documents would mean anything as far as the flow of other documents is concerned. I said that, other than your optimism, I have no such assurance. I have nothing, either oral or written, saying that other pieces of paper would be made available to the committee.

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Mr. McCLORY. Mr. Chairman, if you will recognize me, I would like to respond.

Chairman PIKE. You are recognized.

Mr. McCLORY. I would like to respond by saying that in my conversations with the President—and I had a conversation with him yesterday—he indicated that he is going to cooperate fully with this committee with regard to all of the information which the committee requires for its investigation, and that he will direct the agencies of the executive branch to provide that kind of cooperation.

It is true that with respect to the procedures which Mr. Colby has outlined—and which I think are implicit in the covering letter which we have—there is a mechanism for our declassifying or releasing for publication classified material. This, as you indicated, Mr. Chairman, is acceptable to you personally, and I feel it provides a reasonable manner in which we can handle that almost unprecedented procedure.

I would like to say further that I inquired as to the other subject that was raised in yesterday's executive session with Mr. Boyatt—the committee's access to any statement regarding a policy matter which Mr. Boyatt had made to a senior officer. The question was raised as to whether he would be compelled, under his oral instructions, to remain silent in case of a misrepresentation of his policy recommendation. The President assured me that, with respect to any testimony, any junior officer has a perfect right and I would gather an obligation—at least to the extent there was no restraint on him to keep him from correcting any inaccuracy or misrepresentation—to refute that misrepresentation with his independent testimony.

Accordingly, I feel that the limitations which are thus seemingly placed on junior officers are only those consistent with the law and consistent with the effective and orderly operation and handling of our international relations.

Chairman PIKE. Are you saying that you find that that concept is implicit in our accepting these documents and that letter? Because if it is, I am changing my vote.

Mr. McCLORY. No. I am reporting on two things. I don't think the subject of the testimony of a junior officer is at all involved in the materials which we are receiving here.

I would say this, Mr. Chairman: I have personally gone to the President encouraging the cooperation with this committee which we are now receiving. All of my colleagues on this side have done the same. The Republican leadership has done the same. I think the response is a response to this committee. I would not want to regard it as a response to a threat. It is an attitude of this President, notwithstanding one columnist's comments to the contrary, and it is quite a contrast to the kind of stonewalling which we had in a totally different proceeding last year.

Chairman PIKE. Mr. McClory, may I ask you a question?

Mr. McCLORY. You certainly may.

Chairman PIKE. Why, in your judgment, have we not received all of the other papers which we have subpenaed from the other agencies with the same covering letter?

Mr. McCLORY. Well, I judge that this response from Mr. Colby is a response to one request we have made. I would assume that we would

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have similar responses from all of the other agencies. I do not see any reason why we should not.

Chairman PIKE. Why do you suppose we have not gotten them?

Mr. MCCLORY. Frankly, Mr. Chairman, I would not be able to answer the question as to why we have received certain materials and why we have not received others. I don't have any idea of the total materials that we require. I can assure you that I want the committee to get the information and all the materials we require from the other agencies, as we are now receiving them from the CIA. I feel confident that we will get it. I feel confident that this President will see that we get it.

Chairman PIKE. Mr. Aspin.

Mr. ASPIN. Let me state the situation as I see it, perhaps putting it a little in pessimistic terms. If it is too pessimistic, I hope the chairman will say so.

It seems to me we are being asked to accept certain information under certain guidelines laid down by the person who is giving the information—guidelines as to what we can do with the information. If we accept that, it seems to me we are establishing a precedent on how we are going to release information in the future. On the other hand, it does not appear that the agencies are accepting this transaction as establishing a precedent for them to give more information in the future.

I think that what we end up with is a situation where we accept a precedent on how we receive the information or establish a precedent on how we receive the information; but their giving the information is just a one-shot proposition with no guarantee that they will continue to do so in the future.

Mr. MCCLORY. Will you yield?

Mr. ASPIN. Yes.

Mr. MCCLORY. I do not think that is the case. The President has adopted a procedure under which the committee would release classified information. We initially adopted a procedure which provided for a review and comments by the affected intelligence agency. The procedure which is outlined in the letter from Mr. Colby now includes an additional element which Mr. Pike and I discussed with the President and others at the White House. That is, that in the case of disagreement between the affected intelligence agency and the committee, the President would have to personally certify that national security was involved in order for us to withhold the information. Even at that stage, if we then insisted that we wanted to make it public, we could litigate that subject.

It seems to me we may never get to the point where the President has to certify. I hope that we never get to that. But this is a mechanism whereby we can avoid this confrontation—avoid litigation, avoid contempt steps such as sending the Sergeant at Arms after Mr. Colby and things of that nature.

Chairman PIKE. If the gentleman will yield to me, I would like to say I think what you have stated is absolutely correct. I also think what Mr. McClory has stated is absolutely correct. But it avoids the basic question which you pose. That is, we have had no assurance that the adoption of these limitations on us in this instance will place

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any duty on them to produce papers—or at least I have not received any assurance.

Mr. ASPIN. That is the point, Mr. Chairman. I think that is important.

Clearly, the thing we have to bargain with—and we were talking about a bargaining situation—and what he wants from us is some guarantee about how the information is going to be released. What we want from him is some guarantee of our access to the information. It seems to me he is getting what he wants without our getting what we want.

Let me further probe the extent to which we would establish a precedent, if I might, Mr. Chairman, by pinpointing these procedures and ground rules. I think the views of the ranking minority member, Mr. McClory, would be important on this. I would like to ask Mr. McClory and Mr. Pike what they view as the precedent that we are establishing.

If we accept these restrictions or procedures for releasing information, do they apply to this group of papers only? Does it commit us to follow this procedure in releasing all other information? Does it commit only this committee to this kind of procedure during its lifetime? Does it commit other committees or establish a precedent for other committees of Congress? Would they have to follow similar procedures? That is, is it going to establish precedents that will last beyond the lifetime of this Congress?

That is what worries me. If it were a one-shot proposition where we accept these papers under these conditions but it is not a precedent, I would not be so concerned. At the very least, Mr. Chairman, I would like to make sure that whatever we do, while maybe we are establishing a precedent for this committee, we are not establishing a precedent for other committees of the Congress and for other Congresses in the future.

I hope we will reserve our right to recommend some other procedure, because I think the procedure that is laid down by this is not necessarily the one that we want to establish for all time and for all places.

Chairman PIKE. Mr. McClory.

Mr. MCCLORY. I suppose every time a committee adopts a procedure it will be referred to at a later date as a precedent if a committee wants to take similar action. This is, it seems to me, an initial and perhaps a unique procedure which we are considering with regard to a very sensitive area of information. We are a committee which is getting classified information in a way which I believe no committee of the Congress ever has before.

Mr. STANTON. Would you yield?

Mr. MCCLORY. It is, I would hope, a pattern which we might be able to follow in securing additional information. If in our judgment we decide we want to make public certain classified information, it provides a mechanism whereby we can do so. If there is objection by the President on the basis of national security, we have left open the route of litigating the subject.

I would hope we would not have to get to that. But we can get on with the work of our committee by getting this large volume of classified information and then moving forward.

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Chairman PIKE. Mr. MCCLORY, we cannot get on with the work of our committee if we don't get the information. I have had no assurance that we are going to get it.

Mr. MCCLORY. I thought you had it.

Chairman PIKE. We have that limited bit of information in response to the subpena on Tet. We have nothing in response to any of our other subpenas.

Mr. MCCLORY. It would seem to me that we could proceed with the material we have and insist upon getting the additional material. I would assume that it would be forthcoming.

I know that this President wants us to receive all the information we require. This is evidence of it, and I think we will have further evidence of it.

Chairman PIKE. You have always had this feeling, but we have never had the papers.

Mr. STANTON. Mr. Chairman, let's be practical. If you tried to use this precedent in the Foreign Affairs Committee, they would laugh you right out of the room. The same would go in the Appropriations Committee. We are dealing with a specific instance here. We either accept it or reject it. We ought to have a vote on that question. I don't think anybody feels this is going to be binding on the Supreme Court or anybody else.

Mr. TREEN. Would you yield?

Mr. STANTON. Yes.

Mr. TREEN. I agree with the gentleman from Ohio. I have listened to the talk about precedent. While in a colloquial sense everything is a precedent, we are not bound by what we have done before. Indeed, if it would make other members more comfortable, Mr. Chairman, what would be wrong in making it clear, in whatever procedure we use here to accept this, that this subpena is for this instance only, and is not considered a precedent? Certainly it is not a precedent. I don't consider it binding on me and I don't fathom the argument that although it is a precedent of sorts it is binding on any of us. I do not find it binding on me.

Chairman PIKE. The difficulty I have with your statement is that if we do not deem it to be a precedent for this committee, how are we going to get any other documents? We have said it does not represent the procedure which Mr. McClory says it does represent.

Mr. STANTON. Mr. Chairman, if I might, I would point out that we are going to have a good deal of difficulty getting information—especially information that might be particularly embarrassing to the administration.

We know that in terms of what we are dealing with. We have to have this information. There is a difference between what you would say you would abide by in rules that would require a free flow of information.

Mr. McClory would abide by rules in which he would put all his confidence in the President to disclose the information. I think we ought to vote on this issue, get it over with, and go from there.

Chairman PIKE. Is the committee ready to vote?

Mr. Dellums.

Mr. DELLUMS. Thank you, Mr. Chairman. I have a few comments. First of all, I disagree with the majority of the comments made by most

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of my colleagues here, because I believe that this is another delaying tactic. It is a piecemeal approach to a very critical problem. I think this committee ought to stand its ground. Whether we stipulate that the ranking member is correct—that there is no precedent involved here—I would suggest, first of all, that in this covering letter the condition is that we agree in effect to the discussion draft provision with respect to public disclosure of information. I disagree with that approach. No. 2, under the title "Materials to be Supplied," we heard testimony in executive session from our own staff which convinced several members to change their vote. The result was 10 to 2, to in effect reject out of hand the discussion draft laid down by the executive branch on the supplying of materials and the publication of materials.

It would seem to me that if we accept this material today within the framework of the covering letter, we are in effect backing off from the 10 to 2 vote of this committee; because, No. 1, identities of secret agents, sources and methods, organizations involved in operations, et cetera, are both implicit and explicit in this covering letter.

I don't have to repeat the language on public disclosure. I think that is very evident to most members of the committee here. I think we ought to stand our ground.

If the executive branch were operating in good faith, it would seem to me they would have given all the material to us. It has always been my thought—and I would clearly point out that it is simply my judgment—that the material that is most controversial and the material that has given rise to this controversy does not go to the Tet offensive nor the October war. It goes to the information on the coup in Portugal and it goes to the information with respect to Cyprus. Both bodies of material, I think, are highly explosive, and I think we are going to continue to be mousetrapped further and further down the line with more delays.

I think we ought to operate in the framework of a total solution. I do not think we should operate today in a fragmented approach. We are here today on Tet. We may be here next week on something else. If the executive branch wanted to be forthcoming, why don't we have a clear, unequivocal settlement on this issue?

I would like to ask the Chair one question for the record: Given the content of the covering letter and the content of the draft discussion that we in effect rejected in a vote of 10 to 2, do you see any substantial differences, and if so, can you point them out to me?

Chairman PIKE. I would simply say that the differences I find are, I suppose, in degree.

The words which have been excised from the materials which have been delivered to this committee I believe were properly excised.

Mr. DELLUMS. Thank you, Mr. Chairman. I would only point out that we have had tacit agreement here that we would make those determinations as a full committee. So I find myself having to vote on the deletion of at least 50 words with no ability to determine for myself, as a member of this committee, whether or not they, in fact, represent the examples in the draft copy No. 1 under the heading "Materials to be Supplied." In that regard, I think it would be premature for us to attempt to vote without clearly understanding to what degree we are compromising in this area.

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I am not prepared in any way to vote to accept this material given these conditions.

The other day I voted with the 10. I have diligently attempted to support the Chair because I think the Chair has been logical, rational, and very courageous and clear thinking in this matter.

In this particular issue today, I find myself in a position where I probably will be in opposition to the Chair because I think our position is clear. I think our position is clean. I think our position can and will be sustained by the House of Representatives. In that regard I think we ought not attempt to resolve these large questions as a select committee. Let's find out whether the House wants to handle it for all time, one way or the other.

I think it probably premature for us to back off in this situation. I think the executive branch knows there is some validity to our argument: otherwise, they would not be coming here with a modification to a degree in their position. I think we should not back off.

Chairman PIKE. Mr. Johnson.

Mr. JOHNSON. I am constrained to make a statement because the last statement characterized my position as a member of the majority. I do not feel there can be any withdrawal from the premise that a congressional committee is entitled to the information that it needs to have to conduct its investigation. But I think any examination of the law will objectively require one to acknowledge the publication of sensitive material; and who will declassify it is something that is a gray area of the law. It is not that clear. The submission of the material subject to the letter of September 30, 1975, signed by Mr. Colby, is in essence in agreement with the position taken by the committee earlier as to the publication of sensitive material.

I find nothing offensive about it and nothing wrong with it. I intend to continue to insist on the right of this committee or any committee of Congress to get the information it needs to do its work. Whether or not it will subsequently declassify those documents is something that can be worked out, and should be worked out, at this point with the executive branch because the law is not clear. I find this committee meeting degenerating into a political harangue. I don't want to have anything to do with this kind of talk.

As far as I am concerned, the resolution has been complied with. The committee subpena relating to September 12 has been complied with. The other subpenas have not been complied with. If we want to take action with respect to the subpenas which have not been complied with, let's do it. But let's not start talking about this administration versus some other past administrations. I personally have a great interest in various assassination attempts which have occurred in previous administrations. Covert activities which have occurred during previous administrations are of great interest to me. If we let this thing degenerate into a political harangue, then we are really good to miss the point—which is, in my judgment, an opportunity to make a contribution to the intelligence-gathering activities of this country and to remove the nefarious, clandestine covert activities which have occurred and which I personally am ashamed of. I would like to see us direct our attention to the real guts of the commission of this committee, and that is to do something and not make political issues and harangues.

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If you want to go on and provide in your resolution that we will enforce the other subpenas which have not been complied with, I will vote for you. But if you are moving toward making it a political instrument indulging in this name-calling process we seem to be degenerating into today, I don't want to be any part of it. I don't want my vote characterized.

Chairman PIKE. Mr. McClory.

Mr. MCCLORY. I move the committee accept the materials which the committee has received and which you have explained on the conditions contained in the letter from Mr. Colby. I ask for a rollcall vote.

Chairman PIKE. Mr. Stanton.

Mr. STANTON. I move the previous question.

Chairman PIKE. Mr. Dellums.

Mr. DELLUMS. I would simply like to make a brief comment in response to my distinguished colleague.

Chairman PIKE. Will you withhold your motion?

Mr. STANTON. Yes.

Mr. DELLUMS. I am not involved in any kind of political harangue. I think it is tragic that we would even indulge in those kinds of labels. I am not interested in campaigning against Gerald Ford. He wouldn't get many votes in my district anyway. He wouldn't get many votes in Berkeley, so I think it is absurd to make that statement. I am not doing any name calling. I am saying that Congress, one, has a right to get any material that it needs in order to pursue an investigation. I frankly believe that we ought to come down on a side where we can publicize any material that we choose to publicize if we, in our judgment and within the framework of a democratic process, decide to do it. That has nothing to do with political harangue; it has to do with a statement of principle and a statement of judgment. You and I may disagree on those judgmental questions. It has nothing to do with politics or with Gerald R. Ford. It has to do with what we perceive as our rights as a committee.

Chairman PIKE. It is the position of the Chair that we understand the issues.

Mr. MURPHY. Mr. Chairman, I think what we are talking about is congressional intent, and I think the committee is unanimous in its feeling that it does not want to be bound by a precedent.

Perhaps we can be bound by this letter in this specific instance. It should be made clear that we are not establishing future policy.

Chairman PIKE. I would like to agree with the gentleman, but I don't think I can. I am afraid that if we accept these documents under these conditions, we are in effect setting a policy for no committee other than this committee. But I do think we are setting a precedent and a policy for this committee.

Mr. ASPIN. Can we make it clear we do not want this to be established as a precedent anywhere else?

Chairman PIKE. Let the record so stipulate.

Has anyone objection to that?

Mr. MCCLORY. Without prejudice, we are receiving it.

Mr. STANTON. I move the previous question.

Chairman PIKE. The clerk will call the roll.

The CLERK. Mr. Giaimo.

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Chairman PIKE. Mr. Giaimo votes no by proxy.
The CLERK. Mr. Stanton.
Mr. STANTON. Yes.
The CLERK. Mr. Dellums.
Mr. DELLUMS. No.
The CLERK. Mr. Murphy.
Mr. MURPHY. Aye.
The CLERK. Mr. Aspin.
Mr. ASPIN. No.
The CLERK. Mr. Milford.
Chairman PIKE. Mr. Milford has left me his proxy and I think it would be fair to state that would want me to vote it "aye."
The CLERK. Mr. Hayes.
[No response.]
The CLERK. Mr Lehman.
Mr. LEHMAN. Aye.
The CLERK. Mr. McClory.
Mr. MCCLORY. Aye.
The CLERK. Mr. Treen.
Mr. TREEN. Aye.
The CLERK. Mr. Kasten.
Mr. KASTEN. Aye.
The CLERK. Mr. Johnson.
Mr. JOHNSON. Aye.
The CLERK. Mr. Pike.
Chairman PIKE. Aye.
The motion is agreed to by a vote of 10 to 3.
Mr. ASPIN. Mr. Chairman.
Chairman PIKE. Yes.
Mr. ASPIN. What is the intention of the Chair now concerning our resolution?
Chairman PIKE. It is the intention of the Chair to proceed with the resolution in the Rules Committee, if we do not get from the other agencies that which we have gotten from the Director of Central Intelligence.
It is going to be the committee's decision as to what we do with our resolution, but I do think that it remains there as our leverage. In my judgment, we have not given away all of our leverage. I think what we will do with it depends on what happens for the rest of this day.
Mr. KASTEN. Mr. Chairman.
Chairman PIKE. Mr. Kasten.
Mr. KASTEN. I didn't understand, Mr. Chairman, what you said. You said that the resolution would remain in the Rules Committee, but at the same time you said that what happens to the resolution is dependent upon the action of this committee.
Chairman PIKE. I think that is still a fair statement. It seems to be a contradiction of terms. What will happen eventually is that I will go to the Rules Committee and they will have a hearing. I expect that Mr. McClory will go to the Rules Committee. While it is very clear that section 2 of our resolution is no longer operative, section 1 of our resolution is still wholly operative, and I expect that if we get from the other agencies of the Government this flow of information which is

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always "just around the corner," section 1 would not be operative. I think that is where we are today.

Mr. KASTEN. Thank you, Mr. Chairman.

Mr. MCCLORY. If the chairman would yield. I assume we have no time limit on filing a report at this time, and if a report is to be filed we will be given ample notice.

Chairman PIKE. We have the time limit set forth in our rules. It is 5 days.

Mr. MCCLORY. You intend to follow that time limit?

Chairman PIKE. I do.

Mr. MCCLORY. Then I think the members should be guided. Those who want to file separate views——

Chairman PIKE. Let's make it very clear the members have until Monday to file any dissenting or additional views.

Mr. TREEN. Mr. Chairman, I was going to ask unanimous consent if we could extend that to Tuesday afternoon—1 more day—since the rush doesn't seem to be as great now. Could we have it Tuesday afternoon?

Chairman PIKE. No; I am not going to extend the time on that. I don't see any reason to extend the time. You say the rush isn't that great.

Mr. TREEN. It was just a request.

Mr. DELLUMS. May I ask you a question?

Since the committee, in its judgment, has decided to go forward as a result of this vote on the material we have, what do you consider a reasonable amount of time for the administration to respond with respect to the balance of the material we have requested in our subpena?

Chairman PIKE. I am not going to try to determine what a reasonable amount of time is. I think if they are in good faith we will get some pieces of paper today. I think if they are playing a game, we won't.

STAFF BRIEFING ON CYPRUS

Chairman PIKE. The next order of business is a briefing from Mr. Field and Mr. Boos on the subject of the interview that Mr. Boos had with Mr. Henry Tasca, who was our Ambassador to Greece at the time of the Cyprus coup.

Now, Mr. Field, you may proceed.

Mr. McClory?

Mr. MCCLORY. I wanted to ask this question: When is Mr. Boyatt coming back?

Chairman PIKE. I haven't asked Mr. Boyatt to come back. Under the restrictions imposed on Mr. Boyatt's testimony by the State Department, I see nothing much to be gained.

Mr. MCCLORY. Mr. Chairman, as I indicated to you—and I think what the questioning of the witness really brought out—Mr. Boyatt would feel free to correct any inaccuracy in any statement by any senior officer.

Chairman PIKE. Mr. McClory, that procedure which is acceptable to you is wholly unacceptable to me. The whole concept of being told that we can question a witness on a document but can't have the document itself doesn't make much sense to me.

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TOP SECRET

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

30 September 1975

The Honorable Otis G. Pike, Chairman
Select Committee on Intelligence
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

With the approval of the President, I am forwarding herewith the classified material, additional to the unclassified material forwarded with my letter of 29 September 1975, which is responsive to your subpoena of September 12, 1975. This is forwarded on loan with the understanding that there will be no public disclosure of this classified material (nor of testimony, depositions or interviews concerning it) without a reasonable opportunity for us to consult with respect to it. In the event of disagreement, the matter will be referred to the President. If the President then certifies in writing that the disclosure of the material would be detrimental to the national security of the United States, the matter will not be disclosed by the Committee, except that the Committee would reserve its right to submit the matter to judicial determination.

In some 12 instances in the enclosed classified material, excisions have been made of particularly sensitive matters. In 10 of these instances they would pinpoint the identity of individuals who would be subject to exposure. In two cases, this would violate an understanding with a foreign government that its cooperation will not be disclosed. In each such case, Mr. Chairman, I am prepared to discuss with you, and the Committee if necessary, the specific basis for this exclusion due to the exceptionally high risk involved, and I am sure that we can come to a mutual understanding with respect to its continued secrecy or a form in which its substance could be made available to the Committee and still give it the high degree of protection it deserves. In case of disagreement, the

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ENCLOSURE 62-116466E

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...tter will be submitted to the President under the procedure outlined ...ove, and the Committee would of course reserve its right to under-...e judicial action.

Sincerely,

W. E. Colby
Director

...closures

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1 - Mr. J. B. Adams
1 - Mr. J. Jenkins
1 - Mr. W. V. Cleveland
1 - Mr. R. J. Gallagher
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar

November 28, 1975

The Attorney General

62-116464-312
REC 12 62-116464-1198X

Director, FBI

1 - Mr. J. G. Deegan
1 - Mr. R. L. Shackelford
1 - Mr. F. J. Cassidy

EX-109

U. S. HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (HSC)

On November 18, 1975, Assistant to the Director-Deputy Associate Director James B. Adams, Assistant Director W. Raymond Wannall, and other representatives of the FBI appeared in open hearings before the HSC, chaired by Congressman Otis G. Pike.

During these hearings my representatives were asked to furnish the attached information for inclusion in the official record of the hearings.

Enclosed for your approval and forwarding to the HSC is the material requested.

A copy of this material is being furnished for your records.

Enclosures - 29

ENCLOSURE

62-116464

ENCL BEHIND FILE

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

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Dep. AD Adm. ____
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84 MAR 11 1976

GPO : 1975 O - 569-920

NW 89804 DocId:32169018
Page 185

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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JAMES P. JOHNSON, COLO.
ROBERT W. KASTEN, JR., WIS.

A. SEARLE FIELD, STAFF DIRECTOR
AARON B. DONNER, COUNSEL

TELEPHONE: (202) 225-9751

Select Committee on Intelligence
U.S. House of Representatives
Washington, D.C. 20515

TO: W. Raymond Wannall

(Please return any information to be supplied for the record with your corrected transcript.)

HEARING: FBI Surveillance Activities

Congressman Pike, Presiding

Attached is a copy of your recent testimony before the House Select Committee on Intelligence. Please review and return with grammatical corrections entered directly onto the transcript in red or in ink. (Do not change the context of your testimony.) DO NOT retype the entire transcript. If necessary, an insertion should be stapled onto the page front, clearly marked to identify point of insert.

Please return your corrected transcript in time to reach the Committee on Dec. 1, 1975.

If we do not hear from you by that time, we shall assume you have no corrections or changes; your testimony, however, must be returned to the Committee, and should not be duplicated or distributed in its present form.

62-116464 — 312

Two copies of the printed hearing containing your testimony will be sent to you when available. Let us know if you would like to have additional copies.

REC 17 62-116464-190X

ADDRESS TO WHICH HEARINGS SHOULD BE SENT:

EX-112

NAME: House Select Committee on Intelligence 7 MAR 5 1976

ADDRESS: Room B-316 RHOB

CITY: Washington, D.C. STATE:

ZIP: 20515

312

5 cys Rec'd

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

Executive Registry
76-6774

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Director Sec'y

9 February 1976

MEMORANDUM FOR: All Holders of the House Select Committee's Draft Final Report on Intelligence

1. A draft report of the House Select Committee, which was tran to you on 20 January 1976, contains classified information and should b classified TOP SECRET based on the highest level of classification of in tion contained in it. Since much of the information contained in this re was provided by the Executive Branch to the House Select Committee w the understanding that it was to be treated as classified information, it appropriate and required by Executive Order 11652 that the classification of TOP SECRET be applied to the report.

2. It is therefore requested that all holders of this report affix a copy of this memorandum to each copy of the House Select Committee report in your possession to indicate its classification of TOP SECRET, together with exemption wording and classification number as shown below being applicable.

Classified by 000276
Exempt from General Declassification Schedule of E.O. 11652, exemption schedule 5B(2). Declassification date impossible to determine.

REC-104

62-116464-311

7 MAR 8 1976

Handled 2/19/76 TJM

John S. Warner
JOHN S. WARNER
General Counsel

File 62-116464

5 - MJW/FP

RECEIVED OFFICE OF THE GENERAL ATTORNEY FEB 9 1976

84 MAR 11 1976

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. T. W. Leavitt

FROM : S. F. Phillips

SUBJECT: HOUSTUDY 75

2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
1 - Mr. T. W. Leavitt
1 - Mr. V. V. Kolombatovic
1 - Mr. F. J. Cassidy
DATE: 3/1/76
1 - Mr. S. F. Phillips
1 - Mr. T. J. McNiff

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On 1/20/76, this Bureau received from the Department of Justice two copies of the House Select Committee (HSC) Draft Final Report. (This turned out to be the first version.) By letter 1/22/76, the Attorney General was furnished a number of write-ups concerning those parts of the Draft Final Report which contained classified information or which contained egregious errors relating to Bureau operations.

By memorandum 2/17/76, Legal Counsel Division to Mr. Adams, captioned "Subcommittee on Government Information and Individual Rights of the House Committee on Government Operations," it was reported that Assistant Attorney General Michael M. Uhlmann, Office of Legislative Affairs, had instructed that various copies of the HSC Draft Final Report in possession of the FBI should be returned to the Central Intelligence Agency (CIA).

62-116464-310
MAR 8 1976

REC-104

A canvass of all Sections and the Front Office of the Intelligence Division determined that there are two copies of the first version HSC Draft Final Report in possession of the Bureau. These copies are presently maintained by the Senstudy-Houstudy Project Unit, Room 4063, FBI Headquarters.

It is noted that by memorandum W. O. Cregar to Mr. W. R. Wannall, captioned as above, dated 2/12/76, copies of the second version of the HSC Draft Final Report, then in the Bureau's possession, were gathered and returned by a representative of the Bureau Liaison Section to the office of Mitchell Rogovin, Special Counsel to the Director of Central Intelligence, CIA.

62-116464

5 - [illegible]

TJM:LHB lhb
(8)

CONTINUED - OVER

84 MAR 15 1976

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Page 188

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Memorandum to Mr. T. W. Leavitt
Re: Houstudy 75
62-116464

RECOMMENDATION:

That a representative of the Liaison Section, Intelligence Division, upon approval of this memorandum, obtain copies of the Draft Final Report which is located in the Senstudy-Houstudy Project Unit, Room 4063, for the purpose of delivering same to Mr. Rogovin's office.

TJM
TWL/wol

prd

JCF

In addition to above two copies J B Adams copy of Draft Final Report should also be returned to Mr. Rogovin's office.
JBA
PLM

JM

Three copies of mentioned report delivered to Office J M Rogovin on 3/5/76 by Liaison Representative
3/5/76

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

REC-100 [illegible]

TO : Mr. J. B. Adams

DATE: 2-24-76

FROM : Legal Counsel

SUBJECT: HOUSTUDY

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
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On 2-19-76 James Oliphant, former staff member of the House Select Committee, which is now defunct, advised SA Paul V. Daly of this Division of the following information concerning the House Select Committee and its preparation of their final report. He stated the initial draft of the Pike report was prepared by staff members Ellen Miller and John Atkisson, and this was reviewed by Oliphant and Richard Vermeire who made critical comments concerning the content. Oliphant described the report as being a shoddy product and stated it was again redrafted by Miller and Atkisson. The Bureau documents used in the preparation of the report were kept in staff members Atkisson's and Miller's desk drawers initially and subsequently taken to the residence of John Atkisson. The final report pertaining to the FBI by the Pike Committee was prepared at the residence of Atkisson. Oliphant stated the report contained unsubstantiated allegations concerning the Bureau and allegations which were completely erroneous.

Regarding the leak of the Pike Committee report to Daniel Schorr, Oliphant stated that both he and Vermeire were convinced that this leak was done by Staff Director A. Searle Field. In support of this observation he stated that sometime, he believed in January, "The New York Times" ran a front page story with a continuation of the story on page 14, the date he could not recall, concerning the Pike Committee report. Field told him concerning this article that he had telephonically contacted somebody in the "Times" and told them not to write the other two articles which were to be part of a series because the heat was on. Field also told Oliphant that he told the "Times" don't worry about getting scooped because you have the only copy of the report. Additionally, Oliphant stated that it is his recollection during the weekend in which the Committee was working around the clock, Schorr was at the Committee's

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REC-100 62-116464-309

MAR 4 1976

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

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65-75958

[redacted]

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offices and spent time with Field. He recalled asking Carolyn Andrade, Office Manager for the Pike Committee, what Schorr was seeing Field about and Andrade did not respond. Oliphant indicated a general disgust for the leak and operations and procedures of this Committee and volunteered it had been so discredited he could not see their recommendations having any weight.

RECOMMENDATION:

For information.

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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: HOUSTUDY 75

1 - Mr. J. A. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
DATE: 2/12/76
1 - Mr. F. J. Cassidy
1 - Mr. T. J. McNiff
1 - Mr. V. V. Kolombatovic

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On 1/24/76, this Bureau received from CIA a Xeroxed copy of the second version of the "House Select Committee - Draft Final Report" identified in the upper right-hand corner by the numerical stamp "30." On that same date Special Agent (SA) Richard H. Ross, Research Section, reviewed the above version to determine which of the FBI suggested revisions from a review of the previously furnished first version of the draft report had been incorporated by the House Select Committee (HSC) into the new draft report. A copy of the results of this review by SA Ross is attached to this memorandum. Upon receipt of this report at FBIHQ and upon instructions of Section Chief W. O. Cregar, two Xeroxed copies of this report were made. One of these copies was delivered to the Attorney General, which copy was in turn subsequently delivered to the Director of the FBI. The second Xeroxed copy was delivered to Mr. James Adams, FBI Deputy Associate Director. The copy received from CIA was, on 1/25/76, delivered to Mr. Rex Lee, Assistant Attorney General, Civil Division.

On 1/26/76, Mr. Lee returned his copy of the above draft report to SA Ross with the instructions that the report be reviewed by the FBI and rebuttals prepared concerning remaining inaccuracies contained in the report relating to operations of the FBI. To expedite review of this report, SA Thomas J. McNiff, Senstudy-Houstudy Project Unit, arranged for five additional Xeroxed copies of this

Enclosure

62-116464

REC-100 62-116464-308

12 MAR 4 1976

TJM:lhb/hb
(9)

ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Memorandum to Mr. W. R. Wannall
Re: Houstudy
62-116464

report to be made on 1/26/76. Rebuttal material requested by Mr. Lee was forwarded to the Department by letter dated 1/28/76, captioned as above.

Distribution of the copy of the draft report returned by Mr. Lee and the five Xeroxed copies made on 1/26/76 was as follows: three copies were maintained by the Senstudy-Houstudy Project Unit, two copies were forwarded to SA Paul V. Daly, Legal Counsel Division, and one copy was forwarded to SA Fred J. Cassidy, Research Section, Intelligence Division.

On 2/9/76, Mr. Cregar received a call from the office of Mr. Mitchell Rogovin, Special Counsel to the Director, CIA, requesting that the copy of the "House Select Committee - Draft Final Report" delivered to the Bureau on 1/24/76 be returned to CIA and all copies made at the Bureau be destroyed. On 2/10/76, above copy of the draft report was returned to the office of Mr. Rogovin by Mr. Cregar.

On 2/11/76, Mr. Steven Blackhurst, Deputy Special Counsel for Intelligence Coordination, Department of Justice, advised that the Department, after consultation with CIA, desired that the Xeroxed copies of the draft report be returned to Mr. Rogovin's office rather than be destroyed. Accordingly, our copies of the draft report maintained by the Senstudy-Houstudy Project Unit, Legal Counsel Division, Mr. Cassidy, the Deputy Associate Director and the Director have been gathered and will be returned to Mr. Rogovin's office at CIA.

RECOMMENDATION:

That a representative of Liaison Section, Intelligence Division, upon approval of this memorandum, obtain copies of the draft report which is located in the Senstudy-Houstudy Project Unit for the purpose of delivering same to Mr. Rogovin's office. *

* Delivered to Mr. M. Rogovin's office at CIAHQ by Liaison Rep on 1/26/76 as per request of Mr. Cregar.

TJM WRWwab

PM

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

HOUSE SELECT COMMITTEE FINAL REPORT- 1/24/76

Page 314	Classification matter- was nott changed
p. 34	no change (n/c)
p. 35	n/c
p. 58	~~X~~ report eliminates the sentence and footnote 99, which was questioned by FBI: Comm. did not insert our ~~p~~proposed change.
p.	
p.83	n/c
p.92	n/c
p.95	n/c
p.129	n/c
p.131	n/c
p.132	n/c
p.132	report spells Callahan's name properly
p.132 line 16-23)	n/c
p.133	n/c
p.133 line 15	n/c
p.208	-report changed but our suggestion not used. New version eliminates reference to SDS fugitives being responsibile for initiation of investigation of Institue of Policy Studies(IPS) New version sav" sufficient connection between IPS and SDS to open preliminary investigation of IPS"
p.209 n	n/c
p. 210	Adopted FBI change- changed SDS member to SDS leader

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p.211 — footnote 380 - changed
(1) eliminates name of SA Robert W. Ferrer
(2) eliminates the symbol number of informant
Adopted our basis change , did not change date of airtel which was in error.

p.212 — minor change

para. 1, sent.1,2,3, — (1) changes " no information related to criminal investigation " to " criminal conduct".
(2) added " eight typewritter ribbons" instead of prior " a typewritter ribbon".

para.2 — changed to "Part of yield was intimate sexual gossip" had read " The yield was almost entirely intimate sexual gossip".

footnote 282-383 - no change, stillrefers to erroneously dated report.

p. 213 — n/c

p. 214 — changed(but did not adopt our change)
did read " FBI unable to prove any illegal or questionable relationship between SWP and Fourth Internation" new revisonn eliminates questionable

p. 215 paral, line 1, — change (bot not FBI recommendedd)
"FBI's failure to uncover even one questionable activity" changed to " illegal activity".(This Appears to adopt our reasoning though)

p. 215 line 5 — changed- varies from FBI recommendation
Did read " Fourth INternational itself was a body made up of isolated Marxist elements around the World"
Nowreads ..."Fourth INternational itself was a body made up of Marxist elements around the World and envoved no structural power base in the Soviet Union"
Of the revision, the first part incorporates FBI suggestion but last part(underlined) is all new.

p. 215 l.13-16 — changed(minor and not FBI's recommended)
did read " the FBI found no evidence of Federal violation committed bv an SDS member"
Now reads " FBI found no evidence to support prosecution of an SWP member"

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p. 215 (cont.)	This change picks up on FBI reasoning that there xx is a difference between evidence and prosecution.
p. 216 l. 2	changed- adopted FBI change Did say" the investiagtion... has be conducted xx largely under the aegis of an unprosecutable statute"-- changed largely to partially
p. 218	changed adopted merely elimantes word" internal"from phrase " internal security" to make saatement consistent with footnote.
p.316 (was listed as p.310) footnote 528	change adopted Elimanates statement" We have trouble with definition of terms" infact eliminates whole footnote replaces it with quote in text by Mr. Adams
p. 316 para 2	is new material down to " Whereas the evidence.." Doesn't seem offensive or out of place at this point.
P. 314 para 1	no change except, eliminates use of word " Unfortunately"
p. 314 footnoe 526	adopted FBI change adds corrected statistics
p. 316	changed, in that footnote eliminated completely
p. 320 para 2, line 5	n/c

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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: HOUSTUDY 75

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. P. V. Daly)
1 - Mr. W. R. Wannall
1 - Mr. R. L. Shackelford
DATE: 2/18/76
1 - Mr. F. J. Cassidy
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

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Enclosed for inclusion in the file for record purposes is a copy of a transcript setting forth the results of testimony offered by representatives of this Bureau to members of the House Select Committee on Intelligence Activities (HSC) at a hearing held 11/18/75. Subject matter of the hearing concerned itself with "FBI Surveillance Activities."

Material contained in the transcript has been reviewed at FBI Headquarters and responses to questions raised during the hearing by HSC Members were sent to the Department in memorandum form for referral to the HSC by letters dated 11/28/75 and 12/2/75.

On 2/12/76, Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination, Department of Justice, advised that, in view of the fact the HSC has published in booklet form transcripts of hearings held by that body, including the above hearing of 11/18/75, and as copies of the above booklets are in the possession of the Department and the White House, it would not be necessary to send a copy of attached transcript to the Department and the White House as has been the usual custom.

Enclosure
62-116464

ENCLOSURE
ENCL BEHIND FILE

1 - 67- (Personnel File James B. Adams)
1 - 67- (Personnel File W. Raymond Wannall)
1 - 67- (Personnel File Robert L. Shackelford)
1 - 67- (Personnel File David Ryan)
1 - 67- (Personnel File Hugh Mallet)
1 - 67- (Personnel File Former SA Arthur Murtagh)

1 - 100- (Robert Hardy)
1 - 100- (Peter Camejo)
1 - 100- (Kathy Sledge)

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TJM:lhb (18)

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5 - Mr. McNiff

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Memorandum to Mr. W. R. Wannall
Re: Houstudy 75
62-116464

Copies of this memorandum are directed to the files of Bureau personnel testifying at the hearing as well as subjects of Bureau investigations who also furnished testimony at the hearing on 11/18/75.

RECOMMENDATION:

That the attached transcript be made a matter of record in Bureau files.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. N. P. Callahan
1 - M. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. H. N. Bassett
(Attn: R. P. Keehan)

February 11, 1976

1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff
1 - Mr. R. H. Ash
1 - Mr. J. Cochran

The Attorney General

Director, FBI

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Enclosed is the original of a memorandum reporting the results of an interview of FBI Associate Director Nicholas P. Callahan by HSC Staff Members. This interview concerned HSC inquiry into this Bureau's relationship with U. S. Recording Company.

A copy of this memorandum is enclosed for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

It should be noted that Mr. Callahan was released from his confidentiality agreement for the purpose of the interview, such release predating the actual interview.

Enclosures (2)

62-116464

REC-65 62-116464-306

1 The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

1 - 67- (Personnel File Associate Director Nicholas P. Callahan)

TJM:lhb lhb
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2 ENCLOSURE

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Delivered to Dept. 2-12-76 JOS/AD

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

February 4, 1976

INTERVIEW OF ASSOCIATE DIRECTOR NICHOLAS P. CALLAHAN BY TIMOTHY OLIPHANT AND RICHARD VERMEIRE OF THE HOUSE COMMITTEE ON INTELLIGENCE CONCERNING U. S. RECORDING COMPANY

On December 17, 1975, I was interviewed by Timothy Oliphant and Richard Vermeire, Investigators from captioned Committee. It had been indicated to me that the purpose of this interview was to inquire into my participation at poker games at the Blue Ridge Club sponsored by Joe Tait, President of U. S. Recording Company.

Mr. Oliphant stated the purpose of the interview was as indicated above and also asked if they could inquire into my knowledge and/or participation in connection with the purchase of equipment from the U. S. Recording Company.

Upon inquiry, Mr. Oliphant was informed that I had participated in a poker party at the Blue Ridge Club on two or three occasions but not on any occasion within the last six or so years. He was also informed that Mr. Mohr was present on these occasions and served as a collector for the fee for the cost of lodging and food on the occasions I attended. He was informed that Mr. Tait and Mr. Oberdick were probably present; however, no business of any kind was discussed, it being purely a social event with the primary purpose of getting away from shop and shop-talk. He was further advised on the occasions that I was in attendance former Assistant Director Donald Parsons was the host member of the Blue Ridge Club. In response to an inquiry as to why I had not attended in more recent years, he was informed that I did not do so after my youngest son married and left home as I did not care to leave the Mrs. alone for the night in our residence.

Mr. Oliphant also inquired as to any other contacts I may have had with Messrs. Tait and Oberdick and I informed him that there was no close social relationship such as visiting back and forth in one another's residences; however, I had encountered them at weddings of the children of theirs and/or mutual friends, but on these occasions no business was discussed. I further pointed out that

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Mr. Tait had a summer place on the Delaware Coast in the area where I likewise had one and on a few occasions he has ridden by to say hello but has not visited extensively nor was any business discussed during these visits.

Messrs. Oliphant and Vermeire inquired as to the origin of the relationship with U. S. Recording Company and at what level was the price for the equipment purchased from U. S. Recording determined to be satisfactory. I informed them that my recollection of the relationship with the U. S. Recording Company dated back to the late 30's or early 40's and the procedure of purchasing confidential types of equipment was an ongoing procedure at the time I became involved in the Administrative Division. I stated there was no fixed procedure for ascertaining the precise price or any markup relative thereto inasmuch as the nature of the items purchased was such that primary reliance was left to the technicians of our Laboratory who had shopped the industry for the equipment needed and that any detailed discussion regarding price would normally go through the procurement officer of the Administrative Division and the technicians in the Laboratory to see that a reasonable price was being paid but not an exorbitant or unreasonable price. It was pointed out that procurement procedures in effect would require any questionable price to be taken up with higher authority either in the Laboratory or the Administrative Division to adjudicate such a question and to my recollection there had been no occasions when this had occurred.

Mr. Vermeire inquired as to Mr. Mohr's relationship with the Laboratory in connection with his position as Assistant to the Director and I pointed out that there were times when the Laboratory was one of the Divisions under his jurisdiction and I was sure that the organizational charts they had would seem to indicate this.

They inquired if I was aware of the fact that the Blue Ridge Club had suffered a fire and I advised them I had read it in the newspaper. They advised they first became aware of it on a newscast while on their way to visit the club.

Mr. Vermeire inquired as to whether there was any inquiry being made into the Bureau's dealings with the U. S. Recording Company and he was informed Director Kelley had instructed an inquiry to be made into the matter right after the testimony of Mr. Kaiser before the Committee for which they work. Upon

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Page 201
2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

inquiry whether there was any information available as to developments to date with regard to this matter, they were informed since this was an ongoing inquiry it would be inappropriate at this time to discuss such with them. When asked when the inquiry would be completed, they were informed it would be concluded very soon as the Director was just as anxious as the Committee was to have the full picture with regard to this situation. During this discussion Vermeire alluded as to the volume of the purchases made in 1971 which information had been previously furnished to the Committee and it was pointed out that these purchases resulted from the break-in of our Resident Agency in Media, Pennsylvania, and the use of U. S. Recording was two-fold: one, to preserve the confidentiality of the type of equipment being installed throughout the country in our Resident Agencies and two, to obtain expedite delivery in connection with such equipment.

I also advised Messrs. Oliphant and Vermeire that purchases other than those of a confidential nature were made from U. S. Recording Company of items on which he was the supplier under the GSA general supply schedule and where purchases on a competitive bid basis were made by soliciting bids for items of equipment under this latter procedure he being on the bidder's mailing list along with other manufacturers and suppliers. I pointed out that procurement of all equipment adheres to the Federal Procurement Regulations prescribed by the General Services Administration.

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Page 202
2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

CLASSIFY AS APPROPRIATE

NOTE: SEE INSTRUCTIONS ON REVERSE BEFORE COMPLETING.

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.)

	DOCUMENT		BRIEFING	X	INTERVIEW		TESTIMONY		OTHER

2. DATE PROVIDED

2-11-76

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

SSC

HSC

The Attorney General with a copy for forwarding to the White House.

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

Memorandum reporting the results of an interview by HSC Staff Members of Associate Director Nicholas P. Callahan on 12/17/75.

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

NA

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

U

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

Information Handling
Operating Procedures
Activities, questionable

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

Interviewed concerning knowledge and/or participation in connection with the purchase of equipment from U.S. Recording Co. and participation at poker games at the Blue Ridge Club sponsored by Joseph Tait, President of U. S. Recording Co.

62-116395

AJD:ds ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
(4) IN CONNECTION WITH SENSTUDY 75.

5. Ajd

TREAT AS YELLOW

3791 (6-75)

CLASSIFY AS APPROPRIATE

62-116464-306

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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.

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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: HOUSTUDY

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. E. W. Walsh
ATT: Mr. E. J. Landreville
DATE: 2/12/76
1 - Mr. W. R. Wannall
1 - Mr. F. J. Cassidy
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

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

As you are aware the House Select Committee on Intelligence Activities (HSC) has since approximately 7/75 been conducting an inquiry into the intelligence operations of this Bureau. In connection with this inquiry arrangements had been perfected with the Headquarters Building Security unit whereby HSC Staff members were able to enter FBI Headquarters building for the purpose of conferring with Bureau representatives and to review previously approved specified Bureau documents.

This is to advise that the mandate of the HSC officially expired at midnight 2/11/76. Accordingly, individuals connected with FBI Headquarters building security should be advised that arrangements previously in effect for HSC Staff members to enter FBI Headquarters building are no longer operative. Should any individual attempt to gain access to Headquarters identifying himself as a representative of the HSC, security personnel should request the individual to wait and immediately advise the HSC Project unit on extention 4636.

NOTE: The above instructions DO NOT apply to approved representatives of the Senate Select Committee.

RECOMMENDATION:

EX-116
REC-50 62-116464-305

That appropriate individuals responsible for Headquarters building security be advised of discontinuance of arrangements permitting building access to previously approved representatives of the now defunct HSC.

FEB 19 1976

62-116464
TJM:adn
(8)

84 FEB 27 1976

NW 89804 DocId:32169018
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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. H. N. Bassett
(Attn: R. P. Keehan)

The Attorney General

February 9, 1976

1 - Mr. J. Cochran
(Route Through For Review)
1 - Mr. C. T. Allen
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

Director, FBI

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Enclosed is the original of a memorandum reporting the results of an interview of Special Agent Carroll T. Allen, a current employee of this Bureau's Laboratory Division, by HSC Staff Members. This interview concerned HSC inquiry into this Bureau's relationship with U. S. Recording Company.

A copy of this memorandum is enclosed for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

It should be noted that Special Agent Allen was released from his confidentiality agreement for the purpose of the interview, such release predating the actual interview.

Enclosures (2)

62-116464

ST 112 REC-65 62-116464-304

FEB 20 1976

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

ENCLOSURE

1 - 67- (Personnel File SA Carroll T. Allen)

TJM:lhb lhb
(14)

Assoc. Dir. ___
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84 FEB 25 1976

GPO : 1975 O - 594-120

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. Bassett
1 - Mr. Mintz

February 9, 1976

1 - Mr. Walsh
1 - Mr. Wannall
1 - Mr. Cochran
1 - Mr. Harward
1 - Mr. Allen

HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES;
U.S. RECORDING COMPANY

On 1/12/76, SA Carroll T. Allen, Radio Engineering Section, FBI Laboratory, appeared, as requested, at the offices of captioned committee. SA Allen was taken to a committee hearing room and questioned by staff members Richard Vermiere and Tim Oliphant who administered the oath. The proceedings were taken down by a male stenographer. SA Allen was not advised of his rights.

SA Allen was asked about and provided information regarding his identity, employment, position, job function, residence and education. The questioning then turned to SA Allen's knowledge of U.S. Recording Company (USRC), its owner, Mr. Joseph Tait, and the company's relationship with the FBI. They were advised that on occasion the FBI used USRC as a confidential purchase source in a proper effort to prevent hostile interests from knowing the types and amounts of certain technical surveillance equipment purchased by the FBI. In response to questions they were advised that SA Allen had met Mr. Tait but did not know him socially, that while it was assumed Mr. Tait made a profit to compensate him for his services, the amount of profit was unknown and that SA Allen had no knowledge of any improper action on the part of Mr. Tait or any Bureau employee in connection with these purchases. A brief description of the purchase procedures regarding stock equipment and developmental contracts was given. Specific questions were asked about what companies manufactured equipment purchased through USRC and Cohu Electronics and Pelco, both of California, were named as examples.

SA Allen indicated that he met Martin L. Kaiser, knew of his company, but had only purchased one piece of equipment from the company. SA Allen had heard of the Fargo Company but had no knowledge of a Mr. Oberdick (phonetic).

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Director Sec'y ____

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(10)

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

GPO 954-546

NW 89804 DocId:32169018
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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

SA Allen indicated he knew of Mr. John P. Mohr, the former Bureau official, and in response to specific questions, that limited work was done at Mr. Mohr's home by Laboratory personnel to avoid giving outsiders an opportunity to install audio surveillance equipment in Mr. Mohr's home. In response to specific questions, SA Allen advised that the same type work was done for Mr. Hoover and Mr. Tolson when felt necessary out of security considerations.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

CLASSIFY AS APPROPRIATE

NOTE: SEE INSTRUCTIONS ON REVERSE BEFORE COMPLETING.

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.)*

	DOCUMENT		BRIEFING	X	INTERVIEW		TESTIMONY		OTHER

2. DATE PROVIDED: 2/9/76

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

	SSC
X	HSC

The Attorney General with a copy for forwarding to the White House.

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

Memorandum reporting the results of an interview by HSC Staff Members of Special Agent Carroll T. Allen.

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

N/A

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

U

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

Information Handling
Operating Procedures

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

Interviewed concerning his knowledge of U. S. Recording Company, its owner Joseph Tait and the company's relationship with the FBI.

62-116464

AJD:lhb
(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN CONNECTION WITH HOUSTUDY 75.

TREAT AS YELLOW

5-mpl

3791 (6-75)

CLASSIFY AS APPROPRIATE

62-116464-304

ENCLOSURE

NW 89804 DocId:32169018
Page 209

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

INSTRUCTIONS

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. J. B. Adams
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. F. J. Cassidy
1 - Mr. R. H. Ross

The Attorney General

February 6, 1976

Director, FBI

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

This is to confirm the conversation between Mr. Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, and Supervisor Richard H. Ross, of this Bureau, on January 28, 1976, concerning a request from Captain John Mathney, National Security Council Staff, White House. He had inquired if the Bureau had any objection to the furnishing to minority members of the HSC, eight write-ups prepared by the Bureau concerning errors in the Committee's Draft Final Report. You had approved furnishing the write-ups to the White House on January 26, 1976, and received copies of them as enclosures to my memorandum to you dated January 28, 1976, captioned as above. Mathney also invited a Bureau representative to be present at the White House to assist in the drafting of a statement concerning the report. The statement was being prepared by Mathney and representatives from Department of State, Central Intelligence Agency, and Defense Intelligence Agency.

Mr. Shaheen was queried regarding the requests and informed that the Bureau had no objection to the furnishing of the write-ups, but did not desire to have a representative present at the drafting session. He was also asked if a Departmental representative was desired present at the drafting session. Mr. Shaheen advised that it would be entirely appropriate for the White House to furnish the write-ups to the minority members and that he saw no need for a Departmental representative at the drafting session. Mathney was subsequently contacted and advised of the Bureau's and Department's decisions.

62-116464

1 - The Deputy Attorney General
Attention: Mr. Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

RHR:jmn
(9)

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SEE NOTE PAGE 2

GPO : 1975 O - 569-920

Delivered to Dept. 2-10-76 JGS/AD

84 FEB 23 1976

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

The Attorney General

NOTE:

Memorandum, Cassidy to Wannall, 1/29/76, prepared by RHR:jmn, captioned as above, sets out circumstances of contact from Captain Mathney and subsequent conversation with Mr. Shaheen, based on Messrs. Wannall's and Adams' discussion of this matter. Mr. Adams has instructed a confirmation letter be sent to the Attorney General.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : Legal Counsel

SUBJECT: HOUSTUDY

1-Mr. Adams-Enc.
1-Mr. Cleveland-Enc.
1-Mr. Wannall-Enc.

DATE: January 30, 1976

1-Mr. Cregar-Enc.
1-Mr. Mintz-Enc.
1-Mr. Hotis-Enc.
1-Mr. Daly-Enc.
1-Mr. Stassinos-Enc.

Assoc. Dir. ___
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Reference is made to Departmental memorandum received by Legal Counsel Division on January 13, 1976, from Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, to Antonin Scalia, Assistant Attorney General, Office of Legal Counsel, captioned "HSC Request for Opinion as to Legality of FBI Proprietaries." The House Select Committee informally requested that the Department give its opinion whether the FBI's creation of corporations as proprietaries contravenes the prohibitions set out in Title 31, United States Code, Section 869.

Attached is a letter dated January 23, 1976, from Steven K. Blackhurst, Assistant Special Counsel for Intelligence Coordination, Office of the Deputy Attorney General, Department of Justice, to Mr. A. Searle Field, Staff Director, Select Committee on Intelligence, United States House of Representatives, responding to the Select Committee's inquiries concerning the establishment and use of proprietaries by the FBI. The Department's response points out that the legislative history of the provisions of Section 869 makes it clear that Congress was directing itself to the practice of incorporating agencies engaged overtly in governmental functions, and that the corporate purpose of proprietaries is not to perform a governmental function but to carry on a commercial activity. Thus, proprietaries are not established for the purpose of acting as an agency or instrumentality of the United States within the meaning of Section 869(a). The Department further contends that Section 869(b) applies solely to "wholly owned" Government corporations, and that term is defined by enumeration in Title 31, United States Code, Section 846, and no FBI proprietaries are included in that enumeration.

REC-100 62-116469-302

CONTINUED -- OVER

1 Enclosure

ENCLOSURE

JOS:mcz (10)

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Page 213

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Legal Counsel to Adams Memo
Re: HOUSTUDY

Section 869 states the following: "No corporation shall be created, organized, or acquired on or after December 6, 1945, by any officer or agency of the Federal Government or by any Government corporation for the purpose of acting as an agency or instrumentality of the United States, except by Act of Congress or pursuant to an Act of Congress specifically authorizing such action.

"No wholly owned Government corporation created by or under the laws of any State, Territory, or possession of the United States or any political subdivision thereof, or under the laws of the District of Columbia, shall continue after June 30, 1948, as an agency or instrumentality of the United States, and no funds of, or obtained from, the United States or any agency thereof, including corporations, shall be invested in or employed by any such corporation after that date, except for purposes of liquidation. The proper corporate authority of every such corporation shall take the necessary steps to institute dissolution or liquidation proceedings on or before that date: Provided, That prior thereto any such corporation may be reincorporated by Act of Congress for such purposes and term of existence and with such powers, privileges, and duties as authorized by such Act, including the power to take over the assets and assume the liabilities of its respective predecessor corporation. (Dec. 6, 1945, c.557, Title III, Section 304, 59 Stat. 602.)"

The Act states that its purpose is to solve the problems of financial control and to provide annual scrutiny and current financial control by the Congress of the financial transactions and operations of Government corporations through the regular fiscal agencies of the Government. It prohibits the creation of any Government corporation to act as an agency or instrumentality of the United States except by or pursuant to action of Congress.

There is nothing in the legislative history of the Act to indicate that Congress considered the formation of corporations as proprietaries for undercover purposes. (H. R. Rep. No. 856, 79th Cong. 1st Session, 1945; S. Rep. No. 694, 79th Cong. 1st Session, 1945; 91 Cong. Rec. 8546, 10322 dated 1945.)

CONTINUED - OVER

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Legal Counsel to Adams Memo
Re: HOUSTUDY

The legislative history of the Act heavily emphasizes budgetary control of Government corporations. When the Act was being considered there were estimated to be about 100 separate Government corporations with thousands of employees and controlling billions of dollars of Government funds. The corporations engaged in a variety of businesses, including insurance and finance, as well as Government operations such as subsidies and flood control. With the increase and importance of Government corporations, there was increased recognition by both the legislative and executive branches that some means be found to coordinate the financial programs of the corporations with that of the Government as a whole.

FBI proprietaries are under the budgetary control of the FBI and do not present the fiscal or budgetary problems envisioned by the Act. The FBI budget, in turn, is prepared in accordance with Office of Management and Budget Circular No. A-11 and is subject to extensive review and approval by the Deparmtment of Justice, the Office of Management and Budget, the House Appropriations Subcommittee, and the Senate Appropriations Subcommittee. Therefore, the intent of the Act is being carried out.

Section 869 prohibits creation of a corporation "for purposes of acting as an agency or instrumentality of the United States Government." A proprietary does not hold itself out to the public to be an agency or instrumentality of the Government, and therefore not in conflict with the statute. It is an investigative method used by the FBI in furtherance of its duly authorized and assigned task of investigating violations of the laws of the United States. A proprietary is not a profit-oriented corporation.

Attached Departmental letter of January 23, 1976, noted above, cites United States v. MacDaniel, 7 Peters (32 U.S.) 1, 13-14 (1883), for the proposition that executive agencies have reasonable latitude for accomplishing their prescribed responsibilities and do not need specific statutory authorization for each act done. In that case, the

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Page 215
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court said, "A practical knowledge of the actions of any one of the great departments of the government, must convince every person, that the head of a department, in the distributions of its duties and responsibilities, is often compelled to exercise his discretion. He is limited in the exercise of his powers by the law; but it does not follow that he must show statutory provision for everything he does. No government could be administered on such principles. To attempt to regulate, by law, the minute movements of every part of the complicated machinery of government, would evince a most unpardonable ignorance on the subject. Whilst the great outlines of its movements may be marked out, and limitation imposed on the exercise of its powers, there are numberless things which must be done, that can neither be anticipated nor defined and which are essential to the proper action of government."

It is concluded that Title 31, United States Code, Section 869, should not be interpreted as applying to FBI proprietaries because it is manifest from the statutory history that Congress never contemplated its use in this type of situation.

RECOMMENDATION:

For information.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

JAN 23 1976

Mr. A. Searle Field
Staff Director
Select Committee on Intelligence
U. S. House of Representatives
Washington, D. C. 20515

Dear Mr. Field:

This responds to your letter of January 21, 1976 and your prior informal inquiries concerning the application of the Government Corporation Control Act, 31 U.S.C. §341 et seq., to the establishment and use of so-called proprietary corporations by the Federal Bureau of Investigation. In particular your informal inquiries have directed our attention to 31 U.S.C. §869.

31 U.S.C. §869(a) provides:

> No corporation shall be created, organized or acquired on or after December 6, 1945, by any officer or agency of the Federal Government or by any Government corporation for the purpose of acting as an agency or instrumentality of the United States, except by an Act of Congress or pursuant to an act of Congress specifically authorizing such action.

The legislative history of this provision makes it clear that Congress was directing itself to the practice, as exemplified by the Reconstruction Finance Corporation, of incorporating agencies engaged overtly in governmental functions, such as disaster relief, providing loans for economic recovery, facilitating war production and the like. The corporate purpose of proprietaries is not to perform a governmental function but to carry on a commercial activity. Thus, such corporations are not established "for the purpose of acting as an agency or instrumentality of the United States" within the meaning of §869(a). Any other interpretation would make the quoted language mere surplusage.

ENCLOSURE

62-116464-302

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

31 U.S.C. §869(b) by its terms applies solely to "wholly owned government corporation[s]." That term is defined by enumeration in 31 U.S.C. §846 and no F.B.I. proprietaries are included in that enumeration.

Your letter of January 21 apparently raises a question concerning the source of the F.B.I.'s authority to use proprietary corporations. The Attorney General is authorized and required to investigate and prosecute crimes against the United States. 28 U.S.C. §533. The Attorney General has charged the F.B.I. with the responsibility, inter alia, to "investigate violations of the laws of the United States . . . ." 28 C.F.R. §0.85. Similarly, all recent appropriations for the F.B.I. have contained language similar to that in the current act which appropriates funds to the F.B.I. "[f]or expenses necessary for the detection and prosecution of crimes against the United States . . . ." Pub. L. 94-121 tit. II, 89 Stat. 611, 619. The use of proprietaries is merely one of the many investigative techniques used by the F.B.I. in the discharge of its responsibilities. It has long been established that executive agencies have reasonable latitude for accomplishing their prescribed responsibilities and do not need specific statutory authorization for each act done. See e.g., United States v. MacDaniel, 7 Peters (32 U.S.) 1, 13-14 (1833), In re Neagle, 39 Fed. 833, 851 (Cir. Ct. N.D. Cal. 1889).

Sincerely,

Steven K. Blackhurst

Steven K. Blackhurst
Assistant Special Counsel
for Intelligence Coordination

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

JAN 9 1976

TO: Antonin Scalia
Assistant Attorney General
Office of Legal Counsel

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: HSC Request for Opinion as to Legality of FBI Proprietaries

The House Select Committee has requested informally that the Department give its opinion as to whether the FBI's creation of corporations as proprietaries contravenes the prohibitions set out in 31 U.S.C. 869. Attached is a very rough draft of a HSC Report which addresses this question. (This draft was written by a non-lawyer staff member of the HSC who asked that we not attribute it to him or the HSC).

We would appreciate your preparing an answer to the HSC's question. John Mintz, Assistant Director of the FBI is familiar with this matter and may be able to provide additional useful information concerning it.

RECVD COUNSEL
JAN 13 1 52 PM 1976
RECEIVED

cc: John Mintz, FBI

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

A major issue raised by the committee at the time our investigation was started was addressed to each of the military services. This issue was "What is your justification for establishing a proprietary, normally a corporation, as a front for carrying out an intelligence mission?"

The committee raised this question because section 869 of Title 31, U.S. Code (1970) states in part as follows:

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

"(a) No corporation shall be created, organized or acquired on or after December 6, 1945, by any officer or agency of the Federal Government or by any Government corporation for the purpos of acting as an agency or instrumentality of the United States, except by Act of Congress specifically authorizing such action.

"(b) No wholly owned Government corporation created by or under the laws of any State, Territory or possession of the United States or any political subdivision thereof, or under the laws of the District of columbia, shall continue after June 30, 1948, as an agency or instrumentality of the United States, and no funds of, or obtained from, the United States or any agency thereof, including corporations, shall be invested in or employed by any such corporation after that date except for the purposes of liquidation. ***"

The General Accounting Office in a letter to the Committee Chairman dated December 10, 1975 (B-179296) which discussed the applicability of section 869 to the authority for CIA to establish proprietaries stated in reference to the legislative history of the act stated "we have found no ... indication in the legislative history that Congress considered the formation of corporations for clandestine purposes."

While it is recognized that the purpose of proprietaries is to conceal the role of the government in clandestine activities, the lack of legislative history concerning formation of clandestine corporations must be accepted. Thus, section 869 precludes the formation of proprietary corporations except by Act of Congress.

As discussed in the following paragraphs, the Military services disagreed strongly with the committee position in this matter. As an example, the Army stated in essence

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that the provisions of section 869 should not be applied to corporations established for intelligence purposes by the Army because cover corporations do not, by their nature, represent themselves as agents of the U.S. government and do not engage in any business activity.

The Navy, with a somewhat different approach, stated that proprietaries are established for the sole purpose of facilitating the collection of intelligence. The Navy further stated that the purpose of establishing a proprietary is to provide a shield of non-attribution and that it would be impossible to act as a U.S. government representative without destroying the cover of non-attribution.

The Air Force justified the use of proprietaries by citing in-house ~~service~~ approvals and approvals by the CIA and the Defense Intelligence Agency. The Air Force stated in part "Justification existed in the need for cover for clandestine foreign intelligence collection activities."

In summary, the military services have justified the use of proprietaries on a rather pragmatic basis which states in essence proprietaries are approved in accordance with regulations, cleared by other agencies in the intelligence community, and could not exist for intelligence purposes if it were known that the U.S. government had an interest in the operation of the corporation.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. F. J. Cassidy
1 - Mr. R. H. Ross

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

TO : Mr. W. R. Wannall

DATE: 1/29/76

FROM : F. J. Cassidy

SUBJECT: U. S. HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)

On 1/28/76, at approximately 2:30 p.m., Captain John Mathney, National Security Council Staff, White House, telephonically contacted Supervisor R. H. Ross, INTD. He advised that the eight write-ups, which had been furnished to him on 1/26/76 had proved useful. He stated that the write-ups would be used either by being furnished to the minority members of the HSC or incorporated into a Presidential rebuttal of the HSC's report. He advised that he and representatives from Department of State, Central Intelligence Agency, and Defense Intelligence Agency were at that time preparing an overall statement concerning the HSC's Draft Final Report. He then read a paragraph of the statement prepared regarding that aspect of the report which dealt with the FBI. It generally dealt with the fact that the report tried to characterize the FBI as an inept investigative body and how the report used a broad brush approach to discredit the FBI investigations. The prepared statement labeled the report as fallacious in that the Committee neither balanced nor tempered its report even though it possessed information which showed that in the vast majority of instances, the FBI conducted legal, proper, and closely supervised investigations.

Captain Mathney also requested to know whether the eight write-ups could be furnished to minority members of the Committee (Representatives McClory, Kasten, Treen, and Milford). Further, he invited the FBI to have a representative present with himself and the other agency representatives mentioned above who were at that time preparing the statement. He was advised that his two requests would require consideration by Bureau officials, but that he would be promptly advised.

Assistant Director Wannall was apprised of the above and Mr. Adams was contacted by him. It was determined that the Bureau had no objection to the eight write-ups being furnished to the minority members of the Committee and that the

62-116464

REC-100 62-116464-301

CONTINUED - OVER

RHR:jmn jmn
(5)

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

5010-108

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Memorandum to Mr. W. R. Wannall
Re: U. S. House Select Committee
On Intelligence Activities (HSC)
62-116464

Bureau did not desire to have a representative participate in the drafting session. Mr. Adams instructed that Assistant Attorney General Rex Lee be contacted to see if the Department had any objection to furnishing any of the write-ups to the minority members or desired to have a Departmental representative attend the drafting session. Assistant Attorney General Lee was telephonically contacted by Supervisor Ross, who deferred both questions to Mr. Michael Shaheen, Jr., Special Counsel for Intelligence Coordination. Shaheen was contacted and apprised of the Bureau's views and stated that it was "entirely appropriate" for the minority members to be furnished that information by the White House. Also he felt that there was no need for a Departmental representative to attend.

Captain Mathney was recontacted (3:15 p.m., 1/28/76) and advised that there was no objection to the furnishing of the write-ups and that the Bureau nor Department felt it necessary to have a representative present with him.

ACTION:

For information.

RHR

WRW

INFO in this MEMO INCORPORATED into Memo to AG, 2/6/76. Delivered to Dept. 2/10/76. (SAME CAPTION)
RHR.

The information in this memo should be furnished to the A.G. by memo.
Per

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

The Attorney General

February 10, 1976

1 - Mr. Daly

Director, FBI

U. S. HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

This will confirm a conversation between Special Agent Paul V. Daly of this Bureau and Assistant Special Counsel on Intelligence Coordination Steven Blackhurst on February 9, 1976, at which time Mr. Blackhurst was advised that the FBI had three outstanding requests made by the House Select Committee relating to the FBI's relationship with the U. S. Recording Company. These requests were by letters dated December 2, December 10, and December 18, 1975, respectively, and signed by A. Searle Field, Staff Director of that Committee.

Mr. Blackhurst advised that in view of the fact that the Committee is no longer active, it is not necessary for the Bureau to respond to the aforementioned requests.

Delivered to Dept. 2-12-76 JOS/LAD

EX 104 REC-43 62-116464-300

FEB 12 1976

1 The Deputy Attorney General
(Attention: Michael E. Shaheen, Jr.
Special Counsel on
Intelligence Coordination)

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
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Files & Com. ____
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Director Sec'y ____

PVD:lad LAD
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MAIL ROOM ☐ TELETYPE UNIT ☐

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GPO : 1975 O - 569-920

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. J. B. Adams

DATE: January 30, 1976

1-Mr. Hotis
1-Mr. Daly
1-Mr. Taylor

FROM : Legal Counsel

SUBJECT: HOUSTUDY;
HOUSE RESOLUTION 982

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
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On January 28, 1976, the House Committee on Rules conducted hearings on H. Res. 982. Appearing before the Committee as witnesses were Chairman Otis G. Pike (N.Y.), author of the resolution, and Ranking Minority Member of the House Select Committee on Intelligence, Robert McClory (Illinois).

Ostensibly, the resolution sought to extend the life of the Select Committee until midnight, Wednesday, 2/11/76, for the purpose of filing of a supplemental report. However, an amendment to H. Res. 982 filed by Rules Committee Member John Young (Texas), prohibited the Select Committee from releasing any report containing classified materials unless the report is published with appropriate security markings and distributed only to persons authorized to receive it or until the President authorized the declassification of the classified contents. The Young amendment was accepted by the Rules Committee on a recorded vote of nine to six while H. Res. 982 was passed by voice vote, thus clearing the resolution for consideration by the full House on 1/29/76.

REC-100 62-116464-299

On 1/29/76, by a record vote of 246 to 124, the House passed H. Res. 982 and the Young amendment.

RECOMMENDATION:

For information.

FEB 17 1976

ENCLOSURE

Enclosure

RTT:mcz (8)

84 FEB 17 1976

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

94TH CONGRESS
2D SESSION

H. RES. 982

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 1976

Mr. PIKE submitted the following resolution; which was referred to the Committee on Rules

RESOLUTION

Resolved, That the Select Committee on Intelligence have until midnight Friday, January 30, 1976, to file its report pursuant to section 8 of H. Res. 591, and that the Select Committee on Intelligence have until midnight, Wednesday, February 11, 1976, to file a supplemental report containing the select committee's recommendations.

V

ENCLOSURE

62-116464—299

NW 89804 DocId:32169018
Page 227

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

94TH CONGRESS
2D SESSION

H. RES. 982

RESOLUTION

Authorizing the Select Committee on Intelligence to file its report by midnight, January 30, 1976, and for other purposes.

By Mr. PIKE

JANUARY 27, 1976
Referred to the Committee on Rules

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Page 228

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)

The Attorney General

February 6, 1976

1 - Mr. H. N. Bassett
(Attn: R. P. Keehan)
1 - Mr. J. Cochran (Route
Through For Review)
1 - Mr. D. W. Moore
1 - Mr. W. D. Campbell
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

Director, FBI

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Enclosed are the originals of two memoranda reporting the results of interviews of Donald W. Moore, Jr., Assistant Director, External Affairs Division, and Special Agent William D. Campbell, Unit Chief, Radio Engineering Section, Laboratory Division, by HSC Staff Members. These interviews concerned HSC inquiry into this Bureau's relationship with U. S. Recording Company.

A copy of each of the above memoranda is enclosed for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

It should be noted that Assistant Director Donald W. Moore, Jr., was released from his confidentiality agreement for the purpose of the interview, such release predating the actual interview.

Enclosures (4)

62-116464

ENCLOSURE

REC-38

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

1 - 67- (Personnel File Assistant Director Donald W. Moore, Jr.)
1 - 67- (Personnel File Special Agent William D. Campbell)

TJM:lhb
(16)

Assoc. Dir.
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Dep. AD Inv.
Asst. Dir.:
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GPO : 1975 O - 594-120

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

January 23, 1976

U.S. HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

INTERVIEW OF ASSISTANT DIRECTOR DONALD W. MOORE, JR.

On December 9, 1975, Tim Oliphant, House Select Committee, contacted me personally regarding poker games which I attended at Harpers Ferry. Mr. Oliphant was interested in knowing how many times I attended such games and I indicated my first attendance was in November, 1974 and the last in April, 1975.

Oliphant was interested in knowing what the cost involved and to whom it was paid. I indicated that I was invited by former Assistant to the Director J.P. Mohr and recall that the November trip cost $30 and the April trip $35. This money was paid to Mr. J.P. Mohr, and was paid to incur the expense of 3 meals and 1 night's lodging. He asked if I knew the other individuals in attendance. I indicated that I was introduced to all present but was unable to recall their professions or with whom they were associated other than obviously Bureau personnel. He asked if and when I became acquainted with Joe Tait of U.S. Recording. I indicated that I met Mr. Tait on my initial trip in November, 1974, and again saw him in April, 1975. At that time I was unaware with whom Mr. Tait was associated until most recently when it was published that Mr. Tait was, in fact, President of U.S. Recording Company.

Mr. Oliphant was desirous of knowing if I, at any time during attendance at Harpers Ferry, overheard or engaged in any conversations involving U.S. Recording, Kaiser Electronics, procurement of Bureau supplies and/or equipment or any other discussions concerning official matters of the FBI. I indicated to Mr. Oliphant that this was strictly a social gathering and I was never involved in nor did I ever overhear any conversations relating to his question. I reiterated that I was there as a guest to be in the company of associates, merely to socialize and not to engage in and discuss official business.

Mr. Oliphant indicated he had no further questions and appreciated my cooperation in answering his questions.

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Director Sec'y ____

1 - Mr.Daly (sent with cover memo)
1 - Mr.Cregar (sent with cover memo)
1 - Personnel file of Donald W.Moore,Jr.

NOTE: See Memo Moore to Mintz "U.S.HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES"

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DWM:jo

ENCLOSURE

GPO : 1975 O - 569-920

298

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. Bassett
1 - Mr. Mintz
1 - Mr. Walsh
1 - Mr. Wannall
1 - Mr. Cochran
1 - Mr. Harward
1 - Mr. Campbell

January 27, 1976

HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (HSC);
U. S. RECORDING COMPANY

On December 31, 1975 Special Agent (SA) William D. Campbell, Radio Engineering Section, FBI Laboratory, was interviewed by HSC Staff Member James Oliphant at the Rayburn House Office Building, Washington, D. C. There was a court reporter present to record the interview. Mr. Oliphant stated he did not have the authority to place SA Campbell under oath and another individual appeared in the room, placed SA Campbell under oath and immediately departed the room. SAs Danny O. Coulson and James Stassinos, FBI Legal Counsel Division, accompanied SA Campbell to the Rayburn Building but were not present during the actual interview. Approximately one-half way through the 25 minute interview Oliphant was joined by Richard S. Vermeire, HSC Staff Member. SA Campbell at no time was advised of his legal rights. SA Campbell requested and was advised he would receive a transcript containing the results of the interview.

At the outset SA Campbell was asked his name, address and to explain his supervisory duties in connection with his position as Unit Chief of the Engineering Unit. SA Campbell replied that he was made a Unit Chief in May 1975 and his responsibilities included providing technical assistance to FBI field offices in connection with investigative matters.

SA Campbell was then asked if he ever bought anything from U. S. Recording Company. Mr. Oliphant was advised that the purchase of equipment was usually accomplished by writing the request on tablet paper and sent to the Section. The requisition was typed and sent to the Administrative Division for procurement. If prices were known they were usually obtained from catalogs. When the items arrived,

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ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

SA Campbell rarely saw the purchase order but was telephonically contacted to see if the merchandise had arrived indicating it was then necessary to pay for the items. SA Campbell in answer to questions indicated he did not know the profit margin or how the mark up on equipment was calculated. A "wild guess" requested by Mr. Oliphant was that the mark up was 10-15 or 20 per cent depending on the price of the items and the difficulty encountered in obtaining the items.

In answer to questions by Mr. Oliphant, SA Campbell advised he had met Mr. Tait of U. S. Recording Comapny on several occasions in connection with his employment but did not know him socially. SA Campbell stated he had heard of the Fargo Company and had looked at one of their catalogs but never ordered anything from them. SA Campbell had heard of Gus Oberdick and that he was a distributor of Smith & Wesson firearms.

Vermeire entered the room at approximately this time and asked some of the previous questions. HSC Staff Members then inquired concerning SA Campbell's relationship with Martin Kaiser. SA Campbell stated he had met Mr. Kaiser while he was visiting in the Section. He was possibly visiting former SA John Matter, now retired, and had met him several times since that time. SA Campbell had purchased some small radio transmitters from Mr. Kaiser and looked at some of his car following equipment. Mr. Kaiser's equipment was satisfactory for the price and in some instances Mr. Kaiser knew the equipment was being purchased by the FBI.

HSC Staff Members asked if SA Campbell knew John Mohr. SA Campbell furnished the following information concerning Mr. Mohr in response to questions. SA Campbell knew Mr. Mohr as an FBI official but did not know him socially. He did not hear any rumors or gossip that indicated there was anything out of the ordinary between Mr. Mohr and Mr. Tait. Even after information appeared in the newspaper SA Campbell stated he would be very surprised if anything transpired between them that was illegal. SA Campbell was at Mr. Mohr's home to help repair a TV set which he thought was good security practice for FBI officials. SA Campbell never worked on or heard of any other FBI employees working on any vehicle owned by Mr. Mohr. SA Campbell did not know if Mr. Mohr obtained anything from Mr. Tait at a discount. SA Campbell was instructed to go to Mr. Mohr's home by his supervisor who at that time was Mr. Bradley,

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

now retired.

It should be noted that SA Campbell was released from his confidentiality agreement with the FBI for the purpose of the above interview, release predating the actual interview.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

5010-106

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. J. B. Adams

DATE: 1/28/76

1 - Mr. Hotis
1 - Mr. Daly

FROM : Legal Counsel

SUBJECT: HOUSTUDY

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
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Director Sec'y ____

Richard Vermeire, Staff Member of the House Select Committee, on 1/27/76 advised that at 2:30 p.m. on that date the House Select Committee was going to consider recommendations concerning corrective action or legislation necessary as determined by the Committee's review of the FBI. Vermeire said that two of the recommendations troubled him--one being a recommendation being made to the Committee by the Staff that warrants be necessary for the use of informants in the domestic intelligence area based on a probable cause standard.

Vermeire indicated that both he and Timothy Oliphant, Staff Member of captioned Committee, were concerned with this proposal and considered it totally unworkable. He asked if the Bureau could furnish him orally some suggestions or arguments he might use to convince the Committee that such a warrant requirement is not feasible. He was advised that a determination would be made by the Bureau concerning this and that he would be recontacted.

Vermeire also indicated that they were concerned with a recommendation for a new oversight committee being created to review FBI operations. It was pointed out to Vermeire that the Director had testified on oversight and while he was in favor of the concept, the Bureau was desirous that oversight functions be consolidated. In this regard, it was pointed out to Vermeire that there were currently three Committees in the House claiming oversight responsibilities pertaining to Bureau operations--Subcommittee on Government Information and Individual Rights of the House Committee on Government Operations, Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary and Subcommittee on Courts, Civil Liberties and the Administration of Justice of the House Committee on the Judiciary.

REC-45

FEB 3 1976

EX 104

CONTINUED - OVER

PVD:lad
(7)

LEGAL

84 FEB 12 1976

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Legal Counsel to Mr. Adams
RE: HOUSTUDY

Vermeire was very appreciative of the information concerning oversight and asked that he be advised as soon as possible of any arguments or suggestions the Bureau might have concerning warrant requirements for informants in the domestic intelligence area.

Contact was made with SA Thomas J. McNiff of the Intelligence Division, SENSTUDY 75 Staff, and Steven Blackhurst, Assistant Special Counsel on Intelligence Coordination in the Department, regarding Vermeire's request and both agreed that it would be advantageous to furnish suggested arguments concerning warrant requirements for informants to the House Select Committee.

Attempts were made to telephonically contact Vermeire on 1/27/76 to furnish him the requested information unsuccessfully and on 1/28/76, Vermeire telephonically contacted SA Paul V. Daly of this Division. Vermeire was generally advised of the problems presented by the requirement of warrants based on probable cause for the utilization of information in the domestic intelligence area. The arguments were as follows:

(1) The problem in defining the information being sought by the informant for the Bureau. It was pointed out that these investigations are by nature difficult to describe in scope and that a warrant requirement would seem to require a specification as to what is being sought.

(2) The use of informants in this area is generally at a very early stage in the investigation at which time it would be unlikely there would be [redacted]sufficient information available to meet a probable cause standard.

(3) If a court were to issue a warrant for the use of an informant, what procedures would be necessary for the court to monitor the use of the informant subsequent to their approval?

(4) It would appear that such a legislative recommendation would be casting the court in a role to which they are unaccustomed and moving the courts closer and closer to the very initiation of an investigation.

CONTINUED - OVER

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

(5) What arrangements or considerations would have to be made to protect the identity of an informant wherein a warrant had been sought?

(6) It was pointed out that there would be great difficulty in drafting a concise or accurate definition of domestic intelligence investigations.

Vermeire was very appreciative of the aforementioned arguments and stated he would use these in an attempt to explain to the Committee the difficulty presented by legislation in this area.

RECOMMENDATION:

For information.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. Cochran

DATE: January 15, 1976

FROM : W. E. Harward

SUBJECT: HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES U.S. RECORDING COMPANY

As you are aware, on December 31, 1975, SA Royce V. Colby, Radio Engineering Section, FBI Laboratory appeared, as requested, at the offices of captioned committee.

SA Colby was questioned under oath by staff members Richard Vermiere and Tim Oliphant, and the testimony was recorded by a court reporter.

The purpose of this memorandum is to advise and make a matter of record an "incident" which happened in connection with the above testimony. The room which was to be used for the interview was being occupied by a staff member using the telephone. When staff member completed his telephone conversation he departed leaving the room available for Mr. Vermiere, Oliphant and Colby. Upon entering the room following Mr. Oliphant SA Colby noticed a crunched-up dollar bill lying on the floor just inside the door of the interview room. SA Colby picked the money up and gave it to Mr. Oliphant who at the same time asked if Colby had dropped it. Colby replied that he did not think the money belonged to him since he normally did not carry loose bills in his pocket. Oliphant then handed the dollar to Mr. Vermiere who departed from the room to determine if the previous occupant had dropped the bill. While waiting for Mr. Vermiere to return, Mr. Oliphant "jokingly" remarked that this was just "one of our tricks to establish honesty" of the person about to be

1 - Mr. Bassett
1 - Mr. Mintz
1 - Mr. Walsh
1 - Mr. Wannall
1 - Mr. Cochran
1 - Mr. Harward
1 - Mr. Colby

RVC:lw
(8)

CONTINUED - OVER

62-116464-296

REC-15

FEB 5 1976

EX 104

FEB 9 1976

LEGAL COUNSEL

FEB 19 1976

57 FEB 24 1976

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

interviewed. "If the person claims the money, then we know his testimony will be suspect." At this point the court reporter entered the room followed by Mr. Vermiere and Mr. Oliphant immediately commenced the interview. No further reference to the dollar bill was made by any of the staff members including Mr. Vermiere who apparently had returned the dollar bill to the departed staff member.

SA Colby feels since he had no opportunity to pursue the statements made by Mr. Oliphant that it would be difficult to establish whether Mr. Oliphant was "joking" or whether this was in fact a "trick" to establish the credibility of SA Colby's testimony. However, it is felt that the details of this encounter should be brought to the attention of the Bureau for information in the event similar tactics are employed by House Select Committee staff.

RECOMMENDATION: None. For information only.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. H. N. Bassett
(Attn: R. P. Keehan)
1 - Mr. J. Cochran (Route Through For Review)
1 - Mr. J. L. Perrittee
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

The Attorney General

January 26, 1976

Director, FBI

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Enclosed is the original of a memorandum reporting the results of an interview of a current Bureau employee by HSC Staff Members. This interview concerned HSC inquiry into this Bureau's relationship with the U. S. Recording Company.

A copy of this memorandum is enclosed for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

It should be noted that Special Agent Joseph L. Perritte, the employee interviewed, was released from his confidentiality agreement for the purpose of the above interview, such release predating the actual interview.

Enclosures (2)

62-116464

REC-100 62-116464-295

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

FEB 6 1976

1 - 67- (Personnel File SA Joseph L. Perritte)

TJM:lhb
(14)

ENCLOSURE

Assoc. Dir.
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Dep. AD Inv.
Asst. Dir.:
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Comp. Syst.
Ext. Affairs
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Inspection
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Laboratory
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MAIL ROOM ☐ TELETYPE UNIT ☐

84 FEB 9 1976

GPO 954-546

Delivered to Dept. 1-27-76 DOC/AD

NW 89804 DocId:32169018
Page 239

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

January 20, 1976

HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES;
U. S. RECORDING COMPANY

On January 14, 1976, Special Agent Joseph L. Perritte, Radio Engineering Section, FBI Laboratory, appeared as requested, at the offices of the captioned committee. SA Perritte was questioned under oath for a period of approximately twenty minutes by staff members Tim Oliphant and Richard Vermiere. The oath was administered by Mr. Oliphant and no advice of rights was given. The proceedings were taken down by a court reporter, and it was requested that a copy of the transcript be furnished to the FBI Office of Congressional Affairs.

The first series of questions concerned SA Perritte's experience and current assignments in the Laboratory. The questioning then turned immediately to procurement procedures and specifically to the use of U. S. Recording Company as a "cut-out" or confidential source for procurement purposes. Questions were asked concerning the price mark-up applied by U. S. Recording and whether SA Perritte had any knowledge of improper conduct by Bureau personnel in connection with purchases made from U. S. Recording. SA Perritte was also asked whether he had any knowledge of purchases from Gus Oberdick or the Fargo Company. SA Perritte was asked whether he had any knowledge, or had heard any rumors concerning the development of a "bottle cap" being developed by Laboratory personnel and subsequently patented by Mr. Tolson. SA Perritte advised the staff members that he had no information concerning any of the above matters.

Finally a long list of equipment manufacturers and vendors was given to SA Perritte and he was asked if he could identify any of the companies as companies from whom equipment has been purchased. A few companies listed such as Motorola, Altec-Lansing, Electronic Wholesalers, etc. were recognized as companies whose products are used by the Bureau or from whom purchases have been made by the Bureau.

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JLP:lgw
(6)

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ENCLOSURE 62-116395-295

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Page 240

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

CLASSIFY AS APPROPRIATE

SEE INSTRUCTIONS ON REVERSE BEFORE COMPLETING.

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.)*

	DOCUMENT		BRIEFING	X	INTERVIEW		TESTIMONY		OTHER

2. DATE PROVIDED: 1/26/76

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

	SSC
	HSC

The Attorney General with a copy for forwarding to the White House

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

Memorandum reporting results of an interview by HSC Staff Members of incumbent SA Joseph L. Perritte

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

NA

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

U

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

Operating procedures

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

Interviewed regarding procurement procedures and specificially from the U.S. Recording Co.

62-116464
FMK:fmk
(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN CONNECTION WITH HOUSTUDY

TREAT AS YELLOW

5-3-76

3791 (6-75)

CLASSIFY AS APPROPRIATE

NW 89804 DocId:32169018
Page 241

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

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Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
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Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

TO : MR. MINTZ

DATE: 1/22/76

FROM D.W. MOORE, JR.

SUBJECT: U.S. HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

Attached is letterhead memorandum concerning interview of Tim Oliphant on December 9, 1975 and myself.

RECOMMENDATION:

For information.

Enc.

Original memo sent as encl to Bulet to AG 2/4/76 captioned "U.S. House Select Committee on Intelligence Activities" Bufile 62-116464. TJM

REC-100

62-116464-294

FEB 6 1976

1 - Mr. Wannall
1 - Mr. Cregar - Enc.
1 - Mr. Mintz
1 - Mr. Daly - Enc.
1 - Mr. Moore

1 - ENCLOSURE

DWM:jo
(6)

5 - TJM

84 FEB 17 1976

5010-108

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

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

January 23, 1976

U.S. HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

INTERVIEW OF ASSISTANT DIRECTOR DONALD W. MOORE, JR.

On December 9, 1975, Tim Oliphant, House Select Committee, contacted me personally regarding poker games which I attended at Harpers Ferry. Mr. Oliphant was interested in knowing how many times I attended such games and I indicated my first attendance was in November, 1974 and the last in April, 1975.

Oliphant was interested in knowing what the cost involved and to whom it was paid. I indicated that I was invited by former Assistant to the Director J.P. Mohr and recall that the November trip cost $30 and the April trip $35. This money was paid to Mr. J.P. Mohr, and was paid to incur the expense of 3 meals and 1 night's lodging. He asked if I knew the other individuals in attendance. I indicated that I was introduced to all present but was unable to recall their professions or with whom they were associated other than obviously Bureau personnel. He asked if and when I became acquainted with Joe Tait of U.S. Recording. I indicated that I met Mr. Tait on my initial trip in November, 1974, and again saw him in April, 1975. At that time I was unaware with whom Mr. Tait was associated until most recently when it was published that Mr. Tait was, in fact, President of U.S. Recording Company.

Mr. Oliphant was desirous of knowing if I, at any time during attendance at Harpers Ferry, overheard or engaged in any conversations involving U.S. Recording, Kaiser Electronics, procurement of Bureau supplies and/or equipment or any other discussions concerning official matters of the FBI. I indicated to Mr. Oliphant that this was strictly a social gathering and I was never involved in nor did I ever overhear any conversations relating to his question. I reiterated that I was there as a guest to be in the company of associates, merely to socialize and not to engage in and discuss official business.

Mr. Oliphant indicated he had no further questions and appreciated my cooperation in answering his questions.

1 - Mr.Daly
1 - Mr.Cregar
1 - Personnel file of Donald W.Moore,Jr.

62-116464—294

NOTE: See Memo Moore to Mintz "U.S.HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES"

ENCLOSURE

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. H. N. Bassett
(Attn: R. P. Keehan)
1 - Mr. J. Cochran, Jr. (Route Through For Review)
1 - Mr. W. G. Stevens
1 - Mr. R. V. Colby
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

January 21, 1976

The Attorney General

Director, FBI

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Enclosed are the originals of two memoranda reporting the interviews of two current Bureau employees by HSC Staff Members. Both interviews are related to the HSC inquiry into this Bureau's relationship with the U. S. Recording Company.

Also enclosed is an additional copy of each memorandum for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures (4)

62-116464

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

1 - Personnel File Wilbur G. Stevens
1 - Personnel File Royce V. Colby

REC-100 62-116464-293

TJM:lhb
(16)

FEB 6 1976

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Spec. Inv.
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Director Sec'y

MAIL ROOM ☐ TELETYPE UNIT ☐

2 ENCLOSURE

84 FEB 9 1976

GPO : 1975 O - 569-920

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

January 15, 1976

1 - Mr. Bassett
1 - Mr. Mintz
1 - Mr. Walsh
1 - Mr. Wannall
1 - Mr. Cochran
1 - Mr. Harward
1 - Mr. Colby

HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES;
U.S. RECORDING COMPANY

On December 31, 1975, SA Royce V. Colby, Radio Engineering Section, FBI Laboratory, appeared, as requested, at the offices of captioned committee. For a period of approximately twenty-five minutes, SA Colby was questioned under oath by staff members Richard Vermiere and Tim Oliphant. Oath was administered by an unknown individual who Oliphant described as the staff member authorized to administer oaths, since he, Oliphant, stated he was not authorized to do so. After administering oath this staff member immediately departed from interview room. The entire interview was taken down by a court reporter, and request was made by the Office of Congressional Affairs to obtain a transcript of SA Colby's testimony. SA Colby was not advised of his rights, prior to, or at any time during the testimony.

The questioning first concerned SA Colby's assignments in the FM Radio Matters Unit of the Laboratory and the relationship this unit has in connection with the procurement of radio equipment from U.S. Recording Company. The staff was particularly interested in understanding our procedures for handling requisitions and whether SA Colby had any information, rumor or otherwise, concerning mark up of equipment purchased through U.S. Recording Company. SA Colby briefly explained procurement procedures and advised since the purchasing was handled by another division, he had no knowledge of actual costs of FM radio transceivers purchased by the Bureau through this source.

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Director Sec'y ____

RVC:lw
(10)

ORIGINAL AND ONE COPY TO AG

62-116464-29

MAIL ROOM ☐ TELETYPE UNIT ☐ ENCLOSURE

GPO 954-546

NW 89804 DocId:32169018
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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Questioning further concerned relationship between Mr. Oberdick of the Fargo Company, Mr. Joe Tate (ph), U. S. Recording Company, and Mr. John P. Mohr. Mr. Colby advised he knew of all these persons but was not personally acquainted with any of them, other than to have met Joe Tate briefly on a couple occasions. SA Colby also advised he had been in telephone contact with Mr. Tate on a few occasions concerning repair and warranty work being done on equipment previously purchased from U. S. Recording Company.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. J. Cochran
1 - Mr. W. G. Stevens
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

62-116464

January 19, 1976

HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (HSC);
U. S. RECORDING COMPANY

On December 29, 1975, Special Agent (SA) Wilbur G. Stevens, Radio Engineering Section, FBI Laboratory, was interviewed by HSC Staff Members Richard Vermiere and James Oliphant at the Rayburn House Office Building, Washington, D. C. SAs Danny O. Coulson and James Stassinos, FBI Legal Counsel Division, accompanied SA Stevens to the Rayburn Building but were not present during the actual interview. SA Stevens at no time was advised of his legal rights and he was, prior to the interview, placed under oath by the Chief Counsel for the HSC. The interview lasted approximately 1 hour and 20 minutes, and SA Stevens was advised that the FBI would be furnished with a transcript containing the results of the interview.

At the outset, SA Stevens was asked to explain his supervisory duties in connection with his position as Unit Chief of Security Countermeasures Unit. SA Stevens replied that his responsibilities concerned: technical security surveys for Bureau officials as well as other highly placed members of the United States Government; supplying and maintaining, for field use, all types of tape recording devices utilized in authorized technical investigations; installation, maintenance and service of alarm systems installed in each Resident Agency throughout the field; and supervision of case examination work in connection with magnetic tape and voiceprint analysis.

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Director Sec'y ___

TJM:lhb/hb ORIGINAL AND ONE COPY TO AG

(7)

SEE NOTE PAGE 3

62-116464 ENCLOSURE

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO : 1975 O - 569-920

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (HSC);
U. S. RECORDING COMPANY

SA Stevens was then questioned concerning policies followed by the Bureau Laboratory regarding the purchase of technical equipment. HSC Staff Members were advised that purchasing by the Laboratory and Radio Engineering Section of such equipment was accomplished by the preparation of a requisition or by recommendation through a memorandum prepared for that purpose. It was explained that these requests were normally sent to the Laboratory Division head who, if he approved, signed the request and then forwarded it to the Administrative Division for the necessary purchasing action. Prices of such equipment, appearing either on the requisition or memorandum, were normally obtained from catalogs indicating the purchase price of such items. HSC Staff Members then asked whether or not the Laboratory helped to establish a profit margin for such equipment when purchased on a confidential basis from the U. S. Recording Company. SA Stevens replied that to his knowledge the profit margin of such purchases was never negotiated by Bureau Laboratory personnel.

HSC Staff Members then inquired concerning any business or social relationships SA Stevens may have had with Joseph Tait, President, U. S. Recording Company, and any social relationships SA Stevens may have had with former Assistant to the Director John P. Mohr. SA Stevens advised that he had no social relationships with Joseph Tait; however, a limited business relationship did exist between the two. With regard to Mr. Mohr, SA Stevens added that he had been to a social function at which John Mohr was present. HSC Staff Members then inquired concerning any personal favors that possibly could have been rendered to Mr. Mohr by SA Stevens. SA Stevens

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

replied that he could only remember one instance in which some magnetic tape recordings had been prepared for the personal use of Mr. Mohr. With regard to an HSC inquiry concerning any knowledge SA Stevens may possess regarding an automobile belonging to Mr. Mohr which may have been worked on by personnel of the Bureau Laboratory, SA Stevens replied he vaguely recalled some rumors to that effect but he could not recall specific information regarding the time he heard these rumors or the source of this information.

SA Stevens replied in the negative when asked if he had attended any poker parties at which Messrs. Mohr or Tait were present. When asked concerning any business relationships SA Stevens may have had with either Gus Oberdick and/or the Fargo Company, Stevens advised that he was acquainted with Oberdick and that he had had limited business relationships with the Fargo Company, which firm he knew handled the sales of police-type equipment. HSC Staff Members concluded the interview by asking SA Stevens whether he had any relationships with Martin Kaiser of the Martin L. Kaiser Company of Baltimore. SA Stevens advised that he had had some business dealings with Mr. Kaiser and that he was acquainted with him.

It should be noted that SA Stevens was released from his confidentiality agreement with the FBI for the purpose of the above interview, release predating the actual interview.

NOTE:

Results of above interview were obtained from a rough-draft memorandum prepared by SA Stevens dated 1/8/76 setting forth the results of the interview to the best of his recollection.

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Page 250
2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

CLASSIFY AS APPROPRIATE

TE: SEE INSTRUCTIONS ON REVERSE BEFORE COMPLETING.

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.)*

	DOCUMENT		BRIEFING	X	INTERVIEW		TESTIMONY		OTHER

2. DATE PROVIDED: 1/21/76

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

	SSC
	HSC

The Attorney General with a copy for forwarding to the White House

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

Memorandum reporting the results of interviews by HSC Staff Members of SA's Wilbur G. Stevens and Royce V. Colby

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

NA

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

U

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

Operating procedures

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

Interviewed regarding the U.S. Recording Co., and Joe Tait in connection with purchasing of equipment.

62-116464
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(4) ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN CONNECTION WITH HOUSTUDY

TREAT AS YELLOW 5-28

3791 (6-75)

CLASSIFY AS APPROPRIATE

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Page 251

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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.

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1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. H. N. Bassett)
(Attn: R. P. Keehan)
1 - Mr. J. Cochran (Route Through for Review)
1 - Mr. W. M. Mooney (Attn: J. M. Kirsch)
1 - Mr. E. W. Walsh (Route Through For Review)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

The Attorney General

January 20, 1976

Director, FBI

U. S. HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)

Enclosed are the originals of memoranda reporting the interviews of nine current Bureau employees by representatives of the HSC. All interviews are related to the HSC inquiry into this Bureau's relationship with the U. S. Recording Company. Also enclosed is an additional copy of each memorandum for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

In addition to interviews recorded in the enclosed memoranda, former Bureau Laboratory employee Special Agent Joseph Leo Gormley and former Special Agent in Charge, Baltimore, Thomas Farrow were similarly contacted for interview on January 7, 1976, and December 8, 1975, respectively. Mr. Gormley advised HSC representatives that he had no personal dealings with U. S. Recording Company and had no knowledge of the Bureau's and/or former Assistant to the Director John P. Mohr's dealings with that company. The interview was terminated at that point.

62-116464

REC-100 62-116464-292

FEB 6 1976

1 - 67- (Personnel File Thomas Farrow)
1 - 67- (Personnel File Joseph Gormley)
1 - 67- (Personnel File John M. Kirsch)
1 - 67- (Personnel File G. Owen Verven)
1 - 67- (Personnel File G. S. McMichael)
1 - 67- (Personnel File Jay Cochran, Jr.)
1 - 67- (Personnel File James B. Adams)
1 - 67- (Personnel File Thomas J. Feeney, Jr.)
1 - 67- (Personnel File Eugene W. Walsh)
1 - 67- (Personnel File McNair W. Perry)
1 - 67- (Personnel File Jack Wilgus)

TJM:lhb lhb
(25)

ENCLOSURE

Assoc. Dir. ___
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GPO : 1975 O - 569-920

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Mr. Farrow advised HSC representatives that he would discuss with them any social activity in which he participated at the Blue Ridge Rod and Gun Club, Harper's Ferry, West Virginia, but he would first have to secure approval from FBI Headquarters before any official discussion could be entered into concerning U. S. Recording Company. At that point HSC Staff Members discontinued their contact with Mr. Farrow. It should be noted that Mr. Farrow was released from his confidentiality agreement with the Bureau on December 18, 1975, but no information has been received at FBI Headquarters that HSC Staff Members had reinitiated their contact with Mr. Farrow.

Enclosures (18)

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

62-116464 January 13, 1976

HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)
U. S. RECORDING COMPANY

On December 9, 1975, Special Agent (SA) John M. Kirsch was interviewed at the J. Edgar Hoover Building, Washington, D. C., by Mr. Timothy Oliphant in the presence of SA Paul Daly. Mr. Oliphant, who is representing Congressman Pike's Committee, inquired concerning social activities at Harper's Ferry, West Virginia. SA Kirsch advised that he had attended two such gatherings primarily composed of Bureau personnel (present and former) during early 1974, the first such occasion being in January or February and the second a few months later, probably April, 1974. In response to Mr. Oliphant's question as to who invited SA Kirsch to attend Harper's Ferry, he was advised that SA Kirsch attended at the invitation of Assistant to the Director, Deputy Associate Director Thomas J. Jenkins who was at that time Assistant Director in charge of Training Division. Mr. Oliphant asked what the costs were for meals and lodging at Harper's Ferry and SA Kirsch advised that at best he could recall the costs were not excessive and probably $12 to $15 covered the entire affair. Certainly no more than $20 was expended at either of the two outings by SA Kirsch. SA Kirsch did not recall exactly who collected for the meals but believes it was probably Mr. John Mohr. Mr. Oliphant asked what the table stakes were at Harper's Ferry and SA Kirsch advised that, while he could not recall specifically, he believed they were rather low, perhaps 10¢ and 25¢.

SA Kirsch was specifically asked if he had met Mr. Joe Tait at which he replied that he had met him on one or two occasions but that he wouldn't know Joe Tait if he met him on the street. He was then asked if he knew

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TJM:lhb ORIGINAL AND ONE COPY TO AG SEE NOTE PAGE 2

62-116464-292

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

GPO : 1975 O - 569-920

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)
RE: U. S. RECORDING COMPANY

Mr. Gus Oberdick. SA Kirsch advised that he has seen Mr. Oberdick a half dozen occasions during the past 20 years and noted that Mr. Oberdick was a friend of former Special Agent in Charge (SAC) Henry Sloan. SA Kirsch stated that he did not believe Gus Oberdick would know him if he were to see him on the street. Mr. Oliphant asked if SA Kirsch had ever been assigned to the Administrative Division to which he replied no. Mr. Oliphant asked if SA Kirsch had ever arranged for the purchase of any law enforcement equipment from Mr. Oberdick to which he replied no. Mr. Oliphant asked if SA Kirsch had ever recommended any type of weapon or equipment be purchased in the police line at which time he was advised that SA Kirsch had in fact, as part of his duties, made recommendations for a variety of such purchases over the past several years. He was advised that the only large purchase of firearms with which SA Kirsch had anything to do was the acquisition of military weaponry from the Department of Defense for use by FBI Apprehension Teams.

NOTE:

Results of above interview were copied from memorandum W. M. Mooney to Mr. Jenkins, captioned "Houstudy," dated 12/10/75, prepared by JMK/jmt, Bufile 62-116464-223.

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1 - Mr. Bassett
1 - Mr. Mintz
1 - Mr. Walsh
1 - Mr. Wannall
1 - Mr. Cochran
1 - Mr. Harward
1 - Mr. Verven

January 9, 1976

HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES
U.S. RECORDING COMPANY

On January 6, 1976, staff members Vic Oliphant and Richard Vermeire of the captioned committee met with Unit Chief G. Owen Verven of the FBI Laboratory. The meeting took place in the Rayburn Building from 11:44 a.m. to 11:59 a.m. The general purpose of the meeting was to discuss SA Verven's and the Bureau's business relationships with the U.S. Recording Company. SA Verven was placed under oath by Mr. Oliphant but was not advised concerning his constitutional rights in this matter. Mr. Vermeire was not present during the first half of the interview. The only other person present was a male stenotypist.

SA Verven informed the committee representatives that he has been assigned to the Laboratory since September, 1959, and that he was designated Unit Chief of the Emergency Facilities and Electronics Analysis Unit in September, 1974. He stated further that his duties prior to becoming Unit Chief had consisted primarily of tape analyses, voiceprint examinations, and engineering of FM and high frequency radio systems.

In response to questioning concerning SA Verven's and the Bureau's business relationships with Joseph Tait of U.S. Recording Company, SA Verven stated that he was not acquainted with Mr. Tait but that he was aware of the Bureau's business relationship with the U.S. Recording Company in which the company was used as a confidential source in the purchase of electronic surveillance equipment. When asked what knowledge he possessed concerning the price markup by U.S. Recording Company, SA Verven stated that he would expect U.S. Recording to make a profit, but that he had no access to purchase orders or invoices that might reflect such information. In response to questions regarding Mr. John Mohr, SA Verven stated that he would recognize Mr. Mohr on sight, that he had no knowledge whatsoever of Mr. Mohr accepting gratuities of any kind, and that he had no knowledge of any work performed on an automobile belonging to Mr. Mohr's son.

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SA Verven stated that he was not acquainted in any manner with a person by the name of Oberdick. He stated that he was aware that a firm with a name similar to Fargo, International, marketed electronic surveillance equipment, but that he had not had occasion to make any purchases from such a firm. When questioned concerning a bottle capper invention allegedly patented by Mr. Tolson, SA Verven advised he had no knowledge concerning the matter. In reply to questions concerning personal services provided at the homes of Bureau officials, SA Verven stated that he was aware of periodic visits made by Radio Engineering Section personnel to the homes of Bureau officials for the purpose of checking their telephones and telephone lines for the presence of electronic surveillance devices. He further advised that he was aware of some television servicing being provided in order that outside persons would not have access to the Bureau official's home with the possibility of such persons electronically compromising the premises.

In reply to a question concerning the method of determining the price of electronic items purchased, SA Verven stated that the major portion of his purchases consisted of radio test equipment and that almost all of such test equipment was purchased from GSA Schedule. He stated further that prices on equipment not available on GSA Schedule were obtained from the supplier's catalog, with little or no price discounting experienced with this type of equipment.

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62-116464

January 13, 1976

HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)
U. S. RECORDING COMPANY

On December 9, 1975, Mr. G. S. McMichael, Section Chief, Procurement and Administrative Services Section, Administrative Division, in the presence of Special Agent Dennis Miller, Legal Counsel Division, was interviewed by Mr. Timothy Oliphant, HSC Staff Member. No notes were taken during the interview by above-named Bureau personnel. However, the following questions and answers as recorded on paper the same date as the interview from the recollection of Mr. McMichael are set forth:

Q. How long have you known Mr. Tait?

A. From the early fifties.

Q. Has the Bureau purchased confidential equipment other than from U. S. Recording Company?

A. Yes.

Q. How do you know what equipment should be purchased through a "cut out"?

A. The decision is determined by the Laboratory and is so set forth on the requisitions.

Q. Who in the Laboratory makes the decision that the equipment should be purchased through a "cut out"?

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FBI CORRESPONDENCE REVIEW SEC. 3

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A. The request received by the Administrative Division comes from the Assistant Director's Office of the Laboratory.

Q. Who in the Bureau determines whether or not the price is in line when purchasing through a "cut out"?

A. The Administrative Division depends upon the Laboratory to advise when the price is out of line.

Q. Did Mr. Tait spend lots of time in Mr. Mohr's office?

A. Not to my knowledge.

Q. Did Mr. Tait spend lots of time in the Laboratory?

A. Not to my knowledge.

Q. Do you know about any confidential papers being taken to Harper's Ferry to be destroyed?

A. Absolutely not.

Q. Have you ever been out socially with Mr. Tait?

A. Yes. I have had lunch with others when Mr. Tait was present.

Q. Did you ever see Mr. Tait pick up the bill?

A. Not to my knowledge.

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Q. Did any non-Government employees, present or former, other than Mr. Tait and Mr. Oberdick, play cards in the group at Harper's Ferry?

A. Not that I recall.

Q. Who invited you to play?

A. Mr. J. P. Mohr.

Q. Did you pay?

A. Yes. $35.00.

Q. When purchasing items from Mr. Oberdick, what method is used?

A. Mr. Oberdick's company is not used as a "cut out." He quotes on items the same as other companies. Sometimes he is low and sometimes he is high.

Q. Is Mr. Oberdick ever given preferential treatment over other companies?

A. Absolutely not.

Q. Are the majority of purchases made by the FBI taken from GSA contracts?

A. Yes.

NOTE: Material was copied from memorandum G. S. McMichael to Mr. Walsh, captioned "Interview - Pike Committee," dated 12/9/75, prepared by GSM:sam.

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1 - Mr. Bassett
1 - Mr. Mintz
1 - Mr. Walsh
1 - Mr. Wannall
1 - Mr. Cochran
1 - Mr. Harward
December 30, 1975

HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES;
U. S. RECORDING COMPANY

On December 17, 1975, staff members Tim Oliphant and Richard Vermeire of the captioned Committee met with Assistant Director Jay Cochran, Jr., who is in charge of the FBI Laboratory. The purpose of the meeting was to discuss the Bureau's procedures for procuring technical equipment with particular reference to that procured through confidential channels; namely, U. S. Recording Company. The discussion was not under oath nor was any written statement provided.

In response to questioning Mr. Cochran advised Messrs. Oliphant and Vermeire that he has been assigned to the Laboratory since September, 1973, first as the Deputy Assistant Director and then in May of this year as the Assistant Director. They were also advised that prior to September, 1973, he had not been involved in nor familiar with any procurement procedures utilized by the Bureau with regard to technical equipment.

Mr. Cochran advised them that the general procedure for procuring technical equipment is as follows: the Laboratory is responsible for specifying and recommending the purchase of all technical equipment based upon our knowledge of the "state of the art" and an existing need of the Bureau for particular equipment. This need and justification together with specifications for the equipment, as well as the estimated cost, are furnished the Administrative Division with a recommendation that purchase be made. The cost figures furnished are determined from available industry sources, manufacturer's listed prices, and general knowledge of the particular area. In those instances where the

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JC:bms
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See cover memo J. Cochran, Jr. to Mr. Jenkins dated 12/29/75 captioned "HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES; U. S. RECORDING COMPANY.

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nature of the equipment or the technique represented by the equipment is of a confidential nature, the request contains a statement from the Laboratory that it should be purchased through confidential channels. Thereafter, the purchasing arrangements are handled by the Administrative Division of the FBI.

Messrs. Oliphant and Vermeire inquired as to whether or not the ultimate purchase price paid is subsequently furnished to the Laboratory for verification and justification of the reasonableness of any mark-up occasioned by the use of confidential channels of procurement. Mr. Cochran advised them that as a general rule, the Laboratory does not have occasion to see the actual payment order issued for the equipment purchased under these circumstances. They inquired if Mr. Cochran felt a system of requiring Laboratory review of confidential procurement mark-ups would be desirable from the standpoint of ensuring they were reasonable and justified. Mr. Cochran stated the Laboratory's position is that such mark-ups are not occasioned by technical considerations, but are based on an operational need falling within the procurement responsibility of the Administrative Division. In these circumstances we are paying for a service - confidentiality. The fact that past experience with U. S. Recording Company has been highly favorable in terms of fringe benefits - warranty service, prompt repairs, procurement of scarce items, and the like - are important factors, but not the main concern in determining reasonableness of any mark-up.

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1 - Mr. Bassett
1 - Mr. Mintz

December 17, 1975

INTERVIEW OF ASSISTANT TO THE DIRECTOR JAMES B. ADAMS BY TIM OLIPHANT OF THE HOUSE COMMITTEE ON INTELLIGENCE CONCERNING U. S. RECORDING COMPANY

On December 9, 1975, Assistant to the Director James B. Adams was interviewed by Tim Oliphant of the House Select Committee on Intelligence in the presence of Special Agent John Dennis Miller of the FBI Legal Counsel Division. The stated purpose of the interview was concerning Mr. Adams' attendance at a poker game at the Blue Ridge Rod and Gun Club, Harpers Ferry, West Virginia.

Mr. Adams reported that at the invitation of former Assistant to the Director John P. Mohr he attended one of the social gatherings during the first half of 1974. He could not provide the exact date but believed it was in the spring of 1974. The guests arrived Friday evening and departed around Saturday noon. The expenses were shared by the participants, Mr. Adams recalling that immediately upon arriving Friday evening he was met at the door by Mr. Mohr who advised Mr. Adams that Mr. Adams' share of the expenses was $25. This amount was paid in cash immediately upon arriving and was to cover the cost of the dinner Friday night, breakfast Saturday morning, a snack at Saturday noon, and lodging.

There were a number of guests present including present and former FBI employees and present and former Central Intelligence Agency employees as well as other present or former Government employees. It was strictly a social affair and no business was discussed.

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Although such outings had taken place over a period of time, this was the first and only attendance by Mr. Adams. It was Mr. Adams' recollection that it was subsequent to attending that he learned that Joe Tait was the member of the Blue Ridge Club through whose courtesy the facilities of the Club were made available, with the attendees paying all the expenses. Mr. Tait was in attendance as was Gus Oberdick, neither of whom was a present or former Government employee to Mr. Adams' knowledge.

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See cover memorandum J. B. Adams to Mr. Callahan, 12/17/75, "U.S. Recording Company, Interview by Pike Committee."

ENCLOSURE

2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

INTERVIEW OF ASSISTANT TO THE DIRECTOR JAMES B. ADAMS BY TIM OLIPHANT OF THE HOUSE COMMITTEE ON INTELLIGENCE CONCERNING U. S. RECORDING COMPANY

In response to questions, Mr. Adams advised that he did not believe he had ever heard of the U. S. Recording Company until recently, nor was he specifically aware of Mr. Tait's employment with that Company. He was aware that Mr. Oberdick represented Federal Laboratories and believed he had been aware of such fact for several years. He believed he had met Mr. Tait and Mr. Oberdick sometime after commencing his assignment to Mr. Mohr's office as Inspector and Number One Man in April, 1971. He recalled both had visited Mr. Mohr's office, he having seen them in the reception room on a couple of occasions. It was pointed out that Mr. Adams' office and desk at that time were located in such a manner that he was unable to see visitors entering or leaving the reception room, located between Mr. Mohr's office and Mr. Adams' office.

Mr. Adams outlined his assignments at FBI Headquarters and pointed out that these assignments would not have involved him in procurement matters, even while assigned to Mr. Mohr's office from April, 1971, until July, 1972. There was a delineation of work assignments to facilitate the flow of mail whereby Mr. Adams did not as a matter of course review matters going in to Mr. Mohr from subordinate divisions unless such matters fell within the purview of Mr. Adams' responsibilities. Purchase matters and procurement matters were not included among Mr. Adams' responsibilities. Furthermore, when Mr. Mohr would be on leave he would be relieved by one of the Assistant Directors under his supervision, generally Mr. Callahan of the Administrative Division. Accordingly, during the normal course of business Mr. Adams would have had no occasion to see any matters pertaining to U. S. Recording Company and he has no recollection of ever having seen such or been aware of any activities of that Company until just recently.

Mr. Adams was asked concerning recent publicity to the effect that certain files might have been removed from Mr. Hoover's office and taken up to the Blue Ridge Club for burning and he advised that he had absolutely no knowledge whatsoever concerning any such alleged activity. He pointed out that a thorough inspection inquiry had been conducted with statements being taken under oath from all pertinent parties without developing any information that any official files had been removed from Mr. Hoover's office and destroyed surreptitiously. Mr. Adams expressed the hope that the House Committee might see fit to subpoena the writer of such articles and attempt to force him to reveal the source of the allegations in order that the matter might be further resolved.

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December 13, 1975

INTERVIEW OF INSPECTOR THOMAS J. FEENEY, JR., BY TIM OLIPHANT OF THE HOUSE COMMITTEE ON INTELLIGENCE CONCERNING U. S. RECORDING COMPANY

I was interviewed by Tim Oliphant of the House Select Committee on Intelligence on December 9, 1975. The purpose of the interview was essentially to develop my attendance at the Blue Ridge Rod and Gun Club, Hillsboro, Virginia. Mr. Oliphant briefly advised me how my name was obtained by the Committee, stating that it appeared on a list of names which John Mohr had identified as attendees at the Club for the purpose of playing poker.

Mr. Oliphant asked me how many times I had been up to the Club. I indicated I wasn't quite sure but would estimate that it was between six and eight occasions, commencing approximately in 1970. I told Mr. Oliphant that the invitation was usually extended by Mr. Mohr and each attendee was requested to share the cost. I told him that I paid $25 on each occasion except for the last one which was $30. This fee covered room and board, and beverage if one desired, for Friday night and Saturday morning. Payment was made directly to Mr. Mohr immediately upon arrival.

Mr. Oliphant asked if I knew who the member of the Club was and I responded that while I did not know on my initial attendance I did subsequently learn that Mr. Joseph Tait was a Club member. He asked if I was aware Mr. Tait was connected with the U. S. Recording Company and I said I was not aware of this relationship until I read it in the newspapers. Mr. Oliphant then asked if I knew what Gus Oberdick did for a living and I told him I did not become aware of Mr. Oberdick's employment until one day I happened to see his name along with Fargo Division while driving in the Kensington, Maryland, area. Since his name was an unusual one, I made inquiries as to whether this Oberdick was identical to Gus Oberdick and was advised that he was.

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FBI CORRESPONDENCE REVIEW DEC.D

TJF:mfs (6)
1 - Mr. Bassett
1 - Mr. Mintz

62-116464-292

Based on memo Feeney to Jenkins, 12-18-75, TJF:mfs.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

Interview of Inspector Thomas J. Feeney, Jr.
by Tim Oliphant of the House Committee on
Intelligence Concerning U. S. Recording Company

Mr. Oliphant queried as to whether or not there were other individuals who were not current or former Bureau employees or current or retired Government employees who attended the Club. I told him the only individual I could think of off hand who would fit that category was Joe Eigenmann who I believed was with Metro. Mr. Oliphant then told me it was his belief that Mr. Eigenmann was connected with the Government. I was asked if any business was conducted during these poker affairs and I told him I did not and could not recall business being conducted. They were purely social affairs.

Mr. Oliphant asked how long I had been assigned to the Administrative Division and I replied from May, 1961, until my designation as Mr. Jenkins' assistant in April, 1975. I told him that the major portion of my career in the Administrative Division was in the Personnel Section and that it was not until my assignment as Mr. Walsh's deputy in September, 1973, that I had any supervisory responsibilities with respect to the other sections in the Administrative Division. Mr. Oliphant asked for the dates of my assignment as Mr. Walsh's deputy and my check with the Personnel Section determined the dates to be September 6, 1973, to April 8, 1975. I explained to Mr. Oliphant that even though I participated in the overall management of the Division, Mr. Walsh assumed principal responsibility of the Procurement and Administrative Services Section. Mr. Oliphant asked if I could recall approving any contracts involving U.S. Recording Company and I advised I could not. I explained to him that I was not a Contracting Officer and if I had approved the action of a Contracting Officer I relied on the fact that the equipment requested was justified and that we had sufficient funds to pay for same prior to the letting of the bid or purchase of the equipment.

Mr. Oliphant indicated to me that everyone he had talked to to date had related substantially the same information concerning the poker affairs. He was very cordial during the interview and thanked me for the information furnished.

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62-116464 January 14, 1976

HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)
U. S. RECORDING COMPANY

On November 25, 1975, Eugene W. Walsh, Assistant Director, Administrative Division, FBI, was interviewed by HSC Staff Members Richard Vermiere and Timothy Oliphant in the office of Mr. Walsh, J. Edgar Hoover Building, Washington, D. C. The interview was not under oath, was not recorded and Mr. Walsh was not advised of his rights. Set forth below are the results of the interview as recorded on paper by Mr. Walsh from his recollection immediately upon conclusion of the interview.

The interview commenced with Staff Members asking for a general rundown on the manner in which procurement is handled within the FBI. Mr. Walsh explained that the Bureau adhered to Federal procurement regulations in this regard and advised that a copy of these regulations would be furnished to them. Mr. Walsh also explained the delegation of authority by the Attorney General to the Assistant Attorney General for Administration and the redelegation of this authority to the FBI Director to enter into contracts with certain limitations. It was explained that the FBI Director had in turn redelegated this authority, in accordance with regulations, to certain named Bureau officials including Mr. Walsh, and that Mr. Walsh was generally responsible for serving as the Bureau contract officer. In response to a question as to what was the biggest contract Mr. Walsh had ever administered, Mr. Walsh replied that it would be a contract amounting to just under 5 million dollars. HSC Staff Members

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SEE NOTE PAGE 7

MAIL ROOM ☐ TELETYPE UNIT ☐

62-116464-46 Enclosure

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experienced difficulty understanding the difference between procurement authority and authority to enter into contracts, and eventually their questions centered on Bureau contracts with U. S. Recording Company.

In response to specific questions, Mr. Walsh advised Staff Members that he was not acquainted with Mr. Joseph Tait, President of U. S. Recording Company, and that he was not aware of any specific documents which would show the origin of the Bureau's relationship with that company. It was explained to them that the Bureau awarded confidential contracts on the basis of experience and prior relationship which demonstrated an ability to act responsibly in connection with such a contract. Mr. Walsh advised, however, that there were no written guidelines concerning the above, but that was his feeling as to how a confidential relationship was developed. Mr. Walsh recalled only one confidential contract which he had signed as contracting officer with U. S. Recording Company and that contract was executed in June, 1975, in the approximate amount of $168,000. Mr. Walsh stated that he had observed Federal procurement regulations and Department of Justice guidelines and that the contract had been personally approved by the Attorney General. HSC Staff Members did not ask, and no information was furnished them regarding the subject matter of the contract.

The interview then turned to a discussion of Mr. Walsh's recollection as to who preceded him as Assistant Director of the Administrative Division, and Staff Members were advised that Mr. Walsh had been preceded by Mr. N. P. Callahan, who had in turn been preceded by John P. Mohr, and before him Mr. Glavin. Staff Members inquired as to Bureau positions held by Mr. Mohr, to which Mr. Walsh responded that Mr. Mohr

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had been Assistant to the Director (Administrative) prior to his retirement and at one time had been an Administrative Assistant to Mr. Tolson. In response to specific questions concerning his relationship with Mr. Mohr, Mr. Walsh advised that they had never exchanged visits to each other's homes with one exception and that was the occasion of the wedding of Mr. Mohr's daughter when Mr. Walsh did visit the residence of Mr. Mohr. Staff Members asked whether or not Mr. Walsh had seen any of the gifts that had been given to Mr. Mohr upon the latter's retirement from the FBI and they particularly mentioned two gold-plated .38 caliber revolvers fashioned into bookends. Mr. Walsh replied that he had no recollection of ever seeing these bookends. Staff Members then asked whether associates in the FBI customarily gave gifts to departing officials, to which Mr. Walsh responded that departing Assistant Directors and higher officials were presented with their badges suitably mounted, a retirement plaque and gold cuff links. They then asked as to whether other retirement gifts might be given to departing officials and what part, if any, Mr. Walsh might have played in this regard. Mr. Walsh explained there is a custom in the Administrative Division, and he believed quite generally in other divisions, that on the last day of a retiring employee's service there would be a coffee and cake-type gathering in a suitable room within a division, covering the last two hours of the working day, at which time friends and associates would call, some of whom would present little departing gifts. In response to his personal participation, Mr. Walsh stated he would present a book of letters to the departing employee and it was customary to give the retiring employee a gift from his colleagues which, in the Administrative Division, amounted to something purchased on the basis of a voluntary contribution from Agent colleagues in the division amounting to approximately

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$1.00 a man. This contribution was used to buy the retiring employee a gift in the nature of a camera, binoculars or a miniature radio which, in the opinion of Mr. Walsh, was a rather spontaneous and enthusiastic endeavor on the part of all concerned. Again, in response to a specific question, Mr. Walsh advised that he could not recall any specific gifts received by Mr. Mohr upon the latter's retirement and he had no knowledge about the pistols referred to above.

HSC Staff Members then inquired about the degree of association currently existing between Mr. Mohr and current Bureau officials. Mr. Walsh replied that he knew that Mr. Mohr had an acquaintanceship with current and past Bureau officials but he was unable to comment regarding the extent of this association. Staff Members inquired whether or not Mr. Walsh had ever played poker at a lodge on the outskirts of Harper's Ferry, West Virginia, to which Mr. Walsh replied that he had declined two or three such invitations that had been offered by Mr. Mohr when Mr. Mohr was seeking a substitute for regular card players. Mr. Walsh explained that the only reason for his declinations was for personal family reasons. In response to specific inquiries from the Staff Members, Mr. Walsh advised that he did not know the names of all who participated in the poker sessions, that he had been advised by Mr. Mohr that each participant paid $25.00 which covered expenses for room and food for an overnight stay at the lodge usually covering Friday night and Saturday morning and that he had no knowledge as to whether Mr. Tait was in attendance at these card games.

HSC Staff Members then inquired as to whether the Bureau had any regulations dealing with conflict of interest or the acceptance of gratuities. Mr. Walsh replied that in such matters the Bureau followed

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Executive Order 11222 dated May 8, 1965, and Departmental regulations as published in the Federal Register. Copies of these documents were furnished to the Staff Members. Mr. Walsh, in response to a specific question, stated that acceptance of a gratuity from any person or firm with which the FBI is doing business is improper and that he, himself, had never accepted as much as a cup of coffee from anyone with whom the Bureau is doing business. Mr. Oliphant hastened to inject the comment that no implication was to be read into the question and there certainly was no intention of suggesting that Mr. Walsh had accepted gratuities from anyone. Staff Members pressed Mr. Walsh as to whether there would be any exception in the above regard and he indicated that exceptions were laid out in the Executive Order regarding acceptance of food and beverages under certain limited circumstances. Staff Members then inquired as to who paid the expenses when Bureau officials took trips in connection with the awarding of contracts. Mr. Walsh replied that Bureau officials would, under such circumstances, be considered under an official duty status and per diem was paid in accordance with standard Government travel regulations. Staff Members wanted to know if there was such a thing as a higher rate of per diem for Bureau officials to which Mr. Walsh responded in the affirmative and outlined the controls the Bureau has governing the payment of the higher rate of per diem.

HSC Staff Members then returned to the subject of purchases and contracts with U. S. Recording Company and wanted to know who determined whether the mark-up on such purchases was reasonable. Mr. Walsh responded that as far as he was concerned the determination of reasonableness was based upon the judgment of Laboratory Division experts who were aware of the going price for specific

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items, particularly in the electronics field, and it was his understanding that the mark-up generally would not exceed 15 percent and probably would be less. Concerning this Bureau's relationship with U. S. Recording Company, Mr. Walsh stated in response to specific questions: that he had never audited the books of U. S. Recording Company and that no such audit had been conducted to determine the percentage of mark-up; that as contracting officer in the one above-mentioned contract with U. S. Recording Company, he relied on the judgment of the Laboratory Division experts that the price was reasonable and that he had never made a survey to determine the history of the development of this Bureau's relationship with U. S. Recording Company. Mr. Walsh then inquired as to whether such questions were being addressed to anyone else within the Bureau to which Staff Members responded in the affirmative and added they were asking for available documentation. Staff Members then returned the interview to the subject of Mr. Mohr's current relationship with Bureau officials to which Mr. Walsh again replied that he knew an acquaintanceship existed between Mr. Mohr and some Bureau officials but he was in no position to comment regarding the extent of the association. Staff Members then inquired as to whether or not Mr. Walsh and Mr. Callahan had exchanged visits to each other's homes to which Mr. Walsh replied in the negative and explained that their social relationship was principally through mutual attendance at dinners and other functions in which both were invitees, but Mr. Walsh added that he considered Mr. Callahan as both a friend and associate and he believed the latter's feeling to be the same toward him.

It should be noted that Mr. Walsh was released from his confidentiality agreement with the FBI for the purpose of the above interview, release predating the actual interview.

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HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)
RE: U. S. RECORDING COMPANY

NOTE:

Material copied from memorandum E. W. Walsh to Mr. Jenkins, captioned "Interview by Messrs. Richard Vermeire and Timothy Oliphant of Pike Committee 3:10 PM to 5:05 PM, November 25, 1975," dated 11/25/75, prepared by EWW:jlk.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. Wilgus

January 9, 1976

HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES;
U.S. RECORDING COMPANY

On January 6, 1976, SA John P. Wilgus, Radio Engineering Section, FBI Laboratory, appeared, as requested, at the offices of captioned committee. For a period of approximately 15 minutes, SA Wilgus was questioned under oath by staff members Richard Vermiere and Tim Oliphant who administered the oath. The proceedings were taken down by a court reporter, and arrangements are being made by the Office of Congressional Affairs to obtain a transcript. No advice of rights was given, and no one else was present.

The questioning first concerned SA Wilgus' assignments since coming to the Laboratory in July 1971 and turned immediately to the procedures for ordering technical equipment and the use of U.S. Recording Company as a source for such equipment. Following a discussion of the Section's use of requisitions, the staff members wanted to know if there was an accepted mark-up allowed U.S. Recording for providing confidentiality and whether SA Wilgus had any information, rumor or otherwise, concerning a Mr. Oberdick (phonetic), the Fargo Company, whether Mr. Mohr or his family ever received goods or services from Mr. Tate (phonetic) of U.S. Recording, and anything about a bottle-capping invention involving Mr. Parsons for which Mr. Tolson received a patent. SA Wilgus advised the staff members that he had no information about any of these matters.

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JLW:mss
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JLW/TM

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GPO 954-546

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1 - Mr. Perry

January 9, 1976

HOUSE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES;
U.S. RECORDING COMPANY

On January 6, 1976, SA McNair W. Perry was sworn in and questioned by Tim Oliphant, Staff Counsel to the captioned committee. SA Perry was not advised of his rights. The reporter was the only other person present.

In response to questioning, SA Perry advised that he had worked as an investigative special agent in the Washington Field Office prior to being transferred to the FBI Laboratory in April 1968 where he worked as an examiner in the field of firearms and toolmark identification until August 1975 when he was appointed Unit Chief of the Security Research Unit.

SA Perry advised that he had not ordered any confidential surveillance equipment, knew nothing about the U.S. Recording Company and was not acquainted with Messrs. Tate and Oberdick (phonetic).

In response to questions relating to Mr. John Mohr, SA Perry advised that he was acquainted with Mr. Mohr on an official basis and that he had heard rumors that Laboratory personnel had provided certain unspecified services to the Mohr residence. SA Perry stated that he heard no rumors that Mr. Mohr had received gratuities and/or kickbacks nor any pertaining to Laboratory personnel providing services for an automobile belonging to a member of the Mohr family. Further, SA Perry stated that he had not heard rumors pertaining to bottle caps.

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MWP:mss
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CLASSIFY AS APPROPRIATE

E: SEE INSTRUCTIONS ON REVERSE BEFORE COMPLETING.

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.)

	DOCUMENT		BRIEFING	X	INTERVIEW		TESTIMONY		OTHER

2. DATE PROVIDED

1/20/76

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

SSC

HSC

The Attorney General with a copy for forwarding to the White House

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

Memorandum reporting results of interviews by HSC Staff Members of former SA Joseph L. Gormley and SAC Thomas Farrow, incumbents SA's John M. Kirsch, G.Owen Verven, G.S. McMichael, Jay Cochran, Jr. Thomas J. Feeney, Jr. and Asst to the Dir. James B. Adams, Asst Dir. Eugene W. Walsh, SA McNair W. Perry, SA Jack Wilgus.

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

NA

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

U

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

Operating procedures

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

All were interviewed regarding their knowledge of the U.S. Recording Co., Joe Tait, Gus Oberdick and the poker games at the Blue Ridge Rod and Gun Club, Harpers Ferry, W. Va.

62-116464

FMK:fmk

(4) ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN CONNECTION WITH HOUSTUDY

TREAT AS YELLOW

5-

3791 (6-75)

CLASSIFY AS APPROPRIATE

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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.

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. V. Cleveland (Route Through For Review)
1 - Mr. W. R. Wannall
1 - Mr. W. A. Branigan (Route Through For Review)
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

January 20, 1976

The Attorney General

Director, FBI

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Reference is made to HSC letter dated December 1, 1975, requesting access to documents and other information from the FBI pertaining to accounting practices and procedures as they relate to the operation of proprietaries maintained by the FBI and this Bureau's reply to the HSC dated January 7, 1976, advising that specific agreed-upon materials, responsive to the above request, are available for review at FBI Headquarters.

On January 9, 1976, HSC Staff Member Charles Maddox appeared at FBI Headquarters and reviewed the above-prepared material. On January 15, 1976, Mr. Maddox appeared at FBI Headquarters and made available a draft copy of material concerning FBI proprietaries which he proposes to include in the final report setting forth the results of the HSC inquiry into FBI operations. Mr. Maddox requested that this material, a copy of which is attached, be reviewed for the purpose of determining whether the information contained in the draft material need be classified.

Enclosed for your approval and forwarding to the HSC is the original of a memorandum which constitutes this Bureau's response to the request of Mr. Maddox.

A copy of this memorandum is being furnished for your records.

Enclosures (3)

62-116464

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

TJM:lhb/hb
(12)

MAIL ROOM ☐ TELETYPE UNIT ☐

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Delivered to Dept 1-23-76 TDS
Delivered to Committee 1-23-76

62-116464-291

ENCLOSURE

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GPO : 1975 O - 569-920

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1 - Mr. J. B. Adams
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1 - Mr. W. V. Cleveland (Route Through For Review)
1 - Mr. W. R. Wannall

62-116464

January 19, 1976

1 - Mr. W. A. Branigan (Route Through For Review)
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Reference is made to HSC letter dated December 1, 1975, requesting access to documents and other information from the FBI pertaining to accounting practices and procedures as they relate to the operation of proprietaries maintained by the FBI and this Bureau's reply dated January 7, 1976, advising that specific agreed-upon materials, responsive to the above request, are available for review at FBI Headquarters.

On January 9, 1976, HSC Staff Member Charles Maddox appeared at FBI Headquarters and reviewed the above-prepared material. On January 15, 1976, Mr. Maddox made available to a representative of this Bureau a draft copy of pertinent sections of a report prepared by him containing material relating to this Bureau's operation of proprietaries and requested that this material be reviewed for the purpose of determining whether information contained therein requires classification.

A review of the above material was made by a representative of this Bureau and a determination made that the material prepared by Mr. Maddox does not require classification.

1 - The Attorney General

TJM:lhb (6)
(11)

ORIGINAL AND ONE COPY TO AG

FBI
CORRESPONDENCE HEADQUARTERS

NOTE:

The above material, as presented by Mr. Maddox, was reviewed by Special Agent Thomas J. McNiff, Intelligence Division.

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THE ROLE OF PROPRIETARIES IN CERTAIN GOVERNMENT AGENCIES

INTRODUCTION

Our investigation showed that intelligence connected proprietaries have been established by the Army, Navy and Air Force within the Department of Defense and the Federal Bureau of Investigation (FBI). Although the Department of State has an intelligence gathering mission, the Department advised the committee that proprietaries had never been used as a front in their intelligence gathering activities.

The proprietaries owned by the Military Services and the FBI were established to provide a method of gathering raw intelligence data or to support the clandestine activities of U.S. agents in such a manner that any direct connection between the U.S. government is hidden and would appear non-existent.

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The FBI utilizes proprietaries in both the foreign counterintelligence and criminal fields. In the former, proprietaries are operated for the purpose of collecting raw foreign counterintelligence information, training of personnel and testing of equipment. In criminal matters, the FBI has, on occasion, operated proprietaries for the purpose of collecting evidence to be utilized in the prosecution of individuals engaged in criminal activities falling within the Bureau's jurisdiction.

Size of the Proprietary Operation

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FBI proprietaries are, in the criminal investigation field, essentially small operations with a short life span. Since their mission is to collect evidence for the prosecution of individuals engaged in criminal activities falling within the Bureau's jurisdiction, the successful prosecution of the criminal ends the need for the proprietary and the

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project is liquidated. Proprietaries formed to deal with counter-intelligence as it pertains to foreign nationals engaged in their country's intelligence effort carried out in the United States may or may not be a short range project. Counter-intelligence information is exchanged with appropriate agencies in the intelligence community.

Our review of financial records covering FBI proprietaries and conferences with FBI officials disclosed that about $1.5 million has been spent in capital outlays and operating expenses since their inception about six years ago. Proprietaries have used ~~employees numbering~~ at various times from 5 to 15 employees. ~~are~~ undercover FBI ~~agents~~.

Operation of these proprietaries has involved the purchasing, leasing and/or renting of real property. In each instance, safeguards to protect the government's interest in the proprietary have been reviewed within the Bureau and the Department of Justice. Accounting controls of financial management are handled by FBI internal auditors.

The FBI does not have specific regulations, classified or unclassified, to cover the formation, operation, or liquidation of a proprietary. We were advised that safeguards to protect the governments interest in each proprietary are reviewed within the Bureau and by the Department of Justice. From

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our discussions with FBI personnel, we believe specific safeguards on real and personal property held by the proprietaries is similar to those employed by the CIA and the military services, and not withstanding a lack of specific proprietary regulations the safeguards are adequate.

Profits

The FBI's proprietaries do have in most instances a legitimate source of income from commercial sources. However, the income is seldom sufficient to offset operating expense and the necessary infusion of funds is reflected on financial statements in a variety of ways.

Federal, State, and local taxes, as reflected in the financial statements examined, have been paid, but are minimal, due to operating expense exceeding income in most instances. An FBI official stated [redacted] no tax audits have ever been performed.

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

Addressee: HOUSE SELECT COMMITTEE 20

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 1/29/76

Caption of Document: U. S. House Select Committee (HSC)
(HSC letter 12/1/75)

Originating Office: FBI

Delivered by: J. O. Stassinos Date: 1/23/76

Received by: Charles Wunderlich

Title: Investigator

Return this receipt to the Intelligence Division, FBI

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FBI/DOJ

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2025 RELEASE UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992

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NOTE: SEE INSTRUCTIONS ON REVERSE BEFORE COMPLETING.

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.)*

X	DOCUMENT		BRIEFING		INTERVIEW		TESTIMONY		OTHER

2. DATE PROVIDED: 1/20/76

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

	SSC
X	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.)*

HSC letter 12/1/75

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

U

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

Operating procedures

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

Available for review by appropriate HSC Staff Members at FBIHQ: Materials pertaining to accounting practices and procedures as they relate to the operation of proprietaries. After the review, a draft was submitted of pertinent sections and requested that this material be reviewed for the purpose of determining whether information contained therein requires classification.

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(4) ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUSTUDY

TREAT AS YELLOW S. M.

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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.

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