

File #:

62- 116464

Serial Scope:

198 Three 215

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

The Attorney General

11/21/75

Director, FBI

1 - Mr. W. O. Cregar
1 - Mr. L. E. Dean

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

Reference is made to HSC letter dated November 4, 1975, requesting delivery of FBI files concerning Matilda Zimmerman.

Enclosed for your approval and forwarding to the HSC is the original of a memorandum with enclosures which constitutes this Bureau's response to the above requests.

A copy of this memorandum is being furnished for your records.

Enclosures (23)

62-116464

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

LED:lij
(9)

REC 12 62-1164-215

1 DEC 12 1975

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Dep. AD Inv. _____
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Director Sec'y _____

ENCL BEHIND FILE
3 - ~~ENCLOSURE~~

✓

JBA
Pm

5-11-75

84 DEC 6 1975
NW 89804 DocId:32989695 Page 2

GPO : 1975 O - 569-920

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Gregar
1 - Mr. L. E. Dean

62-116464

November 21, 1975

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

RE: MATILDA ZIMMERMAN

Reference is made to HSC letter dated November 4, 1975, requesting delivery of the FBI files of Matilda Zimmerman.

In accordance with established procedures, Bureau file concerning Matilda Zimmerman has been reviewed and appropriately excised material relating to the basis for the investigation, results of the investigation, any instruction or guidance from FBI Headquarters (FBIHQ) has been extracted therefrom. This material is enclosed.

Enclosures - 21

1 - The Attorney General

ORIGINAL AND ONE FURNISHED TO ATTORNEY GENERAL

LED:mak W.O.K
(8)

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Files & Com. _____
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Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM TELETYPE UNIT
NW 89804 DocId:32989695 Page 3

ENCLOSURE

62-116464-215

GPO : 1975 O - 569-920

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

Addressee: HOUSE SELECT COMMITTEE

LTR LHM Memo Report dated 11/21/75
U. S. HOUSE SELECT COMMITTEE

Caption of Document:

11/4/75 request - Matilda Zimmerman

Originating Office:

FBI

110

Delivered by:

Richard J. Taylor

Date: 11/23/75

Received by:

Tom Lindquist

A.A.

Title:

Return this receipt to the Intelligence Division, FBI

RECEIVED 11/23/75 215

CLASSIFY AS APPROPRIATE

RE: SEE INSTRUCTIONS ON REVERSE
BEFORE COMPLETING.TO: Intelligence Community Staff
ATTN: Central Index

FROM:

FDX

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

DOCUMENT	BRIEFING	INTERVIEW	TESTIMONY	OTHER
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11/21/75

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

SSC
<input checked="" type="checkbox"/> HSC

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

Memorandum and enclosures

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 11/4/75

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)

Information handling
Intelligence collection

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

Materials relating to Matilda Zimmerman.

62-116769

FMK; fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUSTUDY

TREAT AS YELLOW

5-11-1

3791 (6-75)

CLASSIFY AS APPROPRIATE

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.

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

62-116464

November 14, 1975

1 - Mr. R. L. Shackelford
1 - Mr. T. J. McNiff

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

RE: INFORMATION CONCERNING INSTITUTE
FOR POLICY STUDIES (IPS)

Reference is made to HSC letter dated October 28, 1975, which requests, in part, "access to all files at FBI concerning the Institute for Policy Studies, Washington, D. C."

In accordance with an agreement reached November 6, 1975, between HSC Staff Member Ellen Miller and FBI Special Agent Thomas J. McNiff, this Bureau, in response to the above request, has reviewed the Bureau file concerning IPS for the purpose of making available to the HSC all information therein setting forth the reasons for initiating and continuing the investigation of IPS, all FBI Headquarters direction and guidance afforded this investigation as well as reports containing the results of the investigation.

Also in accordance with a request of Ms. Miller, Supra, made on November 13, 1975, that the material be delivered rather than access being granted thereto, pertinent material described above will be furnished along with a copy of this memorandum.

1 - The Attorney General

1 - (IPS)

TJM:mjg:js
(10)

WRW/SC

WOC
TJM

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

NOTE:

HSC has indicated that this Bureau's investigation of IPS will be one of the topics on the agenda of the HSC hearing scheduled for 11/18/75. It is noted that this Bureau is currently involved in civil litigation with IPS. The Department of Justice, in response to an inquiry from Legal Counsel Division, has advised that this Bureau should furnish material responsive to the HSC request concerning IPS.

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Training _____
Legal Coun. _____

Telephone Rm. _____
Director Sec'y _____ MAIL ROOM TELETYPE UNIT

NW 89804 DocId:32989695 Page 7

62-116464-214
GPO: 1975 O-569-920



FBI

OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

OCT 29 1975

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: House Select Committee Letter Dated
October 28, 1975

cc: Shaheen (info)
PM

Attached is a letter from the House Select Committee dated October 28. Please arrange for an appropriate and prompt response.

1 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 RPK/
2 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 RDH/dmkt
3 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 RDH/eks, mjj
4 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 TSM/mjj
5 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 HWD/pal
6 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 RLM/ emy

cc: Paul Daly

7 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 RDH/dmkt
8 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 RDH/dmkt
9 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 TSM/ ldt
10 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 RLM/ emy
11 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 RDS/eks
12 let + lhm to AG 10/28/75; lhm to HSC 10/28/75 RDH/dmkt

REC 12 62-116464-2T4-
■ DEC 12 1975

ST-110

recd 10/30/75
1 Ad Hoc
10-30-75

ENCLOSURE

62-116464

5-1



OCT 29 1975

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: House Select Committee Letter Dated
October 28, 1975

Attached is a letter from the House Select Committee dated October 28. Please arrange for an appropriate and prompt response.

cc: Paul Daly

OTIS G. PIKE, N.Y., CHAIRMAN
ROBERT N. GIAMO, CONN.
JAMES V. STANTON, OHIO
RONALD V. DELLUMS, CALIF.
MORGAN F. MURPHY, ILL.
LES ASPIN, WIS.
DALE MILFORD, TEX.
PHILIP J. HAYES, IND.
WILLIAM LEHMAN, FLA.

ROBERT S. GIBRY, ILL.
DAVID C. COHEN, LA.
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

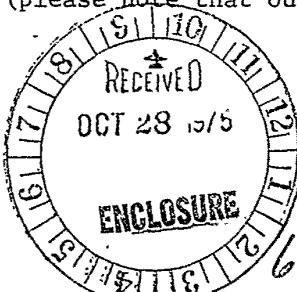
October 28, 1975

Mr. Michael Shaheen
Spec. Counsel for Intel. Coordination
Department of Justice
Washington, D.C.

Dear Mr. Shaheen:

Further to this Committee's investigation under H.Res. 591, please arrange the following:

1. Access to any and all files, memoranda, and other records of FBI concerning U.S. Recording Company, 1347 South Capitol St. Wash. D.C.;
2. Pursuant to our letter of October 9, 1975, access to any and all investigative files at F.B.I. concerning Matilde Zimmerman, a member of the Socialist Workers Party (SWP);
3. Access to any and all investigative files at F.B.I. concerning Peter Camejo, SWP;
4. Access to any and all files at F.B.I. concerning the Institute for Policy Studies, Washington, D.C.;
5. The access requested in our letter of October 20, 1975, concerning John Forbes Kerry and the Vietnam Veterans Against the War, from 1971 to present.
6. Access to any and all files at F.B.I. concerning the Union of American Hebrew Congregations, the Community Book Shop, and the Redhouse Bookstore, all of Washington, D.C.;
7. The access requested formerly in our letter of October 3, 1975, concerning Robert W. Hardy and William Lemmer. (please note that our former request specified an October 10, 1975 deadline);
8. The access formerly requested in our letter of September 24, 1975, concerning Richard Joe Burton (please note that our letter specified a deadline of October 1, 1975);



62-116464-214

Mr. Michael Shaheen
Page 2
October 28, 1975

9. Access to any and all files at F.B.I. concerning Earl Robert Merritt, Jr.;

10. Access to any and all files at F.B.I. concerning Donald Sanders Luce, born September 20, 1934, Social Security No. 008-24-8758;

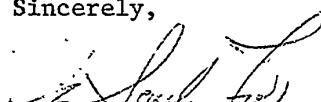
11. Access to any and all files concerning the Center for the Study of Democratic Institutions, Santa Barbara, California;

12. Production of those records already reviewed by our staff, concerning Bruce Bloy (SWP) and Marc Rich (SWP);

With respect to the files requested, it is assumed that the names of FBI Special Agents will NOT have been excised for the purposes of our review.

Because of the severe time deadlines imposed on this committee, please make the arrangements for access immediately.

Sincerely,



A. Searle Field
Staff Director

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

Addressee: HOUSE SELECT COMMITTEE

LTR LHM Memo Report dated 11/14/75

Caption of Document: U.S. HOUSE SELECT COMMITTEE

10/28/75 request

Originating Office: FBI

Delivered by: Paul K. Gallegos Date: 11-14-75

Received by: John W. G. Therrien

Title: Conrad

Return this receipt to the Intelligence Division, FBI

62 110704-21H

CLASSIFY AS APPROPRIATE

NOTE: SEE INSTRUCTIONS ON REVERSE
BEFORE COMPLETING.TO: Intelligence Community Staff
ATTN: Central IndexFROM:
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 INTERVIEW TESTIMONY OTHER

2. DATE PROVIDED

11/14/75

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

	SSC
<input checked="" type="checkbox"/>	HSC

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

Memorandum and enclosures

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 10/28/75

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)

Intelligence collection

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

Materials relating to Institute for Policy Studies

62-116464

FMK:fmk

(4) ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUSTUDY*B. J.*

TREAT AS YELLOW

3791 (6-75)

CLASSIFY AS APPROPRIATE

NW 89804 DocId:32989695 Page 13

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.

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

November 14, 1975

The Attorney General

Director, FBI

1 - Mr. R. L. Shackelford
1 - Mr. T. J. McNiff

REC 12-62-116464-214
S-100
U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Reference is made to letter from HSC dated October 28, 1975, requesting certain information from the FBI.

Attached for your approval and forwarding to the HSC is the original of a memorandum which constitutes this Bureau's response to the HSC request for Bureau materials concerning the Institute for Policy Studies (IPS).

A copy of the memorandum is being provided for your records.

Enclosures (2)

62-116464

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

1 - (IPS)

TJM:mjg, *g*
(11)

Delivered to Dept. 11/14/75 PJD
11/14/75 PJD

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"ENCLOSURE IN BULKY ROOM"

8-4 DEC 18 1975
NW 329804 DocId:32989695 Page 15

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HEH/560

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WOC
PJD

John

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GPO : 1975 O - 560-920

The Attorney General
Director, FBI

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. J. W. Dalseg
November 5, 1975
1 - Mr. W. O. Gregar
1 - Mr. T. J. McNiff

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

Enclosed for your approval and forwarding to the HSC is the original of a memorandum, with attached lists, which is in response to questions 1, 2, 3 and 4 as contained in the HSC request dated October 15, 1975.

mau
A copy of this memorandum, with attached lists, is enclosed for your records.

Enclosures (10)

62-116464

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
AJD:mjg/lhb *lhb* Intelligence Coordination
(10)

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Director Secy. _____

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NOV 14 1975 DODDS 02889695 Page 16

GPO : 1975 O - 569-920

62-116464

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

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.

mcv
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Dep. AD Inv. _____
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Spec. Inv. _____
Training _____

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/hb
MAIL ROOM TELETYPE UNIT

ORIGINAL AND ONE COPY TO AG

SEE NOTE PAGE 2
GPO: 1975 O - 569-920

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

RE: HSC REQUEST DATED OCTOBER 15, 1975, CONCERNING VARIOUS
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.

It is noted the lists on technical and microphone surveillances pertain to only domestic targets. The entries under categories "Foreign Intelligence Agents, Foreign Intelligence Contacts and Foreign Intelligence Agents Suspects" are individuals, involved in Foreign Intelligence operations, who are nonetheless American citizens. Therefore, per the Department's definition of a domestic target as stated by Steven Blackhurst, these were included.

TELEPHONE SURVEILLANCES ON
DOMESTIC TARGETS
JANUARY 1, 1970 THROUGH JUNE 30, 1975

	1970	1971	1972	1973	1974	January 1, 1975 - June 30, 1975
Foreign Intelligence Agents	2		1	3	3	1
Foreign Intelligence Contacts				4	4	
Communist Party Functionaries		1				
Headquarters, Basic Revolutionary Group	1	1	1	2	1	
Coverage of Classified Information Leak	10	10	5			
Black Extremist Leader	1	1	2			
Militant Black Extremist Organ.	1	1	1			
Foreign Diplomatic Official's Contact		1				
New Left Oriented Campus Group		1				
Arab Terrorist Affiliate		1			1	
Pro-Palestine Group				1	1	
Leader of Revolutionary Group		1				
Arab Terrorist Activist			2	7	4	2

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.

	1970	1971	1972	1973	1974	January 1, 1975 - June 30, 1975
Racial Extremist Group	2	2	1			
Black Extremist Group Affiliate		1				
Propaganda Outlet for Middle East Based Organization				1	1	1
Pro-Israeli Militant Group	1	1				
New Left Oriented Campus Group Faction	1	1				
New Left Oriented Campus Group Contact	1					
Publication of Clandestine Underground Group Dedicated to Strategic Sabotage	1	1				
New Left Activist		1				
Investigation of Clandestine Underground Group Dedicated to Strategic Sabotage	12	5	1			
Militant Black Extremist Group Member	3	1				
Militant Black Extremist Group Functionaries		1				
Violence Prone Faction, Domestic Protest Group		2				
Domestic Protest Group		1				

January 1, 1975 -
June 30, 1975

	1970	1971	1972	1973	1974	
--	------	------	------	------	------	--

Coverage of Meeting of Militant Group					1	
Militant Pro-Israeli Group Member			1		1	
Foreign Intelligence Agent's Business Office				1	1	
Fund-Raising Front for Arab Terrorist Groups					1	
Pro-Chicom Propaganda Outlet						1

MICROPHONE SURVEILLANCES ON
DOMESTIC TARGETS
JANUARY 1, 1970 THROUGH JUNE 30, 1975

	1970	1971	1972	1973	1974	January 1, 1975 June 30, 1975
Foreign Intelligence Agents				1	1	1
Foreign Intelligence Agents Suspects		1				
Pro-Cuba American Group which Traveled to Cuba		1				
Black Extremist Organization		1				
Black Extremist Group Functionary	1		1	1		
Weather Underground Support Apparatus		1	2			
Propaganda Outlet for Middle East Based Organization				1	1	
Foreign Intelligence Agent's Business Office						1

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.

MISSIONS OF BALTIMORE (SURVEILLANCE ENTRIES)
IN COLLECTION WITH NICKNAME SURVEILLANCES
JANUARY 1, 1970, THRU JUNE 30, 1975

	1970	1971	1972	1973	1974	January 1, 1975 - June 30, 1975
Foreign Diplomatic Establishments	4	1	3	3	2	1
Foreign Commercial Establishments			2	2	1	2
Foreign Diplomatic Officials	3	1	4	5	0	6
Foreign Intelligence Agents		1	2	1	2	1
Suspected Foreign Intelligence Agents	1			1		
Foreign Diplomatic Official's Contact				1	1	
Pro-Cuban American Group which Traveled to Cuba		1				
Black Extremist Organization		1				
Black Extremist Group Functionary		1				
Pro-Palestine Group	1		1		1	
Weather Underground Support Apparatus		1	3			
Arab Terrorist Activist		4	1			1

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	1970	1971	1972	1973	1974	January 1, 1975 - June 30, 1975
Propaganda Outlet for Middle East Based Organization					1	1
Fund Raising Front for Arab Terrorist Activist Groups					1	
Foreign Intelligence Agent's Business Office					1	

NUMBER OF INCIDENTS (SUSPICIOUS DRIVING)
NOT RELATED TO HIGHWAY SURVEILLANCE
JULY 1, 1970, thru June 30, 1975

January 1, 1975 -

1970 1971 1972 1973 1974 June 30, 1975

Foreign Intelligence Agents	1	1	2			
Arab Terrorist Activist		1				

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.

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

Addressee: HOUSE SELECT COMMITTEE

LTR LHM Memo Report dated 11/3/75

U.S. HOUSE SELECT COMMITTEE.

Caption of Document:

10/15/75, Items 1,2,3 and 4

Originating Office: FBI 2-35

Delivered by: Richard T. Taylor Jr. Date: 11/26/75

Received by: Lynsey Oster

Title: IC

Return this receipt to the Intelligence Division, FBI

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.)

2. DATE PROVIDED

<input checked="" type="checkbox"/> DOCUMENT	BRIEFING	INTERVIEW	TESTIMONY	OTHER
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11/5/75

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

	SSC
<input checked="" type="checkbox"/>	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 10/15/75

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)

Surveillance, electronic

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

Setting forth a list of telephone and microphone surveillances, targets of Break-ins and targets of trespass for years 1/1/70 through 6/30/75.

62-116464

FMK:fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUSTUDY

TREAT AS YELLOW

3791 (6-75)

CLASSIFY AS APPROPRIATE

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.

The Attorney General

Director, FBI

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

November 5, 1975

1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

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

Enclosed for your approval and forwarding to the HSC is the original of a memorandum, with attached lists, which is in response to questions 1, 2, 3 and 4 as contained in the HSC request dated October 15, 1975.

A copy of this memorandum, with attached lists, is enclosed for your records.

Enclosures (10)

62-216464

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
AID:mjg/lhb Intelligence Coordination
(10)

Released to AID
11/7/75
HSC
Released to HSC
11/26/75

HSC-213

10/15

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

SEE NOTE PAGE 2

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 McClosky and members of HSC by INID 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.

TELEPHONE SURVEILLANCE ON
DOMESTIC TARGETS
JANUARY 1, 1970 THROUGH JUNE 30, 1975

	1970	1971	1972	1973	1974	January 1, 1975 - June 30, 1975
Foreign Intelligence Agents	2		1	3	3	1
Foreign Intelligence Contacts			4	4		
Communist Party Functionaries	1					
Headquarters, Basic Revolutionary Group	1	1	1	2	1	
Coverage of Classified Information Leak	10	10	3			
Black Extremist Leader	1	1	2			
Militant Black Extremist Organ.	1	1	1			
Foreign Diplomatic Official's Contact	1					
New Left Oriented Campus Group	1					
Arab Terrorist Affiliate	1				1	
Pro-Palestine Group				1	1	
Leader of Revolutionary Group	1					
Arab Terrorist Activist			2	7	4	2

This document is prepared in response to your request and is not for dissemination outside your Committee. It's use is limited to official members of your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

	1970	1971	1972	1973	1974	January 1, 1975 - June 30, 1975
Racial Extremist Group	2	2	1			
Black Extremist Group Affiliate		1				
Propaganda Outlet for Middle East Based Organization				1	1	1
Pro-Israeli Militant Group	1	1				
New Left Oriented Campus Group Faction	1	1				
New Left Oriented Campus Group Contact	1					
Publication of Clandestine Underground Group Dedicated to Strategic Sabotage	1	1				
New Left Activist		1				
Investigation of Clandestine Underground Group Dedicated to Strategic Sabotage	12	5	1			
Militant Black Extremist Group Member		3	1			
Militant Black Extremist Group Functionaries		1				
Violence Prone Faction, Domestic Protest Group		2				
Domestic Protest Group		1				

January 1, 1975 -
1970 1971 1972 1973 1974 June 30, 1975

Coverage of Meeting of
Militant Group

1

Militant Pro-Israelit
Group Member

1 1

Foreign Intelligence
Agency's Business Office

1 1

Fundraising Front for
Arab Terrorist Groups

1

Pro-Chilean Propaganda
Outlet

1

MICROPHONE SURVEILLANCES ON
DOMESTIC TARGETS
JANUARY 1, 1970 THROUGH JUNE 30, 1975

	1970	1971	1972	1973	1974	January 1, 1975 - June 30, 1975
Foreign Intelligence Agents					1	1
Foreign Intelligence Agents Suspects		1				
Pro-Cuba American Group who Traveled to Cuba	1					
Black Extremist Organization	1					
Black Extremist Group Functionary	1	2	1			
Weather Underground Support Apparatus	1	2				
Propaganda Outlet for Middle East Based Organization			1	1		
Foreign Intelligence Agents Business Office					1	

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TARGETS OF BREAK-INS (SURREPTITIOUS ENTRIES)
IN CONNECTION WITH MICROPHONE SURVEILLANCES
JANUARY 1, 1970, THRU JUNE 30, 1975

	1970	1971	1972	1973	1974	January 1, 1975 - June 30, 1975
Foreign Diplomatic Establishments	4	1	3	3	2	1
Foreign Commercial Establishments			2	2	2	2
Foreign Diplomatic Officials	3	1	4	3	3	6
Foreign Intelligence Agents		1	2	2	2	1
Suspected Foreign Intelligence Agents	1			2		
Foreign Diplomatic Official's Contact			1	1		
Pro-Cuban American Group who Traveled to Cuba	1					
Black Extremist Organization	1					
Black Extremist Group Functionary	1					
Pro-Palestine Group	1		1		1	
Weather Underground Support Apparatus		1		3		
Arab Terrorist Activist		4	1			1

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.

January 1, 1975 -
June 30, 1975

1970 1971 1972 1973 1974

Propaganda Outlet for
Middle East Based
Organization

1 1

Fund Raising Front for
Arab Terrorist Activist
Groups

1

Foreign Intelligence
Agent's Business Office

1

TARGETS OF TRESPASS (SUSPECTIOUS ENTRIES)
NOT RELATED TO MICROPHONE SURVEILLANCES
JANUARY 1, 1970, THRU JUNE 30, 1975

	January 1, 1975 -					
	1970	1971	1972	1973	1974	June 30, 1975
Foreign Intelligence Agents				1	1	2
Arab Terrorist Activist				1		

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.

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

The Attorney General

REC 12

Director, FBI

November 10, 1975

1 - Mr. W. A. Branigan
1 - Mr. R. G. Kinsey

UNITED STATES HOUSE OF REPRESENTATIVES
SELECT COMMITTEE ON INTELLIGENCE (HSC)

Reference is made to a letter from the HSC dated October 22, 1975, requesting all files, records and documents from the FBI which concern Mr. Sam Jaffe.

Enclosed for your approval and forwarding to the Committee is the original of a memorandum responding to the request. Also enclosed are two volumes of material which constitute the FBI files on Mr. Jaffe.

A copy of the memorandum is being furnished for your records.

Enclosures - 4

62-116464

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9-3-81 BY 10320 PAR/JRS

X TOP SECRET MATERIAL ATTACHED

Assoc. Dir. 1 - 105-28333 (Jaffe)

Dep. AD Adm. -

Dep. AD Inv. -

Asst. Dir. RGK:dmt

Admin. -

Comp. Syst. -

Ext. Affairs -

Files & Com. -

Gen. Inv. -

Ident. -

Inspection -

Intell. -

Laboratory -

Plan. & Eval. -

Spec. Inv. -

Training -

Legal Coun. -

Telephone Rm. -

Director Secy. -

MAIN ROOM

TELETYPE UNIT

8 4 1975 16 5700
NW 89804 DocId:32989695 Page 39

GPO : 1975 O - 569-920

UNRECORDED COPY FILED IN

62-116404

SECRET

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

November 10, 1975

UNITED STATES HOUSE OF REPRESENTATIVES
SELECT COMMITTEE ON INTELLIGENCE (HSC)

Reference is made to letter dated October 22, 1975, to Special Counsel for Intelligence Coordination, from A. Searle Field, Staff Director for the Committee, requesting all files, records and documents concerning Mr. Sam Jaffe, 6510 Bradley Boulevard, Bethesda, Maryland.

Enclosed are two volumes of material constituting copies of all information contained in the FBI file concerning Mr. Jaffe, with the exception of information furnished to the FBI by the Central Intelligence Agency (CIA) and the Department of State Office of Security and by foreign intelligence agencies. Information from the CIA and the Department of State Office of Security has not been included under the third agency rule and a request for this information should be directed to them separately.

References to Mr. Jaffe contained in other FBI files of which he is not the subject are not included in the above material, in accordance with an agreement reached on October 30, 1975, between a representative of the FBI and Miss Emily Shokroff of the Committee, that for the present the response to the Committee's request may be limited to that information in the file on Mr. Jaffe.

Enclosures - 2

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. 1 - The Attorney General
Admin. _____
Comp. Syst. 1 - 105-28333 (Jaffe)
Ext. Affairs _____
Files & Com. _____
Gen. Inv. RGK:dmt
Ident. (10)
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y MAIL ROOM TELETYPE UNIT
NW 89804 DocId:32989695 Page 40

TOP SECRET MATERIAL ATTACHED

CLASS. & EXT. BY 10820/jwc/kws 9-3-81
REASON - FCIN 11, 1-2. 4. 2 2
DATE OF REVIEW 11-10-95

SEE NOTE PAGE 2

EXCERPT

62-116404-212 1975 O-569-920

UNITED STATES HOUSE OF REPRESENTATIVES
SELECT COMMITTEE ON INTELLIGENCE (HSC)

NOTE:

SECRET

Samuel Adason Jaffe was a symbol number informant of the New York Office from 1958 to 1961 and was later in contact with the Washington Field Office. During these periods of contact, Jaffe furnished information on his numerous contacts with Soviet and People's Republic of China officials, which were occasioned by his employment with AEC and CBS and with other news media. ✓

["Sammy"]^s Following his identification by Soviet defector ["Sammy"] as having been recruited by the KGB while assigned to Moscow, Jaffe was extensively interviewed and advised that he believed he had been the subject of a recruitment approach but denied being a KGB agent. Our relations thereafter were conducted with caution in view of ["Sammy's"]^s allegations and he is not currently being contacted.

Jaffe filed a request under the Freedom of Information Act in March, 1975, and subsequently appealed our denial of access to information concerning him as contained in our files. Jaffe has alleged that the FBI, or his association with the FBI, has prevented him from obtaining work in the news media field. This allegation is not supported by any material contained in his file. ✓

In approximately June, 1975, Jaffe met with a friend of his who is a member of the Senate Select Committee on Intelligence Operations. While he was discussing his belief that the FBI has been vindictive toward him because he was "fingered" by a Soviet defector, Senator Frank Church, Chairman of the Senate Committee, overheard Jaffe's allegations and ordered that his Staff interview Jaffe for full details of his allegation. ✓

The material being furnished the House Committee represents all information contained in Jaffe's main file, with certain exceptions which are explained in the memorandum to the Committee. There are also some 200 to 250 references which are not being furnished, following an agreement between Supervisor Thomas J. McNiff and Miss Emily Sheketoff of the HSC wherein it was agreed that these need not be made available at present.

~~Classified by 4091, XGDS-2 and -3, Indefinito.~~ ✓

SECRET



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

FBI

OCT 24 1975

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: House Select Committee Letter dated October 22

WJS

Attached is a letter from the House Select Committee dated October 22, 1975, requesting all files, records and documents concerning Mr. Sam Jaffe. Please prepare an appropriate response to this letter. The Committee is interested in getting this material as soon as possible.

Rec'd from DDCI, enclosed and to HSCC
10/28/75: RGS/abt
11/07/75

REC 12 62-116464-212

DEC 12 1975

cc: Paul Daly



NW 89804 DocId:32989695 Page 42

rec'd 10/28/75
1. R. J. K. 10-28-75
2- ENCLOSURE

62-116464

5- 7- 11-11

OCT 24 1975

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: House Select Committee Letter dated October 22

Attached is a letter from the House Select Committee dated October 22, 1975, requesting all files, records and documents concerning Mr. Sam Jaffe. Please prepare an appropriate response to this letter. Committee is interested in getting this material as soon as possible.

cc: Paul Daly

OTIS G. PIKE, N. Y., CHAIRMAN

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JAMES V. STANTON, OHIO
RONALD V. DELLUMS, CALIF.
MORGAN F. MURPHY, ILL.
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DALE MILFORD, TEX.
PHILIP H. HAYES, IND.
WILLIAM LEHMAN, FLA.

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DAVID C. TREEN, ILL.
JAMES P. JOHNSTON, ILL.
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

October 22, 1975

Mr. Michael Shaheen, Jr.
Special Counsel for Intelligence
Coordination
Department of Justice
Washington, D.C.

Dear Mr. Shaheen:

Please supply this Committee with all of the files,
records and documents concerning Mr. Sam Jaffe of
6510 Bradley Boulevard, Bethesda, Maryland.

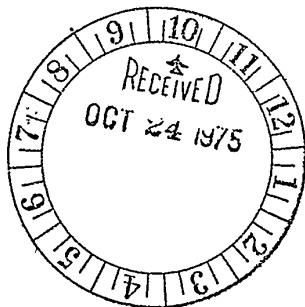
We are enclosing herewith a notarized release state-
ment of Mr. Jaffe for your records.

Sincerely,



A. Searle Field
Staff Director

ASF/ES/ca

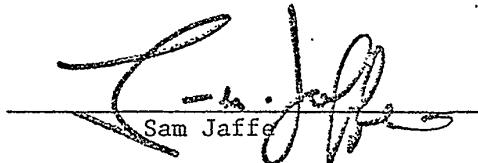


ENCLOSURE

62-16464-217

Washington, D.C.
Oct. 9, 1975

I, Sam Jaffe, hereby consent to the furnishing by the
Federal Bureau of Investigation to the House Select
Committee on Intelligence, all records, files and
documents dealing with me which are in their custody.



Sam Jaffe

22 October 75
Mary Curtis Berman
Notary Public
My Commission Expires April 30, 79

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

Addressee: HOUSE SELECT COMMITTEE

LTR LHM Memo Report dated 11/10/75

Caption of Document: U.S. HOUSE OF REPRESENTATIVES SELECT COMMITTEE

HSC letter 10/22/75

Originating Office: FBI *J.D.*

Delivered by: Richard Taylor Jr. Date: 11/12/75

Received by: C. D. Lindstrom

Title: A. A.

Return this receipt to the Intelligence Division, FBI

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.)

2. DATE PROVIDED

<input checked="" type="checkbox"/>	DOCUMENT	BRIEFING	INTERVIEW	TESTIMONY	OTHER
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11/10/75

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

	SSC
<input checked="" type="checkbox"/>	HSC

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

Memorandum and enclosures

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 10/22/75

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

X5

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
Intelligence collection

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

Materials relating to Sam Jaffe.

62-116464

FMK:fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUSTUDY

TREAT AS YELLOW

S-PO

3791 (6-75)

CLASSIFY AS APPROPRIATE

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FBI

OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

OCT 16 1975

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation
John

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination
Mike

SUBJECT: House Select Committee Request dated October 15

Attached is a letter from the House Select Committee dated October 15, which requests materials to supplement the briefing given to Congressman McClory and HSC staff members on October 10. Please be advised that Congressman McClory has reviewed this letter personally and requests that a complete response be prepared as promptly as possible. Therefore, please prepare a prompt response to requests numbered 1-4. Also prepare a response to requests numbered 5-6, in conjunction with a response to the HSC letter dated September 30, concerning ADEX and the Security Index.

The HSC staff has been told that the "Kissinger 17" materials are subject to a protective order and that a letter from the Chairman to the Attorney General should be sent requesting the Department to modify that order to allow HSC access to the materials. After the order has been modified, the Bureau will be requested to comply with the "Kissinger 17" request.

cc: Paul Daly

10/16/75
Blackhurst advised ^{SP-10} Seyer he
would check with AG to see if
names should be furnished HSC.
He will also check with REC 59 in
definition of trespass in #12 62-116464-211
TM

DEC 12 1975

ENCLOSURE

62-116464

5- TFM

10/16/75
mid 10/16/75
T-REC 59



84 DEC 18 1975

NW 89804 DocId:32989695 Page 49

OTIS G. PIKE, N. Y., CHAIRMAN
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LES ASPIN, WIS.
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WILLIAM LEHMAN, FLA.

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

October 15, 1975

Mr. Michael E. Shaheen, Jr.
Special Counsel for Intelligence Coordination
U. S. Department of Justice
Washington, D. C. 20530

Dear Mr. Shaheen:

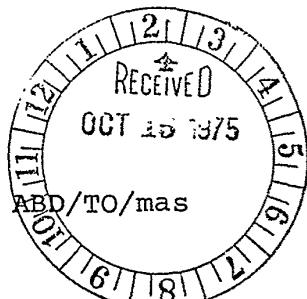
Pursuant to the briefing given Congressman McClory and members of our staff by representatives of the Intelligence Division of the FBI, on October 10, 1975, we are requesting the following materials:

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.
5. A listing of all persons who have been on the ADEX list since its inception and a copy of the current ADEX list.
6. A list of all persons on the Security Index when it was discontinued.
7. All files, materials and records regarding the "17 Kissinger Wiretaps."

Your prompt attention to this request will be appreciated.

Sincerely,
Aaron B. Donner

Aaron B. Donner
Counsel to the Committee



ENCLOSURE 62 716464-211

OCT 16 1975

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: House Select Committee Request dated October 15

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cc: Paul Daly



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

OCT 16 1975

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation
Mike

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination
V

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cc: Paul Daly

REC'D 12/12/75

1 DEC 12 1975

ENCLOSURE 62-116464

34 DEC 18 1975

OTIS G. PIKE, N. Y., CHAIRMAN

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JAMES V. STANTON, OHIO
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ROBERT W. KASTEN, JR., WIS.

ALICE FIELD, STAFFER

AARON B. DONNER, COUNSEL

TELEPHONE: (202) 225-9751

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

October 15, 1975

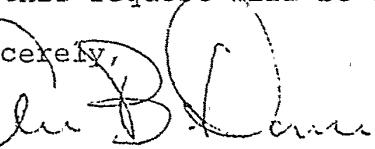
Mr. Michael E. Shaheen, Jr.
Special Counsel for Intelligence Coordination
U. S. Department of Justice
Washington, D. C. 20530

Dear Mr. Shaheen:

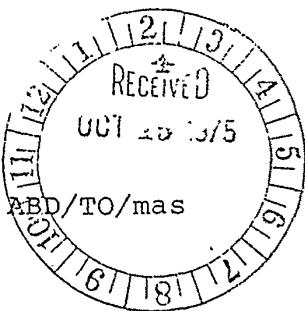
Pursuant to the briefing given Congressman McClory and members of our staff by representatives of the Intelligence Division of the FBI, on October 10, 1975, we are requesting the following materials:

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.
5. A listing of all persons who have been on the ADEX list since its inception and a copy of the current ADEX list.
6. A list of all persons on the Security Index when it was discontinued.
7. All files, materials and records regarding the "17 Kissinger Wiretaps."

Your prompt attention to this request will be appreciated.

Sincerely,


Aaron B. Donner
Counsel to the Committee



RECEIVED

OCT 16 1975

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: House Select Committee Request dated October 15

Attached is a letter from the House Select Committee dated October 15, which requests materials to supplement the briefing given to Congressman McClory and HSC staff members on October 10. Please be advised that Congressman McClory has reviewed this letter personally and requests that a complete response be prepared as promptly as possible. Therefore, please prepare a prompt response to requests numbered 1-4. Also prepare a response to requests numbered 5-6, in conjunction with a response to the HSC letter dated September 30, concerning ADEX and the Security Index.

The HSC staff has been told that the "Kissinger 17" materials are subject to a protective order and that a letter from the Chairman to the Attorney General should be sent requesting the Department to modify that order to allow HSC access to the materials. After the order has been modified, the Bureau will be requested to comply with the "Kissinger 17" request.

cc: Paul Daly

2 - Mr. J. A. Mintz
(1 - J. B. Motis)
1 - Mr. W. R. Wannall

The Attorney General
Director, FBI

December 5, 1975

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

UNITED STATES HOUSE SELECT
COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)

Reference is made to HSC letter dated October 28, 1975, Items 6 and 10, which requested access to any and all files at FBI concerning the Union of American Hebrew Congregations, the Community Book Store and the Redhouse Book Store, all of Washington, D. C., and Donald Sanders Luco.

Enclosed for your approval and forwarding to the HSC is the original of a memorandum responding to the above requests.

A copy of this memorandum is being furnished ~~for~~ your records.

Enclosures (2)

62-116464

EX 104

REG-29

1 - The Deputy Attorney General
Attention: Michael E. Shaecon, Jr.
Special Counsel for
Intelligence Coordination

RLM:emj
(9)

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 Secy. _____ MAH ROOM TELETYPE UNIT
NW 80804 DocId:32989695 Page 55

SEE NOTE, PAGE TWO

"ENCLOSURE IN BULKY ROOM"

GPO : 1975 O - 569-920

The Attorney General

NOTE:

The bulk of the information in Bureau files relating to Donald Sanders Luce consists of classified documents which were furnished by CIA and by AID. HSC is being referred to CIA and AID for this information. Bureau files contain additional information relating to the Union of American Hebrew Congregations which has been reviewed and determined to be not pertinent to the HSC request since the information consists of references to the organization in relation to other investigations conducted and does not of itself furnish any information pertinent to the Union of American Hebrew Congregations.

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

62-110464

December 5, 1975

UNITED STATES HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Reference is made to HSC letter dated October 28, 1975, Items 6 and 10. Item 6 requested access to any and all files at FBI concerning the Union of American Hebrew Congregations, the Community Book Store and the Redhouse Book Store, all of Washington, D. C.

Records maintained at FBI Headquarters (FBIHQ) indicate that the Redhouse Book Store was never the subject of a Bureau investigation. Bureau indices do, however, contain several references to the above organization as the name Redhouse Book Store had come to this Bureau's attention in connection with other investigations. HSC Staff Member Ellen Miller, after being telephonically informed of the above on December 1, 1975, by Special Agent Thomas J. McNiff, advised that the HSC request for access to material concerning the Redhouse Book Store is being withdrawn.

Pertinent material in FBIHQ files relating to the Union of American Hebrew Congregations and the Community Book Store has been prepared and is available for review by USC Staff Members.

Item 10 of the referenced HSC letter requested access to any and all files at FBI concerning Donald Sanders Luce, born October 20, 1934, Social Security Number 003-24-8755. Material reporting information obtained from Bureau sources is available for review by HSC Staff Members. Bureau file concerning Luce contains a number of communications concerning that individual, which were directed to the FBI by the Central Intelligence Agency (CIA) and the Agency for International Development (AID) and the Committee is respectfully referred to those Agencies for review of such material, if it is deemed necessary.

I - The Attorney General

RLM:emj

(8)

MAIL ROOM TELETYPE UNIT

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GPO : 1975 O - 569-920

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

HOUSE SELECT COMMITTEE

Addressee: HOUSE SELECT COMMITTEE
 LTR LHM Memo Report dated 12/5/75
U. S. House Select Committee on Intelligence
Caption of Document: Activities (HSC). (HSC letter
10/28/75, Items 6 & 10)

Originating Office: FBI 12/03
Delivered by: Richard S. Taylor Date: 12/11/75
Received by: C. M. Lindroth

Title: A. A.

Return this receipt to the Intelligence Division, FBI

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.)

2. DATE PROVIDED

DOCUMENT

BRIEFING

INTERVIEW

TESTIMONY

OTHER

12/5/75

FOR REVIEW

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

	SSC
<input checked="" type="checkbox"/>	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.)

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

HSC letter 10/28/75, items 6 and 10

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
Intelligence collection**

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

Available for review by appropriate HSC Staff Members at FBIHQ materials relating to Union of American Hebrew Congreations, The Community Book Store and Donald Sanders Luce.

62-116464

FMK:fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUSTUDY**TREAT AS YELLOW**

5-10

3791 (6-75)

CLASSIFY AS APPROPRIATE

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.

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. R. L. Shackelford

The Attorney General
Director, FBI

December 4, 1975

1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

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

Reference is made to letters from HSC dated October 20, and October 28, 1975, both of which, in part, requested information in Bureau files concerning Vietnam Veterans Against The War (VVAW), and this Bureau's memorandum dated November 14, 1975, responding to that request.

Attached is a letterhead memorandum which contains, as an enclosure, a memorandum prepared November 28, 1975, by this Bureau in response to an unrelated matter, which memorandum summarizes the justification for this Bureau's investigation of the VVAW from 1967 to the present. It is believed information contained in this memorandum would be helpful to Staff Members of the HSC in any evaluation being made by that Committee concerning this Bureau's investigation of the VVAW.

A copy of the memorandum, with its enclosure, is being furnished for your records.

Enclosures (4)

62-116464

EX-116

REC 12

62-116464-209

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

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 _____

TJM:1hb

(10)

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MAIL ROOM

TELETYPE UNIT

GPO : 1975 O - 569-920

2 - Mr. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. R. L. Shackelford
1 - Mr. W. O. Gregar
1 - Mr. T. J. McNiff

62-116464

December 4, 1975

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

RE: INFORMATION CONCERNING THE VIETNAM
VETERANS AGAINST THE WAR (VVAW)

Reference is made to HSC letters October 20, and October 28, 1975, both of which, in part, requested information in Bureau files concerning VVAW and this Bureau's memorandum dated November 14, 1975, responding to that request.

Due to the voluminous materials contained in Bureau files concerning the VVAW, referenced Bureau memorandum, in accordance with an agreement reached between HSC Staff Members and Bureau representatives, furnished the HSC only with reports and memoranda concerning the VVAW as prepared by this Bureau's Boston, Chicago, New York and Washington Field Offices.

In connection with an unrelated matter, this Bureau, on November 28, 1975, had occasion to prepare a memorandum summarizing the justification for this Bureau's investigation of the VVAW from 1967 to the present.

A copy of this memorandum is being furnished you for completion of your records and to be of assistance in capsulizing the nature of this Bureau's interest in the VVAW.

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 _____

Enclosure
1 - The Attorney General

TJM:1hb/1hb
(9)

ORIGINAL AND ONE COPY TO AG

SEE NOTE PAGE 2

MAIL ROOM TELETYPE UNIT

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

RE: INFORMATION CONCERNING THE VIETNAM VETERANS AGAINST THE WAR (VVAW)

NOTE:

Attached memorandum concerning VVAW was prepared by Special Agent Horace Beckwith, IS-2 Section, in response to Senate Select Committee (SSC) request 11/26/75 for such information which could be used, if necessary, at public SSC hearings 12/2/75. This memorandum was prepared with the idea in mind that it would in all possibility be released to the news media. Since this memorandum was prepared for the above purpose, it is felt that voluntarily furnishing such information to the HSC could work to this Bureau's advantage in helping that Committee to better understand our jurisdiction in this matter.

RE: VIETNAM VETERANS AGAINST THE WAR/WINTER SOLDIER
ORGANIZATION (VVAW/WSO)

In June, 1967, Gus Hall, General Secretary of the Communist Party, USA (CPUSA) commented on the forthcoming 1968 national elections. Hall stated that the CPUSA must develop guidelines for the political campaigns and must assist in the development of any 1968 campaign which was antiwar in character and not limited to either major political party. On September 10, 1967, the CPUSA publication, "The Worker," announced that the organization VVAW had been formed in June, 1967, as a nonmembership organization made up of Vietnam veterans who were opposed to the war. This communist publication provided the purpose of VVAW as opposition to the "unjustified" war in Vietnam. It announced that VVAW had joined "the dissent of millions of Americans against the war."

An initial limited inquiry was begun by the Federal Bureau of Investigation (FBI) in September, 1967, to determine, through inquiries with established sources and public source material, if the CPUSA was directing or controlling the newly formed VVAW. This limited inquiry failed to establish that the CPUSA, or any other subversive organization, exercised direction or control over VVAW. The limited inquiry did indicate that VVAW leadership appeared before the Socialist Workers Party (SWP) sponsored Militant Labor Forum in New York City, but there was no indication of any control by the SWP. With the absence of such direction or control by any subversive organization, the limited inquiry of VVAW was closed in October, 1967. A similar limited inquiry was conducted in 1968, resulting in an updated affirmation that VVAW was not controlled or dominated by any subversive group. This second limited inquiry was closed in May, 1968. During the limited inquiries in 1967 and 1968, the National Headquarters of VVAW was located in New York City. VVAW activities were primarily devoted to participation in and organization of demonstrations opposing the war in Vietnam. No full investigation was conducted by the FBI of VVAW until August, 1971, when information from a variety of sources dictated the need to determine the extent of control

62-116464-209

over VVAW by subversive groups and/or violence-prone elements in the antiwar movement. Sources had provided information that VVAW was stockpiling weapons, VVAW had been in contact with North Vietnam officials in Paris, France, VVAW was receiving funds from former CPUSA members and VVAW was aiding and financing U.S. military deserters. Additionally, information had been received that some individual chapters throughout the country had been infiltrated by the youth groups of the CPUSA and the SWP. A trend of increased militancy developed within the VVAW and the possibilities of violence escalated within the organization. During December, 1971, VVAW members forcibly and illegally occupied or surrounded public buildings and national monuments in New York City, Philadelphia, Austin, Texas, and Washington, D. C.

During 1972, the FBI estimated that VVAW had approximately 1,800 members and 102 chapters throughout the country. VVAW claimed 23,000 members and 283 chapters. In 1972, some leaders and activists in the VVAW made trips to Europe and Asia during which they participated in conferences with representatives and/or officials of the Soviet Bloc, North Vietnam, and the National Liberation Front (NLF) of South Vietnam. VVAW leaders informed the membership that VVAW had been asked to cooperate on an international level with many organizations, including communist or Maoist groups, describing these groups as "our friends." When reporting on trips to Paris, Moscow and Hanoi, VVAW leaders indicated the organization was dedicated to ending imperialist aggression and establishing a firm relationship with the NLF.

In June, 1972, a delegation of fifteen VVAW members and leaders attended a war crimes conference near Paris. The conference, which included representatives of North Vietnam and the NLF, was sponsored by two Trotskyist organizations in France. One of the VVAW national officers addressed this conference and it was reported that the French Communist Party had paid for the expenses of the VVAW contingent at the conference.

During October, 1972, the National Steering Committee (NSC) of VVAW met and discussed the direction of VVAW and the need to make it an anti-imperialist

political group, rather than "just another group of war veterans." Most of the speakers participating at this meeting expressed their views indicating VVAW was utilizing a Marxist-oriented analysis of world problems. Additionally, it was indicated that VVAW had established relations with the Irish Republican Army, had contact with the Angolans, and was attempting to establish liaison with the Peoples Republic of China (PRC).

In April, 1973, the organization changed its name to VVAW/Winter Soldier Organization (VVAW/WSO). The change was made in order to absorb into the organization, individuals who were not veterans of military service.

By April, 1973, VVAW/WSO leadership claimed to have connections with over 200 foreign organizations and maintained that VVAW/WSO was considered a credible organization by these organizations. In October, 1973, representatives of VVAW/WSO attended and participated in the World Peace Congress, Moscow, U.S.S.R.

In 1973, an ideological split became evident within the national leadership of VVAW/WSO. The split arose between those espousing the Marxist-Leninist doctrine and those espousing the Marxist-Leninist doctrine as interpreted by Mao Tse tung. During 1973, the anti-Maoist Marxist-Leninist group seemed to be dominant and expressed determination in educating the VVAW/WSO membership in their doctrine. By 1973, VVAW/WSO was composed of approximately 130 chapters with an estimated membership of 2,000. The National Headquarters was, and still is, located in Chicago, Illinois.

By April, 1974, the NSC devoted itself to the theme of defining VVAW/WSO as a politically oriented organization, capable of uniting with as many people as possible to combat U.S. imperialism. The hope was expressed that VVAW/WSO would become part of the vanguard of the revolution within this country. Within the NSC, dissatisfaction developed and was expressed by some of the chapters concerning the VVAW/WSO publication, "Winter Soldier." The dissatisfied members claimed the publication reflected communist propaganda rather than

chapter activities, news about the Third World, and news of activist groups. Additional disenchantment with Soviet-type communism reportedly manifest itself in the sending of a letter of censure to the Soviet Union, protesting the rape of a female VVAW/WSO delegate to the World Peace Council, held in Moscow during 1973. VVAW/WSO reportedly severed relations with the CPUSA over this incident.

In October, 1974, VVAW/WSO held a National GI Organizing Conference designed to initiate the building of a fighting, anti-imperialist movement within the U.S. military for the purpose of creating disruption and disorientation within the military when the revolution occurred.

In December, 1974, the NSC voted to align VVAW/WSO with the Revolutionary Union (RU). This changed their political position from a largely Marxist approach to one following a strict Maoist line. This alignment with RU created internal strife within VVAW/WSO. Some chapters which refused to adopt the Maoist line were severed from the national organization. In June, 1975, some of the VVAW/WSO chapters which did not support the National Office held a meeting in which they verified severance from the national organization and agreed to set up an independent organization. This rival group was intended to be anti-imperialist in nature, but, to date, its future is not certain.

The current National Office of VVAW/WSO is strongly influenced by RU and could develop into an RU front.

Throughout its history, VVAW/WSO has not been a well-disciplined, theoretically consistent organization. The various chapters never rigidly followed the dictates and policies presented by the National Office. There have been instances of rejection of the National Office concepts both on a chapter and a regional basis. The cessation of the U.S. involvement in the war in Southeast Asia substantially decreased the membership of VVAW/WSO. Numerous individuals and many chapters withdrew from the organization. Chapters and regions were dissolved or consolidated.

In 1974, FBI field offices were instructed to analyze the chapters and regions in their respective territories. If the local organization did not subscribe to the policies of the National Office and were not Marxist-Leninist groups advocating the overthrow of the Government, the investigation of the local organization was to be terminated. Most of the local chapters and regions continued to be nominally affiliated with the nationwide VVAW/WSO, but the splintering and the internal ideological disputes demanded close examination of the local positions of each region and chapter. Many of the investigations of the various chapters were closed, not because they were no longer active, but because of their apparent failure to follow the Marxist-Leninist revolutionary posture of the National Office. No current nationwide membership figures are available for VVAW/WSO because FBI investigation is limited to specific chapters which are revolutionary in nature. Currently, the most active of these chapters exist in Chicago, Milwaukee, New York and San Diego.

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

Addressee: HOUSE SELECT COMMITTEE
 LTR LHM Memo Report dated 12/4/75
U.S. House Select Committee (HSC). Re: Info
Caption of Document: Concerning Vietnam Veterans Against
The War (VVAW). (HSC letters 10/20/75 &
10/28/75, & Bu memo 11/14/75)
Originating Office: FBI
Delivered by: Laurie A. Lemko Date: 12-9-75
Received by: James B. O'Leary
Title: Counselor
Return this receipt to the Intelligence Division, FBI

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.)

2. DATE PROVIDED

<input checked="" type="checkbox"/>	DOCUMENT	BRIEFING	INTERVIEW	TESTIMONY	OTHER
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12/4/75

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

	SSC
<input checked="" type="checkbox"/>	HSC

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

Memorandum and enclosure

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

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

HSC 10/20/75 and 10/28/75 requests

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

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

Justification for the FBI's investigation of the
Vietnam Veterans Against the War from 1967 to the present.

62-116464

FMK:fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUSTUDY**TREAT AS YELLOW**

5.75

3791 (6-75)

CLASSIFY AS APPROPRIATE

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.

The Attorney General

Director, FBI

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

November 25, 1975

1 - Mr. W. O. Gregar
1 - Mr. T. J. McNiff

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

Enclosed herewith are two Xerox copies of a transcript of an interview of Special Agent (SA) Terry T. O'Connor by Staff Members of the HSC on November 5, 1975.

SA O'Connor has reviewed this transcript and has made minor corrections which have been penciled in.

HSC Staff Member James Oliphant on November 11, 1975, advised SA Paul V. Daly of this Bureau that the notation "Executive Session" appearing on the cover of the transcript should be crossed through. He indicated, however, that the results of the testimony, as contained in the transcript, should not be utilized in any litigation proceedings, the subject matter of which was mentioned in the transcript.

The additional Xerox copy of this interview is for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures (2)

REC-58 EX-122-116464-208

62-116464

5 DEC 5 1975

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

Assoc. Dir. 1 - 67-
Dep. AD Adm.
Dep. AD Inv.

Asst. Dir. AJD Brdg. (10)
Admin.

Comp. Syst.

Ext. Affairs NOTE:

Files & Com.

Gen. Inv.

Ident. to the HSC by SA Paul V. Daly, Legal Counsel Division.

Inspection

Intell.

Laboratory

Plan. & Eval.

Spec. Inv.

Training

Legal Coun.

Telephone Rm.

Director Soc'y

MAIL ROOM

TELETYPE UNIT

NW 89804 DocId:32989695 Page 72

GPO : 1975 O - 569-2

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.)

2. DATE PROVIDED

11/25/75

DOCUMENT

BRIEFING

INTERVIEW

TESTIMONY

OTHER

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

SSC

The Attorney General with a copy for forwarding to
the White House

HSC

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

Memorandum setting forth the results of an interview by HSC
Staff Members of incumbent Terry T. O'Connor

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

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

NA

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
Intelligence collection

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

Interviewed regarding his assignment at Washington
Field Office and the FBI's investigation of Institute for
Policy Studies and the handling of the informant Earl Robert
Merritt.

62-116464

FMK:fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION HOUSTUDY

TREAT AS YELLOW

S. M.

3791 (6-75)

CLASSIFY AS APPROPRIATE

INSTRUCTIONS

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- 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.

HOUSE OF REPRESENTATIVES

HEARINGS

BEFORE THE COMMITTEE

on

SELECT COMMITTEE ON INTELLIGENCE

Staff Interview

Wednesday, November 5, 1975

Washington, D. C.

Official Reporters to Committees

62-116464-208

10-76107-1

Eph 1 STAFF INTERVIEW

2

3 House of Representatives,

4 Select Committee on Intelligence,

5 Washington, D. C.

6 The staff interview began at 10:00 o'clock a.m.,
7 in Room B-316, Rayburn House Office Building.8 Present: James Oliphant and John Atkisson, Committee
9 Counsel.10 - - -
11 Mr. Boos. Do you swear the statements you are about
12 to give the House Select Committee on Intelligence are the
13 truth, the whole truth and nothing but the truth?

14 Mr. O'Connor. I do.

15 Mr. Oliphant. Mr. O'Connor, as I am sure you are well
16 aware, we are with the House Select Committee on Intelligence.
17 We are both attorneys, but we are certainly not prosecutors.
18 The House Select Committee is not in a prosecutive capacity.
19 However, just for the record, I will advise you of your
20 rights.21 You do, of course, have a right to have counsel present.
22 Anything you say may be used against you at some future time.
23 If you wish to stop speaking at any time, of course, you don't
24 have to answer and you can confer with counsel at any time.

25 I see you have your counsel here; is that correct?

~~OLIPHANT~~

NW 89804 DocId:32989005 Page 7 Oliphant. That is correct.

1 Mr. Oliphant. You understand what I told you, right?

2 Mr. O'Connor. Yes, I do.

3 TESTIMONY OF TERRY T. O'CONNOR, SPECIAL AGENT,
4 FEDERAL BUREAU OF INVESTIGATION, ACCCOMPANIED BY
5 BENJAMIN C. FLANNAGAN, ATTORNEY, AND DAVID H. WHITE,
6 ATTORNEY

7 Mr. Oliphant. Mr. O'Connor, how long have you been
8 with the FBI?

9 Mr. O'Connor. Just a little over seven years.

10 Mr. Oliphant. What field offices have you been in?

11 Mr. O'Connor. I have been assigned to the New Orleans
12 Division, the New York Office, the San Francisco Division and
13 the Washington Field Office. I am currently assigned to the
14 Headquarters here in Washington.

15 Mr. Oliphant. How long have you been working in Headquarters
16 here in Washington?

17 Mr. O'Connor. Since about the end of May of this year,
18 1975.

19 Mr. Oliphant. And before that, you were with the Washington
20 Field Office; is that correct?

21 Mr. O'Connor. That is correct.

22 Mr. Oliphant. How long were you with them?

23 Mr. O'Connor. I believe it was a little over four
24 years.

25 Mr. Oliphant. Starting at the beginning of your four

1 years, when did you arrive, to the best of your knowledge? .

2 Mr. O'Connor. It was sometime, I believe, around
3 the middle or just after the middle of April of 1971.

4 Mr. Oliphant. Now, could you describe in chronological
5 order what your duties were with the Washington Field Office?
6 In other words, what squads or units were you assigned to?

7 Mr. O'Connor. Okay. Initially I was assigned to a squad
8 that handled New Left investigations. While I was a part
9 of that squad I was a part of a smaller unit that was engaged
10 in the investigation to locate certain New Left fugitives. It
11 was kind of a criminal-security type of an investigation
12 we were conducting.

13 Then I guess it was about September of 1972, I was
14 transferred from that squad to a squad that conducts bank robbery
15 and fugitive investigations.

16 Mr. Oliphant. From your transfer from the squad and
17 the unit which dealt with the New Left to the squad which
18 dealt with bank robbery, since that time, September of
19 1972, have you had any further contact with New Left
20 investigations?

21 Mr. O'Connor. Not that I can recall. You know,⁷
22 nothing. I didn't have any investigation leads assigned
23 to me or ^{VE} ~~something~~ like that as far as I can recall.

24 Mr. Oliphant. Okay. Why were you transferred from your
25 duties with the New Left to your duties with the Bank Robbery

1 Squad?

2 Mr. O'Connor. That was a decision that was made by
3 someone else. I do not know what the basis of it was.
4 I had indicated some interest in working criminal work.

5 Mr. Oliphant. Had you indicated any dissatisfaction
6 in working radical work?

7 Mr. O'Connor. Not as such.

8 I did have a preference for criminal work.

9 Mr. Oliphant. Since September, 1972, you have been
10 completely divorced, officially at least, from the New Left,
11 is that correct?

12 Mr. O'Connor. That is correct.

13 Mr. Oliphant. The squad that you worked on when you worked
14 the New Left--and to put it in a time frame, from April, 1971,
15 to September, 1972, is that correct?

16 Mr. O'Connor. Approximately.

17 Mr. Oliphant. Did that have a nickname or a name?

18 Mr. O'Connor. S-7 Squad.

19 Mr. Oliphant. Did it have any other nicknames, official or
20 unofficial?

21 Mr. O'Connor. No. I always referred to it as S-7,
22 if I had to describe it.

23 Mr. Oliphant. Did you ever hear anybody refer to it as
24 the Red Squad?

25 Mr. O'Connor. No.

Mr. Oliphant. Regarding a smaller unit you worked with, the fugitive unit, did you work closely with Guy Goodwin at all?

Mr. O'Connor. I never did. As a matter of fact, I never did meet Mr. Goodwin.

I know that he was concerned with some of the bombing investigations. But I personally did not work with him.

Mr. Oliphant. Mr. O'Connor, tell me this: When you were working with this squad, how were you dressed? How did you come to work? What did you look like?

Mr. O'Connor. Initially I came to work in a suit and tie. But beginning, I suppose, during the summer of '71, I began to grow a beard and long hair and at some point I began to dress in old clothes.

Mr. Oliphant. Why was that?

Mr. O'Connor. It facilitated certain of our investigations, surveillance and things of that nature where we would blend into an area in which we were conducting a physical surveillance of some sort.

Mr. Oliphant. Sure. Was this your idea?

Mr. O'Connor. Part of it was. It was a combination of my idea and the Bureau was interested in having people who did have that particular appearance.

Mr. Oliphant. Did you have to receive Bureau approval for that?

1 Mr. O'Connor. Someone had to approve of the fact
2 that I looked that way because it was unorthodox, I guess.

3 Mr. Oliphant. Did you continue to carry your identification
4 and such when you did this?

5 Mr. O'Connor. Yes, I did.

6 Mr. Oliphant. Did you always announce yourself as an FBI
7 agent if people asked you ^{what} you did?

8 What did you say, let's say, to people who were not
9 connected with the Bureau, people conceivably in the New Left?

10 Mr. O'Connor. Well, if I was interviewing someone?

11 Mr. Oliphant. Let's say you were just out mingling with
12 people.

13 Mr. O'Connor. If I was out mingling with people, I
14 would not have identified myself.

15 Mr. Oliphant. Did there come a time when you came to
16 know a fellow by the name of Earl Robert Merritt, Jr.?

17 Mr. O'Connor. Yes.

18 Mr. Oliphant. How did that come about?

19 Mr. O'Connor. Initially we were, because of the way
20 we looked, we kind of blended into the area around Dupont
21 Circle. As I recall, one of the agents on one of the
22 criminal squads was looking for an individual up around
23 the Dupont Circle area. It was some kind of a fugitive
24 investigation. They had asked us if we could help them.

25 We talked to a police officer assigned to the Second District,

1 an officer by the name of Carl Shoffler. He said that he
2 knew somebody up around the Circle who might know the
3 individual, who was familiar with the Dupont Circle area.
4 So he took us up there and introduced -- I don't know whether
5 there was anybody else with me aside from Carl -- he
6 introduced me to this individual, Butch, showed him the
7 photograph, I do not know if he showed him any other photographs,
8 but he didn't seem to know the person.

9 Shortly thereafter, around October 1, Merritt called me
10 at the office and he said that he had been working for the
11 Metropolitan Police Department, that he was dissatisfied with
12 them and that he wanted to go to work for us if we would pay
13 him enough for the information which he said he could furnish.

14 Mr. Oliphant. So it was Merritt who initiated the contacts.
15 This was purely sort of a chance initial acquaintance to find
16 this fugitive, a one-shot affair, is that correct?

17 Mr. O'Connor. That is correct.

18 Mr. Oliphant. You did not expect him to call you back
19 or be in contact with you again?

20 Mr. O'Connor. No. As a matter of fact, I was surprised
21 that he did.

22 Mr. Oliphant. What did you say to him when he called?

23 Mr. O'Connor. I asked him what kind of information he
24 could furnish. Basically, to put it in general terms, he said
25 he could furnish information concerning criminal matters

1 and what we would consider security matters.

2 Mr. Oliphant. What sort of criminal matters?

3 Mr. O'Connor. Fugitive matters, perhaps narcotics
4 information which we would pass along to whatever agency
5 would be interested in it. He also said that he was concerned
6 because he felt that we might be looking for him
7 concerning a fraudulent check or a bad check matter. I don't
8 know quite how he put it, but it involved a check.

9 Mr. Oliphant. Did he bring that out in this initial
10 phone call?

11 Mr. O'Connor. He brought it out. He said, /I have
12 one problem before I go to work for you. / He said, /I have
13 this problem and I think the FBI has been looking for me
14 in this matter. / He was calling me. I knew where he lived,
15 but I might explain that I could never call him except to
16 return a call to a pay phone because he did not have a phone
17 in his residence. He said that he was concerned about this.
18 I said I was going to have to check. I told him at that time
19 that if I found out that we either wanted him on an outstanding
20 warrant or we wanted to talk to him, that somebody was
21 going to be up to see him, or try to, you know.

22 Mr. Oliphant. When was this, Mr. O'Connor?

23 Mr. O'Connor. He called me about October 1.

24 Mr. Oliphant. 1971?

25 Mr. O'Connor. 1971, excuse me. I probably got back to

1 him within a day or so. But I did check and I did find
2 that we had been interested in him with respect to a bad check
3 matter and that the U. S. Attorney's Office in West Virginia
4 had declined prosecution. I also checked NCIC to see if there
5 were any outstanding warrants for him or anything like that
6 under his true name which he had said he had not been using.
7 He gave me his true name.

8 Mr. Oliphant. Let me ask you this: Did you inform him
9 that the U. S. Attorney in West Virginia had declined prosecu-
10 cution?

11 Mr. O'Connor. That is what I was just about to tell
12 you. I certainly did. I told him that as far as I knew that
13 the prosecution had been declined and that I had found that
14 he was -- I don't know whether he was -- I guess he was the
15 subject of the investigation, and that the U. S. Attorney's
16 Office had declined prosecution, that I couldn't find that
17 he was wanted anyplace else and as far as I was concerned
18 that was no longer a stumbling block.

19 Mr. Oliphant. When did you tell him this?

20 Mr. O'Connor. It would have been a day or two after
21 the initial phone call, if it wasn't the same day.

22 Mr. Oliphant. So we are still working within the
23 first five days of October, roughly?

24 Mr. O'Connor. Yes.

25 We had to get that straightened out. The Bureau would

1 never have allowed me to open up an informant who we would
2 have been interested in as a result of some pending investi-
3 gation.

4 Mr. Oliphant. When after that did he receive his
5 first payment?

6 Mr. O'Connor. I don't think it was -- he gave me some
7 information after we got that all straightened out. He gave
8 me some information not too long after and it was within
9 a week or ten days and I paid him shortly thereafter.

10 Mr. Oliphant. How much did you pay him?

11 Mr. O'Connor. I do not remember exactly. I would have
12 to guess.

13 Mr. Oliphant. If he said that he was paid \$75, would
14 that seem to be an accurate figure?

15 Mr. O'Connor. The first time?

16 Mr. Oliphant. Yes.

17 Mr. O'Connor. I don't think so.

18 Mr. Oliphant. Was he ever paid on a regular basis?

19 Mr. O'Connor. Never. Do you mean a flat sum?

20 He was paid, Mr. Oliphant, on the basis of the value of the
21 information he furnished. It was on a strictly COD basis. We
22 do not consider informants to be employees. He was told that
23 he was not an employee and he was told that if he did decide
24 to furnish us information that he would be paid on the
25 basis of the value of information furnished and he would

1 flat sum payment.

2 Mr. Oliphant. Do you know, then, as a matter of
3 ^{o/} coincidence, what were the periods in which he received
4 moneys?

5 Mr. O'Connor. It would depend on the frequency at which
6 we received information.

7 Mr. Oliphant. Do you know if the amounts he received varied
8 from time to time?

9 Mr. O'Connor. They did.

10 Mr. Oliphant. Did you also pay expenses?

11 Mr. O'Connor. Occasionally.

12 Mr. Oliphant. Do you recall the most you ever paid him
13 at one time?

14 Mr. O'Connor. No, I don't. In one lump sum? No.

15 Mr. Oliphant. What was the nature of the information
16 which he referred to you?

17 Mr. O'Connor. Generally, or the first time?

18 Mr. Oliphant. Let's say the first time.

19 Mr. O'Connor. I think the first time we really
20 went out and talked to him, Bill Tucker and I went out and talked
21 to him, we talked generally and we got information that
22 would have been security-type information. We showed him
23 photographs of the Weathermen fugitives we were looking for,
24 things of that nature. I do not know whether we got criminal
25 information from him at that time or not.

1 Mr. Oliphant. Was Bill Tucker your partner?

2 Mr. O'Connor. We never work as partners as such, but
3 Bill and I work together quite a bit during the time
4 I worked on S-7, most of the time while I had the long
5 hair and the beard.

6 Mr. Oliphant. Did there come a time when you knew that
7 Earl Robert Meritt had contacts with the IPS Institute?

8 Mr. O'Connor. Yes, he told us that at the outset.

9 Mr. Oliphant. Were you interested in that?

10 Mr. O'Connor. Yes.

11 Mr. Oliphant. Why?

12 Mr. O'Connor. For two reasons. One, we felt that
13 there were certain Weathermen fugitives who might be in
14 contact with individuals who were associated with the
15 Institute, and furthermore, we did have an intelligence,
16 it was really a secondary concern to us because our
17 primary concerns were the new left fugitives.

18 But the Bureau also did have an intelligence investigation
19 concerning the Institute.

20 Mr. Oliphant. Do you know why they had an intelligence
21 interest in the Institute?

22 Mr. O'Connor. I could not give you the specific
23 reasons because that was not by case. For instance, I was
24 familiar with some aspects of it, but what the real root
25 of it was, I didn't know.

1 Mr. Oliphant. What were the aspects that you were
2 aware of?

3 Mr. O'Connor. Well, one of the things we were concerned
4 about was the fact that it seemed to us that a lot of
5 demonstrations had their roots out there. I guess that
6 would have been the thing that I was primarily aware of.

7 Mr. Oliphant. Did someone tell you that the IPS was an
8 intelligence target?

9 Mr. O'Connor. Yes.

10 Mr. Oliphant. Who told you that?

11 Mr. O'Connor. That could have been any one of a number
12 of people.

13 Mr. Oliphant. Can you list the people who you believe
14 told you it was an intelligence target?

15 Mr. O'Connor. Could I ask a question off the record?

16 (Discussion off the record.)

17 Mr. Atkisson. Mr. O'Connor, let me say something that
18 perhaps should have been said at the beginning of this
19 interview.

20 Mr. Oliphant and I do not want you to speculate or
21 guess whenever we ask you a question. Indeed, all answers
22 should be of your own knowledge.

23 If you do not have a personal knowledge of the subject
24 we ask you about, you should so state. In addition to
25 that, if you do not understand a question, please feel

1 to tell us that you don't understand it and ask us to
2 clarify it or restate it:

3 With that caveat, let us resume.

4 Mr. Oliphant. I will rephrase the question here.

5 You stated that IPS was a target?

6 Mr. O'Connor. The Institute for Policy Studies was the
7 subject of an investigation.

8 Mr. Oliphant. And it is fair to characterize it as an
9 intelligence target, is that correct?

10 Mr. O'Connor. I think so.

11 Mr. Oliphant. Now, who told you that it was an intelligence
12 target, or more specifically how did you know it was an
13 intelligence target?

14 Mr. O'Connor. Well, I knew from talking to the
15 case agent. I'm sure I talked to the case agent and just from
16 general conversation on the squad. I cannot remember who
17 the case agent was at that time.

18 There was general conversation. Over and above that,
19 it would have been confirmed by the case agent. I cannot
20 remember. It could have been an agent by the name of Sawyer.
21 I know he had the case assigned to him at one time.

22 Mr. Oliphant. Why was IPS a target?

23 Mr. O'Connor. I don't remember specifically. I do know
24 that as I said before, we were concerned because we did feel
25 that there were a number of demonstrations that had their

1 roots back; we thought they had their roots back there at
2 IPS. There were a number of organizations involved in
3 demonstrations, for instance, who were representatives which
4 spent time up there. That was, as I recall, one of the
5 reasons that we were interested in it.

6 That would have been the reason with which I was most
7 familiar because we were concerned at that time with demonstra-
8 tions.

9 Mr. Atkisson. What kind of demonstrations are you
10 talking about?

11 Mr. O'Connor. Demonstrations in the nature of May Day
12 demonstrations.

13 Mr. Atkisson. Well, my recollection of the history
14 of the times is that there were not very many demonstrations
15 on that scale.

16 Are you talking about May Day itself, or others like
17 May Day, but smaller in scale?

18 Mr. O'Connor. Yes, May Day would have been, I guess,
19 the culmination at that time. I was not familiar with anything
20 that had gone on before that time and any involvement they
21 may have had in any previous demonstrations.

22 Mr. Oliphant. Were you ever told that IPS was a
23 center for subversives?

24 Mr. O'Connor. Yes. If I was not told that, I would have
25 gotten the impression very definitely. I would say, yes, that

1 it would have been a center for subversives. I probably
2 was told that. Who would have told me that, I don't know.

3 Mr. Oliphant. Why would you say that?

4 Mr. O'Connor. Because it was and it is still my
5 impression that not all persons up there were ~~not~~ necessarily
6 people who would be considered subversives but that there
7 were people up there who we would have considered to be
8 subversive perhaps.

9 Mr. Oliphant. Did there come a time when you asked Earl
10 Robert Merritt to try and infiltrate himself into the IPS?

11 Mr. O'Connor. Well, Merritt had told us when he first
12 contacted me that he had already been, well, he was associated
13 with people up there. He knew people up there. He had been
14 performing odd jobs up there for the Institute and for
15 particular individuals up there at the Institute on a
16 regular basis; that he knew Mr. Waskow, Mr. Raskin, Jo Anne Malone
17 and some other individuals up there.

18 Mr. Oliphant. Were these people targets or were there
19 cases opened on these people?

20 Mr. O'Connor. Yes, there were.

21 Mr. Oliphant. Why were there cases opened on them,
22 if you know?

23 Mr. O'Connor. They would have been security type
24 cases. We were interested in their activities. Why they were
originally opened, I don't know.

Mr. Oliphant. Were you personally involved in any of those individual cases? ~~not answerable~~

-Mr. O'Connor. No, I didn't have any of those assigned to me.

Mr. Oliphant. I asked you if you ever asked Mr. Merritt to infiltrate. You said that he had told you he was in contact with the people. But did you ask him to try and stay in touch and try and get a job there?

Mr. O'Connor. Yes, I did. .

Mr. Oliphant. Was he able to?

Mr. O'Connor. As I understood it he was up there on a very regular basis and he did odd jobs for them. He told us they were considering giving him a permanent job up there. That never materialized. He never did get what would be considered a regular job up there.

Mr. Oliphant. Did there come a time when Mr. Merritt called you and told you that he had some mail and some other documents and papers and such from the IPS?

Mr. O'Connor. No.

Mr. Oliphant. Was there ever any time when he called you in the evening saying he had just taken some mail from the IPS or taken some documents? ..

Mr. O'Connor, No.

Mr. Oliphant. To your knowledge, did he ever call
Special Agent Tucker?

9 Mr. Oliphant. To your knowledge, did he ever steal
10 some mail and give it either to you or Mr. Tucker and then,
11 after this mail was evaluated, did you personally ever
12 return it to him?

13 Mr. O'Connor. No, we never had any mail. With respect
14 to this envelope that he gave us, we had the envelope. We
15 never did inventory the thing. We Xeroxed a copy of a speech
16 that was in it. I believe it had been given at People's Grand
17 Jury earlier by an individual who was connected with IPS.
18 We took the envelope and its contents and gave it back
19 to Merritt and told him to return it to the trash of IPS,
20 if that is where it belonged.

21 Mr. Oliphant. Did he ever give you a letter from Colgate
22 University to Professor Waskow, which contained an airline
 ticket?

Mr. O'Connor. No, he didn't.

Mr. Oliphant. Do you know of your knowledge knowledge

1 if Mr. Merritt ever recorded you when you were on the tele-
2 phone with him?

3 Mr. O'Connor. Not that I know of.

4 Mr. Oliphant. Would you be willing to give a sample
5 of your voice for analysis?

6 Mr. O'Connor. Yes.

7 Mr. Oliphant. Did you know that Merritt was a homosexual?

8 Mr. O'Connor. Yes, I did.

9 Mr. Oliphant. How did you know that?

10 Mr. O'Connor. He told us.

11 Mr. Oliphant. Did you tell him that made him desirable
12 as an informant?

13 Mr. O'Connor. No, not necessarily. It just happened
14 to be a trait that he had.

15 Mr. Oliphant. Did this make him desirable as an informant?

16 Mr. O'Connor. Well, he might be able to -- it is possible
17 that he might be able to get close to people that other indi-
18 viduals would not be able to get close to.

19 Mr. Oliphant. No pun intended?

20 Mr. O'Connor. No.

21 Mr. Oliphant. Did you ever ask him about the homosexual
22 affairs of other citizens?

23 Mr. O'Connor. Did we ever ask him?

24 Mr. Oliphant. Yes.

25 Mr. O'Connor. He volunteered that kind of information

1 but we never asked him.

2 Mr. Oliphant. Were you interested in this information
3 when he volunteered it to you?

4 Mr. O'Connor. You mean just the fact that people were
5 homosexuals?

6 Mr. Oliphant. Yes.

7 Mr. O'Connor. No.

8 Mr. Oliphant. Did you ever incorporate this information
9 into any reports?

10 Mr. O'Connor. Yes.

11 Mr. Oliphant. Why?

12 Mr. O'Connor. Well, because with respect to one individual,
13 for instance, he continued to bring up the fact that the man
14 was a homosexual.

15 Mr. Oliphant. Why was this relevant?

16 Mr. O'Connor. It was relevant, I suppose, because this
17 was one facet of the man's personality.

18 As far as I recall it was no secret. The man made
19 no secret of that fact. It was one of the reasons that we
20 felt that Merritt had a better chance of getting close
21 to the individual, again not in an intimate sense.

22 Mr. Oliphant. What sort of individual was this?

23 Mr. O'Connor. The individual's name was Jack Davis.

24 Mr. Oliphant. Why were you interested in him?

25 Mr. O'Connor. We were interested in Davis because, No. 1,

1 we considered him a suspect in the Capitol bombing and
2 No. 2, we also felt that he might very well be a contact
3 for some of the New Left fugitives, the Weathermen fugitives
4 we were looking for.

5 Mr. Oliphant. Did you ever ask Merritt to give you any
6 gossip or any details regarding homosexuality with regard
7 to prominent American citizens?

8 Mr. O'Connor. Did we ever ask him for that information?

9 Mr. Oliphant. Yes.

10 Mr. O'Connor. No, we did not.

11 Mr. Atkisson. Given your emphasis on the word "we",
12 may I take it there were other people who did ask him that,
13 to your knowledge?

14 Mr. O'Connor. No. He would volunteer that information
15 from time to time. We didn't ask him for it. It was not the
16 type of thing that we would record.

17 Mr. Atkisson. Did you encourage it?

18 Mr. O'Connor. No, we didn't.

19 As far as I was concerned the Bureau didn't really
20 have any interest in gossip as such.

21 Mr. Atkisson. Did you ever in your activities as a
22 special agent at any time include in any report, written
23 report that you did, any type of information concerning
24 homosexual activities of any prominent government or municipal
25 citizens in the city of Washington?

Mr. O'Conor. No. But he did mention on one occasion--
excuse me, what I am hesitating at is that some of these
questions you are asking are questions that if I answer very
flatly--I think they probably should be elaborated upon.

Mr. Oliphant. Certainly.

We are not trying to pin you down, go ahead.

Mr. O'Connor. He did. I don't know if it was on one occasion or on two occasions, or what.

He did mention that there were a couple of individuals who were the victims of extortion as a result of their sexual activities. He could never take this past the rumor stage.

We told him that if in fact he could substantiate it there would be a criminal violation and we would certainly do something about it. But since that was never taken past the rumor stage, it was never made a matter of record.

Mr. Flannagan. May we clarify? The criminal violation is the extortion and not the homosexuality.

Mr. Oliphant. Yes. 18 USC 94.

Did you ever threaten Mr. Merritt regarding his check violations?

Mr. O'Connor. I never did. That is why, as I explained at the beginning, we made it perfectly clear that Mr. Merritt had nothing to worry about as far as we knew.

Mr. Oliphant. What did you know about the kind of

23
1 activities Menott had conducted for the Metropolitan
2 Police Department?

3 Mr. O'Connor. I knew he had been an informant because
4 he said he had been an informant. What he did for the
5 Metropolitan Police Department specifically, I don't know.
6 I assume he had apparently had, based on his statements
7 to me, he would have been concerned with the May Day demonstra-
8 tions and people involved with it and I guess the Institute
9 for Policy Studies, too.

10 Mr. Oliphant. Well, Mr. O'Connor, you had good relation-
11 ship with the Intelligence Division at the Metropolitan
12 Police Department, didn't you?

13 Mr. O'Connor. Myself?

14 Mr. Oliphant. Yes.

15 Mr. O'Connor. I talked to people down there occasionally.

16 Mr. Oliphant. When you take on an informant with the
17 Bureau, someone that just gives information does not instan-
18 taneously become an informant.

19 Mr. O'Connor. No, not really.

20 Mr. Oliphant. He has to be checked out, his reliability,
21 et cetera?

22 Mr. O'Connor. Yes.

23 Mr. Oliphant. Didn't you try and check out his
24 reliability with the Metropolitan Police Department?

25 Mr. O'Connor. I think, as I recall, that my judgment

1 as to his reliability probably would have been based
2 on the fact that Officer Shoffler had introduced me.
3 He apparently considered him to be reliable.

4 Mr. Oliphant. Did he tell you he was reliable?

5 Mr. O'Connor. Yes, I believe so.

6 He did furnish some good information.

7 Mr. Oliphant. Shoffler was basically interested in criminal
8 matters, wasn't he?

9 Mr. O'Connor. Yes, he was. I wanted to make that
10 distinction. He was not assigned to the Intelligence Branch.

11 Mr. Oliphant. But Merritt had been working with
12 intelligence officers; hadn't he?

13 Mr. O'Connor. Yes.

14 Mr. Oliphant. Why didn't you ask them?

15 Mr. O'Connor. I think there was a conversation I had
16 with them but it was primarily a conversation and if I
17 talked to anybody, I would have talked to Chris Scrapper.

18 The conversation would have been just to make sure we
19 were not stealing ^{AN INFORMANT} I don't know whether he called me or I
20 called him, but it would have been to determine whether or
21 not we were taking an informant away from ^{THEM} him.

22 Mr. Oliphant. Weren't you interested in knowing whether
23 he was reliable?

24 Mr. O'Connor. I would imagine. I'm sure there was
25 something said. We would have been, yes. But at the same time

1 I was relatively new.

2 Mr. Oliphant. Was Tucker an older hand?

3 Mr. O'Connor. No, Tucker was not an older hand.

4 Mr. Oliphant. Do you know if Tucker inquired regarding
5 his reliability?

6 Mr. O'Connor. No, not that I know of.

7 Mr. Oliphant. Do you know if anybody inquired regarding
8 his reliability?

9 Mr. O'Connor. Not off hand.

10 Mr. Oliphant. Were you ever apprised of what kind of
11 activities he had been conducting for the Intelligence
12 Division of the Metropolitan Police Department?

13 Mr. O'Connor. No.

14 Mr. Oliphant. Did he ever tell you?

15 Mr. O'Connor. He told us that he was concerned, that
16 they were concerned about people involved with the May Day
17 demonstrations, Jack Davis and Rennie Davis, I guess, and some
18 of those individuals, and that they were concerned about
19 IPS. As far as the specific activities were concerned, no.

20 Mr. Oliphant. Did he ever inform you that he had been
21 asked to do some break-ins for the Metropolitan Police
22 Department?

23 Mr. O'Connor. Not that I recall, no.

24 Mr. Oliphant. Did he ever tell you that they asked
25 him to take things from the various liberal or radical groups

1 that he was able to circulate among?

2 Mr. O'Connor. I do not recall him saying anything
3 like that. ~~Detail No. 1000~~

4 Mr. Oliphant. Did you ever ask him to take things?

5 Mr. O'Connor. I never did.

6 Mr. Oliphant. Not even membership lists?

7 Mr. O'Connor. Well, let's put it this way: I told
8 him never to take anything wrongfully. If he came across
9 a leaflet or a pamphlet or something like that, or
10 anything he had a right to have, that was a different matter,
11 he could obviously have that; but as far as taking anything
12 in the sense of taking it, whether he had a right to have
13 it or not, no, we never told him that.

14 Mr. Oliphant. Did you specifically tell him that
15 if he did not have a right to take given material, he was
16 not to take it?

17 Mr. O'Connor. That if he didn't have a right to have
18 something, that he shouldn't take it, yes, and that he was
19 never to do anything illegal. I told him this on several
20 occasions.

21 Mr. Oliphant. Did you define for him what were illegal
22 activities?

23 Mr. O'Connor. Well, I'm sure that I probably mentioned
24 theft and break-ins since that would have been the primary
25 activity that he probably would have been involved in, you

1 know that that type of a person might possibly engage in.

2 Mr. Oliphant. Are you familiar with the Community Book
3 Store at 2028 P Street?

4 Mr. O'Connor. Yes.

5 Mr. Oliphant. What do you know about that?

6 Mr. O'Connor. I know that it was on P Street. It was
7 very close to his residence.

8 Mr. Oliphant. What sort of place was it?

9 Mr. O'Connor. I have never been in it. I assume that
10 it was a book store that had a lot of materials that were
11 political, New Left type reading material.

12 Mr. Oliphant. Why do you assume that?

13 Mr. O'Connor. Because that was my understanding.

14 You know, he used to go into the place all the time.
15 He would tell me what they had in there and other people
16 told me what they had in there.

17 Mr. Oliphant. Informants?

18 Mr. O'Connor. No, just agents.

19 Mr. Oliphant. Was the Community Book Store an intelligence
20 target?

21 Mr. O'Connor. Not as such, not that I know of.

22 Mr. Oliphant. Was it under surveillance?

23 Mr. O'Connor. No, not that I know of.

24 Mr. Oliphant. Did you ever come into possession of
25 a key to the Community Book Store?

1 Mr. O'Connor. Never.

2 Mr. Oliphant. Did Agent Tucker, to your knowledge?

3 Mr. O'Connor. To my knowledge he never did, either.

4 Mr. Oliphant. Did you ever ask Merritt to break into
5 the Community Book Store?

6 Mr. O'Connor. No. We would never have any reason to
7 ask him to do something like that.

8 Mr. Oliphant. Do you know if he ever broke into the
9 Community Book Store?

10 Mr. O'Connor. Not that I know of.

11 Mr. Oliphant. Did he ever bring you any materials
12 from the Community Book Store?

13 Mr. O'Connor. He used to bring us stuff all the time.
14 There were perhaps pamphlets or leaflets that he would get
15 from up there.

16 Mr. Oliphant. Did he ever bring you things, let's
17 say, from anyplace that were non-public-domain kind of things,
18 things like membership lists or confidential communications,
19 that sort of thing. letters?

20 Mr. O'Connor. I would say that that package he got
21 from the Institute was something that he didn't have-- you
22 know, that he normally would not have had.

23 Mr. Oliphant. What was in that package?

24 Mr. O'Connor. I know that there were some crumpled
25 message slips. The speech was in there. I really don't

1 remember what the heck was in there, because we didn't
2 inventory the thing.

3 Mr. Oliphant. Where did you say that came from, again?

4 Mr. O'Connor. It came from the trash, apparently.

5 Mr. Oliphant. Are you familiar with the Union of American
6 Hebrew Congregations?

7 Mr. O'Connor. I became familiar with it when I read
8 an article written by Jack Anderson in the Washington Post
9 a couple of weeks ago.

10 Mr. Oliphant. Is that your first knowledge?

11 Mr. O'Connor. That is my first knowledge of that
12 organization. As far as I know, the FBI never had an interest
13 in that organization.

14 Mr. Oliphant. Were you ever brought a box full of
15 envelopes that were addressed that purported to come from
16 the Union of the American Hebrew Congregations?

17 Mr. O'Connor. No.

18 Mr. Oliphant. Were you aware of any break-ins that
19 Merritt performed before he became associated with the
20 Federal Bureau of Investigation?

21 Mr. O'Connor. No. I don't recall him ever talking about
22 breaking into any place. Do you mean while he would have been
23 working for the police?

24 Mr. Oliphant: Yes.

25 Mr. O'Connor. No.

1 Mr., Oliphant. Did you ever recall him talking about any
2 break-ins after or during the time he became involved
3 with the FBI?

4 Mr. O'Connor. No.

5 Mr. Oliphant. Are you familiar with the ADEX list?
6 Do you know what ADEX is?

7 Mr. O'Connor. Yes, there was an ADEX list. I know that
8 certain persons were on that list but I don't remember
9 the criteria for the thing.

10 Mr. Oliphant. Were any of the people at IPS on the
11 ADEX list?

12 Mr. O'Connor. That is possible. I don't recall specifically.

13 Mr. Oliphant. Did you have access to the ADEX list?

14 Mr. O'Connor. To the list itself?

15 Mr. Oliphant. Yes.

16 Mr. O'Connor. No.

17 Mr. Oliphant. What did you tell Merritt regarding the
18 people that were working at IPS, or connected with IPS?

19 Mr. O'Connor. We told him we were interested in finding
20 out whether any of the fugitives had any contact with indi-
21 viduals up there. We thought that they might have contact
22 with Waskow or Raskin.

23 Mr. Oliphant. Why did you think that?

24 Mr. O'Connor. Basically because Mike Spiegel, who was
25 one of the fugitives, and Cathy Wilkerson had previous
association with the Institute and with those people

1 specifically, as I recall. We felt that the fugitives were
2 most likely to be getting assistance from that type of a
3 person, people who had money and people who had agreed
4 with them ideologically.

5 Mr. Oliphant. Did you ever characterize in any way
6 the individuals at IPS to Merritt?

7 Mr. O'Connor. Characterize them?

8 Mr. Oliphant. Did you characterize them as radicals,
9 as subversives, as communists, for example?

10 Mr. O'Connor. I don't know whether I ever used those
11 terms.

12 Mr. Oliphant. Did you use similar terms?

13 Mr. O'Connor. I can't remember.

14 He probably would have gotten that impression.

15 Mr. Oliphant. Why would he have received that impression
16 from you?

17 Mr. O'Connor. In view of the fact that we thought
18 they might have some contact with these fugitives and
19 the fact that they were involved in some of these demonstrations,
20 et cetera.

21 He knew that was the type of thing we were interested
22 in.

23 Mr. Oliphant. Did you personally regard the people
24 at IPS as dangerous?

25 Mr. O'Connor. That is a difficult question to answer.

1 I would say, how do you define "dangerous"?

2 Mr. Oliphant. How do you define dangerous? I am not
3 trying to be funny.

4 Mr. O'Connor. No, I'm not, either. I would say posed
5 a threat to the Government in terms -- that was the impression
6 that I had.

7 Mr. Oliphant. How did you receive that impression?

8 Mr. O'Connor. From the conversations that I had heard
9 concerning these individuals.

10 Mr. Oliphant. Conversations with whom?

11 Mr. O'Connor. With other agents.

12 Mr. Atkisson. Following up briefly on the question Tim
13 just asked and you answered, you and Agent Tucker and I
14 gather a number of agents in the Washington Field Office were
15 all interested in IPS and specifically Special Agent Sawyer,
16 Van Wagenen, Rogers, Rudiger, Feuer and J. P. Chase.
17 That is fully six agents in the Washington Field Office
18 involved in IPS surveillance. Did you have much contact
19 with those agents?

20 Mr. O'Connor. All of them were on the same squad
21 I was on.

22 Mr. Atkisson. And you worked closely with these six
23 individuals?

24 Mr. O'Connor. We worked in the same squad room and I
25 would talk to them occasionally, yes.

1 Mr. Atkisson. Is it fair to say it was from those
2 individuals that you first received the impression that IPS
3 was generally dangerous?

4 Mr. O'Connor. Not necessarily all of them, but I would
5 ~~they~~ imagine, yes, ~~that~~ would probably be agents among those
6 agents, yes.

7 Mr. Atkisson. At the time you were involved in investi-
8 gating IPS, from which specific person did you derive, in
9 your impression of things, from which specific person
10 did you derive your authority to investigate IPS? Who told
11 you to do it?

12 Mr. O'Connor. It would have been probably the supervisor.

13 Mr. Atkisson. I'm asking where you got your authority.
14 You are speculating.

15 Mr. O'Connor. I don't know. I would not have gotten
16 authority as such. What I am saying is if you obtained
17 information which appeared to be pertinent to an investigation
18 that was being conducted and you were aware, well, obviously
19 you gave that or provided that information to whoever was
20 interested.

21 In other words, I knew there was an investigation
22 and therefore, I would just provide the information, any
23 information that would be pertinent, whether it be IPS or
24 anything else.

25 Mr. Atkisson. For that purpose, you wrote reports, I

1 gather.

2 Mr. O'Connor. Right.

3 Mr. Atkisson. Who did you submit those to?

4 Mr. O'Connor. They would go to the Supervisor first.

5 Mr. Atkisson. Your supervisor?

6 Mr. O'Connor. Right.

7 Mr. Atkisson. Whom would that be?

8 Mr. O'Connor. John Palmer, at that time.

9 Mr. Atkisson. Is he in the Washington Field Office, or
10 was he at that time?

11 Mr. O'Connor. Yes. I think he still is, too.

12 Mr. Oliphant. Did you ever apprehend any fugitives as a
13 result of your study of IPS?

14 Mr. O'Connor. Never.

15 Mr. Oliphant. Did you ever apprehend any fugitives
16 as a result of your association with Robert Merritt?

17 Mr. O'Connor. No.

18 Mr. Atkisson. How long were you involved in the
19 investigation of IPS?

20 Mr. O'Connor. Was I involved?

21 Mr. Atkisson. Let me put it this way: How long was
22 your association with Robert Merritt and his association with
23 IPS? How long did those three things coincide?

24 Mr. O'Connor. Well, I guess really that my interest,
25 ~~that~~ ~~but~~ any involvement I would have had in obtaining any

1 information concerning IPS would have been from about
2 the 1st of October when Merritt originally talked to us
3 to about the end of January, when we told Merritt to stay
4 away from IPS.

5 Mr. Oliphant. Why did you tell Merritt to stay away
6 from IPS?

7 Mr. O'Connor. Well, because it appeared that his efforts
8 up there were at best counter-productive. He just didn't
9 belong up there.

10 Mr. Oliphant. Did you have any other homosexual informants?

11 Mr. O'Connor. Informants as such, no.

12 Mr. Oliphant. Well, any other homosexual sources?

13 Mr. Atkisson. Don't give us the names.

14 Mr. Oliphant. We don't need the names.

15 YES, AND
Mr. O'Connor. I know Bill did.

16 Mr. Oliphant. Bill Tucker?

17 Mr. O'Connor. Yes, Bill did.

18 Mr. Oliphant. Do you know if either you or Mr. Tucker
19 ever asked any of these informants or sources, in the most
20 generic sense, people who gave information or were cooperative
21 with the Bureau, did you ever ask any of these people to
22 check up on Merritt?

23 Mr. O'Connor. No.

24 Mr. Oliphant. Did you ever ask any of them to make
25 contact with Merritt?

1 Mr. O'Connor. No.

2 Mr. Oliphant. To your knowledge, did anyone make
3 contact with Merritt on the request of either you or Special
4 Agent Tucker or any other FBI agents?

5 Mr. O'Connor. Not that I know of. Do you mean another
6 informant or homosexual informant?

7 Not that I can recall.

8 (Discussion off the record.)

9 Mr. O'Connor. I did want to say as far as that
10 envelope was concerned, the contents of that--you were asking
11 about mail, I don't recall that there was any mail in there,
12 anything that would have obviously come from the mail or
13 would have been intended for the mail. Whether anything
14 had been in the mail or not, I don't know. You know, it is
15 conceivable that something had been in the mail, but I don't
16 think we would have known that. That speech could have
17 gone through the mail, for instance.

18 Mr. Oliphant. Did you ever give him a code name?

19 Mr. O'Connor. No. I called him Butch.

20 Mr. Oliphant. Was he ever given the name Eric by
21 you or Mr. Tucker?

22 Mr. O'Connor. Yes, excuse me, yes.

23 Mr. Oliphant. What was the story there?

24 Mr. O'Connor. I think he did occasionally call, if
25 he would call me at the office, and he always did have to

1 call me, as I said, because I could not get in touch with
2 him, he would either identify himself as Butch or Eric
3 if somebody else answered the phone. But I believe he used
4 Butch more than he did Eric.

5 Mr. Oliphant. Why was Merritt terminated?

6 Mr. O'Connor. Merritt was terminated because we found
7 out that he had been furnishing us unreliable information.

8 Mr. Oliphant. What sort of unreliable information?

9 Mr. O'Connor. We found out that information he had
10 been furnishing us concerning Jack Davis was unreliable.
11 We found out that specific information was unreliable and
12 we went back and started considering some of the other things
13 he had told us about Davis. We felt what he might have been
14 doing was playing both ends against the middle. What he was
15 doing was furnishing us not only unreliable, but misleading
16 information.

17 Mr. Oliphant. Was his termination acrimonious?

18 Mr. O'Connor. For him, I guess it was.

19 Mr. Oliphant. Were there harsh words said at the end?

20 Mr. O'Connor. Not between myself and Merritt, and not
21 between Tucker and Merritt, as far as I recall. I do know
22 that we told him that we were terminating him. We didn't
23 tell him why. We told him it was because he had furnished
24 unreliable information and I guess we probably told him, or
he could have surmised, it was about Jack Davis, if we did

1 not tell him specifically.

2 Mr. Oliphant. Where, physically, did you go to tell
3 him that?

4 Mr. O'Connor. It was up in Rock Creek Park.

5 Mr. Oliphant. Because you wanted to talk to him?

6 Mr. O'Connor. It could have been anyplace. We wanted
7 to get away. We drove up there and pulled off the road and
8 talked to him. We told him we weren't going to accept any
9 more information from him on a confidential basis and he
10 could not consider himself an informant any longer.

11 Mr. Atkisson. Where did you usually meet with Merritt
12 when you got information from him?

13 Mr. O'Connor. It would have been in any number of places.

14 Mr. Atkisson. But it was not in the area of Rock Creek
15 Park?

16 Mr. O'Connor. Usually in the Dupont Circle area. Sometimes
17 we would pick him up and take him out of that area.

18 Mr. Atkisson. There is no place around the Rock
19 Creek Parkway where a car can pull off generally; is there?

20 Mr. O'Connor. Yes. There are some picnic areas up there.
21 That is where we were, as I recall.

22 Mr. Oliphant. Did you ask him not to reveal his
23 relationship with the Bureau after you terminated him?

24 Mr. O'Connor. Yes.

25 Mr. Oliphant. Why did you ask him that?

1 Mr. O'Connor. Because that is our normal procedure
2 with anyone. Q. Now, physically, did you do do to
3

4 Mr. Oliphant. Did you ever threaten him?

5 Mr. O'Connor. No.

6 Mr. Oliphant. Did you ever use him as a witness in
any case?

7 Mr. O'Connor. No.

8 Mr. Oliphant. Did you ever make any cases as a result
9 of his input? By that I mean were any cases ever presented
10 for prosecution even to the U. S. Attorney's Office or
11 the Department of Justice?

12 Mr. O'Connor. We didn't, no. There were a couple of
13 criminal matters that we passed on to the police. Whether
14 they ever presented --

15 Mr. Oliphant. As far as the FBI, you never even presented
16 a case to the Department of Justice, is that correct,
17 based on this?

18 Mr. O'Connor. No.

19 Mr. Oliphant. Do you know how much he was paid,
20 roughly?

21 Mr. O'Connor. I think over that period of time he was
22 paid about 1600, including payment for services and for
23 expenses.

24 Mr. Oliphant. Do you have to categorize your informants
25 when you write your reports?

1 Mr. O'Connor. Yes.

2 Mr. Oliphant. Do you have to justify the money you
3 spend on them?

4 Mr. O'Connor. Yes.

5 Mr. Oliphant. How did you categorize Merritt?

6 Mr. O'Connor. He was basically a criminal informant
7 and was categorized as a criminal informant because he was
8 furnishing criminal information.

9 Mr. Oliphant. Did you make any comments regarding
10 his reliability?

11 Mr. O'Connor. Yes.

12 As far as we knew he was reliable until we found out
13 that he wasn't.

14 Mr. Oliphant. Don't you have to make some sort of
15 justification to get money for an informant?

16 Mr. O'Connor. Yes, but he was actually, well, the
17 information he was furnishing us was of value to us as
18 assistance in an investigation that we were conducting,
19 primarily with respect to the time that we were interested in
20 Jack Davis. I think it was probably during that time that
21 he got the bulk of that \$1600.

22 Mr. Oliphant. Did you ever arrest Jack Davis for anything?

23 Mr. O'Connor. No.

24 Mr. Oliphant. Why was the information valuable?

25 Mr. O'Connor. On a couple of occasions, he told us,

1 on one occasion, that Jack Davis was in contact with Mike
2 Spiegel.

3 Mr. Oliphant. Was Spiegel a fugitive?

4 Mr. O'Connor. Yes. These were the people we were
5 interested in. Those investigations were not very easy
6 investigations. You just didn't go out and pick somebody
7 up. He also told us that he had seen Bill Ayers with Jack
8 Davis on one occasion. He also indicated that Jack Davis
9 had some knowledge of an individual involved in the Capitol
10 bombing. This was the type of information he was furnishing
11 to us.

12 Mr. Oliphant. Did you ever make any comments to him
13 regarding Jews?

14 Mr. O'Connor. No. In what sense?

15 Mr. Oliphant. Well, did you ever tell him that Jews
16 were liberal?

17 Mr. O'Connor. No.

18 Mr. Oliphant. Did you ever tell him that they were behind
19 or part of, let's say, the Communist threat?

20 Mr. O'Connor. No. I think there are a lot of Irish
21 who are involved in some of the liberal politics so I
22 don't believe you can --

23 Mr. Oliphant. Off the record.

24 (Discussion off the record.)

25 Mr. Oliphant. Let me just get back to IPS. Were there

1 a number of targets, groups not readily identifiable as
2 Communist, let's say, or Communist organizations, groups
3 like the IPS that were intelligence targets?

4 Mr. O'Connor. Organizations like that?

5 Mr. Oliphant. Yes.

6 Mr. O'Connor. There were organizations that would have
7 been intelligence targets.

8 Mr. Oliphant. Who were the sort of groups that were
9 intelligence targets?

10 Mr. O'Connor. I guess PCPJ, People's Coalition for
11 Peace and Justice particularly because of their role in May Day,
12 the May Day organization. We were interested in some groups
13 that at that time appeared to be trying to, right around
14 the time Merritt began to work for us, were interested in,
15 it appeared that they were interested in stirring up problems
16 in the prisons because there were quite a few problems
17 in the prisons at that time.

18 That would have been another type of group we were
19 interested in in order to try to find out what a group like
20 that was trying to do. They organized demonstrations,
21 for instance, and we wanted to know how disruptive the demonstra-
22 tions might be.

23 Mr. Oliphant. At what level was a decision made to make
24 a group an intelligence target?

25 What level would that have been within the FBI?

1 Mr. O'Connor. I guess in some cases it might have
2 been in the field office. But in other cases, it probably
3 would have been in Headquarters.

4 Mr. Oliphant. With regard to IPS, where was the decision
5 made?

6 Mr. O'Connor. I have no idea.

7 Mr. Oliphant. Did you need permission before you
8 could open a case on an individual?

9 Mr. O'Connor. Yes.

10 Mr. Oliphant. Did you need permission before you
11 could open a case on an organization?

12 Mr. O'Connor. Yes.

13 Mr. Oliphant. Where did you receive your permission
14 from?

15 Mr. O'Connor. Well, usually, what you would do is,
16 I guess it would normally come from a supervisor. He was
17 the man who usually opened and assigned cases.

18 Mr. Oliphant. Was the supervisor the one who told
19 you that the FBI was interested in IPS?

20 Mr. O'Connor. Well, I would imagine he mentioned it.
21 I do not know whether he was the one who told me initially.
22 As I said before, I knew that we had that pending investigation.

23 Mr. Oliphant. I have no further questions.

24 Mr. Atkisson. I have a couple. One of the places that
25 we failed to ask you about, have you ever heard of the

1 Red House Book Store?

2 Mr. O'Connor. I have heard of the Red House Collective.
3 I guess that was connected with the Collective.

4 Mr. Atkisson. Did you ever have anything to do with
5 any investigation whatever of the Red House Collective?

6 Mr. O'Connor. They were, some of this prison activity was
7 centered up there, and for a very short period of time we
8 were interested in the Red House or people connected with
9 the Red House Collective.

10 Mr. Atkisson. Were you personally interested in the
11 Red House Collective?

12 Mr. O'Connor. Did I have a case on them?

13 Mr. Atkisson. Did you have anything to do with any
14 investigation?

15 Mr. O'Connor. I think Merritt furnished us with some
16 information that he got from up there.

17 Mr. Atkisson. Did you ask him to furnish that informa-
18 tion?

19 Mr. O'Connor. We asked him to furnish information
20 concerning the prison demonstrations.

21 Mr. Atkisson. Did he do so?

22 Mr. O'Connor. Yes, I believe he did.

23 Mr. Atkisson. Did he ever supply mail from
24 the Red House Collective?

25 Mr. O'Connor. No.

Mr. Atkisson. Did he supply printed materials from

1 the Red House Collective?

2 Mr. O'Connor. I think he probably gave us some leaflets
3 from up there concerning these demonstrations or meetings
4 they were having on prison abolition.

5 Mr. Atkisson. Did you ever evaluate what he gave
6 you from the Red House Collective in a written memorandum?

7 Mr. O'Connor. Did I evaluate it? I did write it up,
8 yes.

9 Mr. Atkisson. Back to the other book store, the Community
10 Book Store, did you ever receive copies of petitions from
11 Robert Earl Merritt that ostensibly came from the Community
12 Book Store?

13 Mr. O'Connor. No, not that I recall.

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1 Mr. Atkisson. Did Mr. Merritt ever tell you that he knew
2 about a potential job in the employ of Ethel Kennedy?

3 Mr. O'Connor. No.

4 Mr. Atkisson. He never mentioned that?

5 Mr. O'Connor. No. The first time I saw that was in the
6 same column that I referred to before.

7 Mr. Atkisson. So it is your testimony that until that
8 column in Jack Anderson you never heard of any job in the
9 employ of Ethel Kennedy?

10 Mr. O'Connor. No.

11 Mr. Atkisson. You never encouraged Mr. Merritt to take
12 such a job with Ethel Kennedy?

13 Mr. O'Connor. No.

14 Mr. Atkisson. Did you encourage him to take any other job
15 when he first developed a relationship with the Bureau?

16 Mr. O'Connor. Yes; the job at the Institute.

17 Mr. Atkisson. Incidentally, do you know what his first
18 contact with the Institute was?

19 Mr. O'Connor. No, I don't.

20 Mr. Atkisson. You say that he was already involved in
21 the Institute when you met him?

22 Mr. O'Connor. That is what he told me.

23 Mr. Atkisson. Did he say that was a result of the under-
24 cover activities with the Metropolitan Police Department?

25 Mr. O'Connor. Yes.

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1 Mr. Atkisson. So before, when I asked you if you knew
2 what his first connection with it was, the answer should have
3 been you knew it was because he was acting in undercover
4 capacity with the Metropolitan Police Department?

5 Mr. O'Connor. I thought you asked me what he had been
6 doing for the Metropolitan Police Department, and I thought I
7 said he was involved with May Day people and with the Institute.

8 Mr. Atkisson. You also mentioned that you wanted to make
9 sure that the Bureau wasn't stealing an informant from the
10 Metropolitan Police Department. I gather that you satisfied
11 yourself that you were not stealing an informant from the
12 Metropolitan Police Department.

13 Mr. O'Connor. Yes; as I recall, I am pretty sure I talked
14 to somebody down there and it was Scrapper, but I don't
15 actually recall, you know, the conversation other than the fact
16 I probably would have been -- I don't even know whether I
17 would have done it. I would have wanted to make sure we were
18 not taking somebody else's informant away because he had said
19 that he was an informant for the Police Department.

20 Mr. Atkisson. Do you know whether after he became in-
21 volved with the FBI he maintained a relationship with the
22 Metropolitan Police Department?

23 Mr. O'Connor. I know that he talked to an officer down
24 there, but I don't know what -- while he was working for us?

25 Mr. Atkisson. Yes.

1 Mr. O'Connor. I know there was an officer down there
2 that -- I thought he was a social friend of Officer Kildon.

3 Mr. Atkisson. How about Alcohol, Tobacco and Firearms,
4 did you know of any relationship he might have had with them?

5 Mr. O'Connor. He said he worked for them.

6 Mr. Atkisson. At the same time he worked for the Bureau?

7 Mr. O'Connor. Not that I know of. I don't know whether
8 he was or not. He could have been.

9 Mr. Atkisson. You understand, I am sure, the distinc-
10 tion between positive and negative information, do you not?
11 Positive and negative information?

12 Mr. O'Connor. In what sense?

13 Mr. Atkisson. Well, isn't it the case as a Special Agent
14 when you conduct an investigation and then you write a report
15 on that investigation that the information can be either posi-
16 tive or negative?

17 Mr. O'Connor. It could be.

18 Mr. Atkisson. If it is positive, it is relevant to some
19 investigative purpose; if it is negative, it is just as the
20 word implies, not relevant to the investigative purpose?

21 Mr. O'Connor. Yes.

22 Mr. Atkisson. Is that parlance that is used at the Bureau
23 or is that parlance only being used by me at the moment?

24 Mr. O'Connor. I think I understand what you mean.

25 Mr. Atkisson. My question is, are you required at the

1 Bureau to include negative information along with any positive
2 information in reports that you write?

3 Mr. O'Connor. I don't know whether it wouldn't be
4 difficult to sometimes -- I would almost have to have an
5 example, sir. There are times when I think that we would get
6 information and it really wasn't my position to be evaluating
7 it. It might be questionable, you know.

8 Mr. Atkisson. In your opinion. I realize I am solicit-
9 ing an opinion, counsel, but in your opinion from your seven
10 years' experience in the Bureau, would information about the
11 personal sex lives of individuals at IPS be considered
12 positive or negative?

13 Mr. Flannagan. That is a hypothetical?

14 Mr. Atkisson. That is correct.

15 Let's put you back in that period of time in late 1971,
16 early 1972. Suppose you came across such information, would
17 you, do you think, have included it in any reports that you
18 wrote up?

19 Mr. O'Connor. That somebody was --

20 Mr. Atkisson. Just information you obtained from a
21 source, from whatever. Would you have included such informa-
22 tion in any report you drew up?

23 Mr. O'Connor. That an individual was a homosexual?

24 Mr. Atkisson. No; I didn't say that. Any information
25 concerning the personal sex lives of individuals involved at

1 IPS.

2 Mr. O'Connor. Not unless I thought it was pertinent to an
3 investigation; no.

4 Mr. Atkisson. All right. Just one more question about
5 your final conversation with Robert Merritt in Rock Creek Park.
6 Had you ever at any other time in your experience at the Bureau
7 of Investigation held a conversation that was in any way
8 business-related in Rock Creek Park?

9 Mr. O'Connor. I don't recall offhand, because the thing
10 is that when you are talking to -- I probably wouldn't have
11 conducted any kind of normal interview there, but if you are
12 talking about an informant -- I don't know whether we ever
13 talked to Merritt there at any other time.

14 Mr. Atkisson. Where did you meet Merritt on the day you
15 drove to Rock Creek Park?

16 Mr. O'Connor. That I don't remember. It probably would
17 have been right around the DuPont Circle area some place.

18 Mr. Oliphant. Didn't you say before you usually met him
19 in DuPont Circle?

20 Mr. O'Connor. In the DuPont Circle area.

21 Mr. Oliphant. Why did you drive to Rock Creek Park, then?

22 Mr. O'Connor. Occasionally we did drive away from the
23 area, and we wanted to go up there and explain this to him,
24 because I knew what his reaction was going to be.

25 Mr. Oliphant. What was his reaction?

Mr. O'Conn~~or~~. His reaction was he hadn't been telling us lies, all of his information was reliable, and he was very upset he was being terminated.

Mr. Oliphant. Did you ever threaten him at that time?

Mr. O'Connor. No, I didn't.

Mr. Oliphant. Did Tucker?

Mr. O'Connor. Not that I know of.

Mr. Oliphant. Did you hear him threaten him?

Mr. O'Connor. No.

Mr. Atkisson. Were you present for the entire conversa-
tion?

Mr. O'Connor. As far as I know, yes. We were standing around the car, and we got out of the car and were talking.

Mr. Atkisson. Had Merritt ever asked to be relieved of his undercover duties with the Bureau?

Mr. O'Connor. No.

Mr. Atkisson. Was the straw that broke the camel's back, so to speak, information concerning Jack Davis?

Mr. O'Connor. Yes.

Mr. Atkisson. Did it have to do with his whereabouts on a particular day?

Mr. O'Connor. It had to do with a little more than that.
That was part of it.

Mr. Oliphant: Tell us what it was.

Mr. O'Connor. As I recall, generally it did have to do

1 with his whereabouts on a particular day and further -- my
2 concern here is that I don't want to jeopardize what I consider
3 to have been a confidential conversation between Jack Davis and
4 some other agents. I don't really recall what the --

5 Mr. Atkisson. I don't think you have to do that. We
6 don't need to know that, but if Mr. Merritt made representa-
7 tions to you concerning Jack Davis about his whereabouts on a
8 particular day?

9 Mr. O'Connor. Let me put it this way: We developed in-
10 formation that not only was there a problem or discrepancy
11 concerning Davis' whereabouts on this particular weekend, but
12 also that much of the information that he had been furnishing
13 us could not have been correct, you know, over a period of
14 time.

15 Mr. Oliphant. You also found things which rebutted infor-
16 mation which he had given you on prior occasions?

17 Mr. O'Connor. Very strongly and which really, as far as
18 I was concerned, had caused us to continue an investigative
19 interest in an area that we -- what had seemed very credible
20 to us when it came from Merritt all of a sudden became nothing
21 but a lot of miscellaneous information.

22 Mr. Oliphant. Did you write a report which stated what
23 information you had got from Merritt that you now felt was
24 compromised and why you felt it was compromised?

25 Mr. O'Connor. I did write a memo that would have closed

1 him as an informant.

2 ~~concerning~~ Mr. Oliphant. What I mean is this: You had been report-
3 ing the information he had been giving you on Davis; is that
4 correct?

5 Mr. O'Connor. Yes.

6 Mr. Oliphant. You had been incorporating that into
7 reports; is that true?

8 Mr. O'Connor. Yes.

9 Mr. Oliphant. So there came a time, then, when you had
10 reason to believe that some of that information that you had
11 incorporated in those reports was erroneous; is that correct?

12 Mr. O'Connor. Right.

13 Mr. Oliphant. Did you ever write a report specifically
14 laying out what information now in FBI reports that you had
15 written or that Tucker had written that you now felt was
16 erroneous?

17 Mr. O'Connor. Well, the information -- no, I never did
18 write a report like that.

19 Mr. Oliphant. Did Tucker?

20 Mr. O'Connor. No, not that I know of.

21 Mr. Oliphant. So was that information ever rebutted
22 in the reports then?

23 Mr. O'Connor. It would have been rebutted; yes.

24 Mr. Oliphant. How?

25 Mr. O'Connor. We are getting into the area I was talking

1 about before.

2 Mr. Oliphant. You don't have to say exactly what it was.

3 Mr. O'Connor. It had to do with Davis, the information
4 that we knew was incorrect, and we knew where this information
5 had come from and with respect to the investigation concerning
6 Davis there was something in there that I would have considered
7 to have rebutted or to have contradicted the information that
8 Merritt had previously furnished concerning Davis, but I never
9 did; no -- in answer to your question, I never wrote anything
10 up. It was understood that this information concerning Davis
11 was -- much of it or some portion of it --

12 Mr. Oliphant. Would that be readily understandable by
13 reading the files?

14 Mr. O'Connor. Yes; some portion of it was incorrect.

15 Mr. Oliphant. How could someone understand that without
16 revealing what it was?

17 Mr. O'Connor. In other words, if they read something --

18 Mr. Oliphant. Let's say an objective person read this ten
19 years from now without the benefit of being able to speak with
20 you or with whoever the other agents were who spoke with Davis
21 and looked, would they see two conflicting reports? Would
22 they see series of information that came, let's say, from
23 Merritt and another series of information that came from Davis,
24 or someone else?

25 Mr. O'Connor. It would all be -- you know, if they read

1 the whole series of things, they would see, you know, as much
2 as we could determine. We didn't go back and ask Merritt how
3 much of the information that you furnished was unreliable
4 because, for one thing, as I pointed out, when we went up and
5 talked to him that day, he protested that nothing he had given
6 us was false.

7 There was no way we could do that, so what we were doing --
8 what we had was the information we had developed which would
9 have shown up chronologically, I guess, in the investigative
10 file.

11 So if you would have read down the line, all of a sudden
12 you would have come to a point, as far as I am concerned,
13 where you would have seen, you know, that we were able to
14 determine that at least some of the information concerning Davis
15 was incorrect. I am saying as far as some of the other informa-
16 tion is concerned, I would surmise that it was probably inaccu-
17 rate.

18 Mr. Oliphant. But you never memorialized that surmisal;
19 is that correct?

20 Mr. O'Connor. I didn't, but I think it probably would
21 have been done.

22 Mr. Oliphant. Who would have done it?

23 Mr. O'Connor. The guy who was investigating the Capitol
24 bombing, 1971. I believe he did. I don't know whether he did
25 or not.

1 Mr. Oliphant. I have no further questions.

2 Thank you very much, Mr. O'Connor. We appreciate it.

3 (Discussion off the record.)

4 Mr. O'Connor. I would like to put one further thing on
5 the record.

6 Basically, with respect to these allegations which first
7 started, I think, in the Summer of 1973, even at that time
8 those allegations really centered around IPS. Since then they
9 have gone beyond that. Even when those first allegations were
10 made, I didn't recall specifically the details of some of the
11 things that we were talking about, and I don't think there was
12 any way we could have. About the only way we could have would
13 have been to look in files or try to rely on memory as best we
14 could. And still today, if we are talking about some of these
15 other areas concerning which the man has made allegations, we
16 are dealing with even a longer period of time, and some of
17 them I know -- I know we didn't have any interest in the
18 organization he is talking about, but if we did have an inter-
19 est in the organization, you know, I am trying to be completely
20 candid with you with respect to what we were interested in and
21 what we are trying to do so that we just don't say we weren't
22 interested in people at all, but, you know, the specifics of
23 incidents or the specifics of the information he was furnishing
24 I don't remember.

25 (The interview terminated at 11:25 a.m.)

1 (At 12:45 p.m. Mr. O'Connor was recalled for further
2 testimony.)

3 Mr. Oliphant. Mr. O'Connor, I would like to get back to
4 1971 in the fall, November.

5 Mr. O'Connor. Right.

6 Mr. Oliphant. You are still under oath, of course.

7 Mr. O'Connor. I know.

8 Mr. Oliphant. Some documents or some papers, whatever
9 you want to call it, were delivered to Agent Tucker, I under-
10 stand, from Robert Merritt allegedly from the IPS; is that
11 correct?

12 Mr. O'Connor. Yes.

13 Mr. Oliphant. There were how many deliveries?

14 Mr. O'Connor. Only one that I know of. Well, you mean
15 anything that would have been other than just leaflets or
16 something like that?

17 Mr. Oliphant. Yes.

18 Mr. O'Connor. Just that one time.

19 Mr. Oliphant. How did that material come to you?

20 Mr. O'Connor. Come to me personally, or us?

21 Mr. Oliphant. Come to you personally.

22 Mr. O'Connor. When I got back in the office, whenever it
23 was that I returned, it was there.

24 Mr. Oliphant. What was it in?

25 Mr. O'Connor. A manila envelope.

1 Mr. Oliphant. How many documents, roughly, were inside?

2 Mr. O'Connor. I couldn't tell you. Maybe the thing might
3 have been that thick or so (indicating), but that is specula-
4 tion.

5 Mr. Oliphant. What did you do with these documents?

6 Mr. O'Connor. Well, we looked at some of them and deter-
7 mined that there were some things in there that were obviously
8 nondescript trash and took the speech and copied it, or I
9 copied it, and then we took that and I don't know whether Bill
10 went with me or not, but I met Merritt and gave it back to him
11 and told him to put it back in there.

12 Mr. Oliphant. Where?

13 Mr. O'Connor. In the trash, if that is where it belonged,
14 at IPS.

15 I frankly didn't like that situation at all.

16 Mr. Oliphant. Why?

17 Mr. O'Connor. Because, first of all, Merritt had been
18 told not to take anything he shouldn't have had. We didn't
19 want him to for three reasons, really: Number one, because
20 if he took anything and it came to the attention of anybody,
21 he was no good as an informant anymore. We didn't want him to
22 do anything illegal. I personally didn't want him doing any-
23 thing illegal. The Bureau wouldn't have wanted him to, and I
24 didn't. He had been told before, and I reminded him of that
25 after this incident.

1 What the **circumstances** were, I don't know, but I told him
2 that we didn't want anything like that again.

3 Mr. Oliphant. Why didn't you want anything like that
4 again?

5 Mr. O'Connor. Because I didn't think it was the type of
6 thing we should have.

7 Mr. Oliphant. Why?

8 Mr. O'Connor. Primarily because he shouldn't have had
9 things that really weren't intended for him or for the public.

10 Mr. Oliphant. Did you think they came from the trash?

11 Mr. O'Connor. I took his word for it, as I recall.

12 Mr. Oliphant. Did you write a report on this?

13 Mr. O'Connor. I wrote the -- you mean describing the
14 way this happened?

15 Mr. Oliphant. Did you write a report saying you had re-
16 ceived material from him?

17 Mr. O'Connor. Yes.

18 Mr. Oliphant. Did you say he said they came from the
19 trash?

20 Mr. O'Connor. Not at that time; no.

21 Mr. Oliphant. Did you say how you got them?

22 Mr. O'Connor. No.

23 Mr. Oliphant. Did you say that you returned them?

24 Mr. O'Connor. No.

25 Mr. Oliphant. Is it usual to return documents that are

1 given to you by people?

2 Mr. O'Connor. In that case I didn't think that we -- he
3 says it is trash; I will take his word for it. But if it is
4 trash and it belongs up there, then it should be back up there
5 in the trash can.

6 Mr. Oliphant. Have you ever returned anything to the
7 trash since? In other words, have you ever received anything --

8 Mr. O'Connor. I have never received anything like that
9 again.

10 Mr. Oliphant. Do you know if getting information in any
11 kind of investigation from the trash, do you know if that is
12 a regular investigative technique employed by the FBI?

13 Mr. O'Connor. I think it probably has been in the past.
14 But let me say that Merritt was never told to take anything
15 from the trash.

16 Mr. Oliphant. All right. Have you ever heard of anybody
17 returning things to the trash?

18 Mr. O'Connor. No, except in that instance, except that it
19 bothered me to have that stuff in the first place.

20 Mr. Oliphant. You have received other documents,
21 haven't you, from people -- without giving the details -- but
22 haven't your informants given you little memorandas and things
23 like that that they have taken from various places? Or
24 didn't they in those days?

25 Mr. O'Connor. You mean things for public --

1 Mr. Oliphant. Well, let's say for public --

2 Mr. O'Connor. Merritt was actually the only informant
 (HE TALKED AND I)
 3 that we had. ^{AT THAT TIME} You know, actually he was the only informant
 (LI = THAT I S. WHO GAVE US MEMORANDA AND DOCUMENTS INTENDED FOR THE PUBLIC
 4 that we had.

5 Mr. Oliphant. You have heard of people within the Bureau
 6 receiving internal documents from various organizations,
 7 haven't you, in the subversive squads?

8 Mr. O'Connor. I guess so.

9 Mr. Oliphant. Have you ever heard of them being returned
 10 afterwards?

11 Mr. O'Connor. I don't know whether I have. I don't know
 12 what kind of document we are talking about. Actually that is
 13 speculation.

14 Mr. Oliphant. Let's say memorandas?

15 Why weren't all the documents that were in this package
 16 incorporated into the record -- well, I say into the record,
 17 why weren't they memorialized and incorporated in the files of
 18 the Federal Bureau of Investigation?

19 Mr. O'Connor. Because there really wasn't anything that
 20 was in there that would have been of any interest. For some
 21 reason I was interested in that speech, so I copied it, but
 22 ^{- I HAD BEEN PRESENT AT A PUBLIC SESSION OF THE}
^{that was it. PEOPLE'S GRAND JURY HELD SEVERAL WEEKS EARLIER}
^{IN WASHINGTON, D.C. (NOT AT THE INSTITUTE FOR *}

23 Mr. Oliphant. Let me show you this, and it is basically
 24 an investigative memorandum covering a memorandum of Novem-

25 ber 23, 1971. * POLICY STUDIES) AND THE SPEECH HAD BEEN DELIVERED
^{AT THAT TIME, IN ADDITION TO THE REAGAN GIVEN ON}
^{11/14/71, I BELIEVE THAT I COPIED THE SPEECH TO}
^{11/14/71, A LETTER RECEIVED AS WHAT HAD BEEN (A.D.)}

1 Mr. O'Connor. All right.

2 Mr. Oliphant. Do you recognize that?

3 Mr. O'Connor. I do.

4 Mr. Oliphant. Look at the second page.

5 Mr. O'Connor. Right.

6 Mr. Oliphant. Did that come from this alleged trash
7 collection?

8 Mr. O'Connor. No; it was separate and we felt -- this
9 was something that was questionable. We felt the guy did
10 have the right to have it because he was up there all the time
11 and the thing was addressed to everyone, and I think there was
12 another one addressed to all, and it was nothing that was a
13 personal type memorandum. It appeared to us to be something
14 that was intended for anybody who was up there.

15 Mr. Oliphant. Why did you put that into the files? Why
16 did you bother to incorporate that into the records at the FBI?

17 Mr. O'Connor. Basically because it was intelligence-type
18 information regarding IPS.

19 Mr. Oliphant. Are you stating that the other material
20 that was with this alleged trash collection was of even less
21 value than that?

22 Mr. O'Connor. It would have had to have been except for
23 the fact that this wasn't in the trash.

24 Mr. Oliphant. Did the fact that it was in the trash have
25 some sort of bearing over why you did not incorporate this into

1 the record?

2 Mr. O'Connor. First of all, as I said, it was something
3 that we really didn't want... We didn't want it. And, I don't
4 know, perhaps -- whether he did something illegal in taking
5 that thing or not, I really didn't know. Whether taking it
6 from the trash was illegal or not, in my mind I wasn't sure.

7 Because of that, I did copy that one speech, but appar-
8 ently there was nothing else in the thing that would have been
9 worth copying, or it would have been copied.

10 Mr. Oliphant. You made no real report of this, did you,
11 that he had come to you with a package of material that he
12 alleged had come from the trash?

13 Mr. O'Connor. No; it isn't set forth that way, because we
14 normally wouldn't. It is my understanding we wouldn't set forth
15 the fact that it came from a specific spot.

16 Mr. Oliphant. I am reading from a report by Tucker, and
17 it is on 11/29/71, and says, "On 11/26/71, WF-4015-PCI --"
18 who I take it was Merritt; is that correct?

19 Mr. O'Connor. Right.

20 Mr. Oliphant. "-- telephonically advised Special Agent
21 Tucker and advised that he had viewed certain documents at the
22 Institute for Policy Studies", and then it lists three docu-
23 ments.

24 Let me show you a brief synopsis.

25 Would you say that is a standard sort of report?

1 Mr. O'Connor. Yes.

2 Mr. Oliphant. And you have certain ways that you write
3 reports. I mean you don't do it as you see fit each time.
4 There is a form you follow, isn't there?

5 Mr. O'Connor. Usually. It could have been written up in
6 this form or on one of these --

7 Mr. Oliphant. You see the substance of this information
8 in the report, by Tucker?

9 Mr. O'Connor. Right.

10 Mr. Oliphant. Was the information that was in the trash
11 envelope, was it even of less value than that?

12 Mr. O'Connor. I suppose it was because the only thing that
13 we copied, or I copied, was that speech.

14 Mr. Oliphant. Were you entirely convinced that that came
15 from the trash?

16 Mr. O'Connor. I am going to have to -- this is based on
17 my recollection. One hundred percent I don't think so; no. I
18 didn't know. As I recall, he said it came from the trash,
19 and, as I told you before, even when this issue first came up,
20 I had a heck of a lot of trouble remembering what the heck had
21 happened at that time.

22 Mr. Oliphant. But as you look back now, there was some
23 doubt in your mind at the time that it had actually come from
24 the trash, wasn't there?

25 Mr. O'Connor. He is telling me this, and I am taking his

word for it.

2 Mr. Oliphant. But you were uncomfortable with it?

3 Mr. O'Connor. I wasn't very comfortable with it even if
4 it came from the trash. I thought if it came from the trash,
5 he probably could have obtained it legally; still I didn't
6 like the idea the man had something -- I didn't like the
7 idea of rummaging around in the trash, even.

8 Mr. Oliphant. Did you and Agent Tucker discuss this
9 transaction?

10 Mr. O'Connor. Yes.

11 Mr. Oliphant. What did you say to each other? What was
12 the substance of your discussion?

13 Mr. O'Connor. Basically he told me about these things
14 because if I am --

15 Mr. Oliphant. Excuse me. Did you discuss the trash
16 collection venture?

17 Mr. O'Connor. Yes.

18 Mr. Oliphant. And what did you decide between the two
19 of you? What did you say?

20 Mr. O'Connor. In terms of whether it had actually come
21 from the trash?

22 Mr. Oliphant. Did you discuss whether or not to make a
23 report of it?

24 Mr. O'Connor. No.

25 Mr. Oliphant. Who decided not to make a report of it?

1 Mr. O'Connor. It wouldn't have been normal to have made
2 a report in that sense.

3 Mr. Oliphant. Was it normal for Tucker to make a report
4 there that the guy had advised him of those three items?

5 Mr. O'Connor. Yes.

6 Mr. Oliphant. Then why wouldn't it have been normal for
7 you to make a report of the information you received?

8 Mr. O'Connor. Well, the report would simply have been,
9 I guess -- I think I wrote something up on that speech that we
10 copied, and I guess that would have been the report if there
11 is a report, based on what is in the files and what I can recall.

12 Mr. Oliphant. Do you have further questions?

13 Mr. Atkisson. Just one not on this subject.

14 Mr. O'Connor, am I right in assuming that you were more
15 or less in charge of Merritt; you were the primary contact man
16 with Merritt?

17 Mr. O'Connor. Yes.

18 Mr. Atkisson. Would any other special agent have had con-
19 tact with Merritt without your knowledge?

20 Mr. O'Connor. Not that I know of.

21 Mr. Atkisson. Well, not that you know of, but would it
22 have been incorrect for some other special agent of the Bureau
23 to have contact without your knowing it?

24 Mr. O'Connor. Yes; he probably would have told me.

25 Mr. Atkisson. Do you know if Robert W. Feuer had direct

1 contact with Merritt?

2 Mr. O'Connor. Yes, he did; I think on one occasion.

3 Mr. Atkisson. Let me ask you this: I believe your contact
4 with Merritt ran from November of 1971 to May of 1972?

5 Mr. O'Connor. Or early June; yes.

6 Mr. Atkisson. He was terminated, then, in May of 1972?

7 Mr. O'Connor. Yes, or right at the beginning of June.

8 Mr. Atkisson. Mr. Feuer was assigned to the IPS investi-
9 gation in July of 1972?

10 Mr. O'Connor. Right.

11 Mr. Atkisson. So what you are saying is that any contact
12 Mr. Feuer had with Mr. Merritt would have been prior to his
13 assignment to the IPS investigation?

14 Mr. O'Connor. Yes; as I recall, the one time that I can
15 recall that Bob Feuer talked to Merritt, he was with us --
16 or with myself, I don't know whether Bill was along -- and it
17 was during the time -- sometime between -- it might have had
18 something to do with the Jack Davis or Capitol bombing investi-
19 gation.

20 Mr. Oliphant. Just one last thing on these things. Did
21 Tucker tell you how he got the documents, or whatever you want
22 to call it, the trash collection?

23 Mr. O'Connor. I know that he met Merritt some place -- I
24 guess it was Lafayette Park, or some place like that, as I
25 recall, and he got them from him there.

1 Mr. Oliphant. Did he tell you he had a conversation the
2 previous night with Merritt regarding this?

3 Mr. O'Connor. He probably did. I don't remember the
4 exact conversations.

5 Mr. Oliphant. Let me ask you this: When the Jack
6 Anderson column came out and other newspaper accounts of this,
7 after this happened, were you contacted by the inspector's
8 office of the FBI?

9 Mr. O'Connor. Starting with about June, 1973, we have
10 been talking to people. We have talked to Bureau investigators,
11 and we have talked to the Metropolitan Police Department.

12 Mr. Oliphant. Did the Bureau investigators ask you why
13 you returned the material?

14 Mr. O'Connor. I can't recall. That was something that I
15 did on my own. You know, whether somebody else would have done
16 that or not, I don't know. We hadn't known Merritt for very
17 long at that time, and I really wasn't sure of what was going
18 on there.

19 Mr. Oliphant. Thank you, Mr. O'Connor.

20 (The interview terminated at one o'clock p.m.)

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24

25

The Attorney General
Director, FBI

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

November 25, 1975

1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

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

Enclosed herewith are two Xerox copies of a transcript of an interview of Special Agent (SA) William T. Tucker by Staff Members of the HSC on November 5, 1975.

SA Tucker has reviewed this transcript and has made minor corrections which have been penciled in.

HSC Staff Member James Oliphant on November 11, 1975, advised SA Paul V. Daly of this Bureau that the notation "Executive Session" appearing on the cover of the transcript should be crossed through. He indicated, however, that the results of the testimony, as contained in the transcript, should not be utilized in any litigation proceedings, the subject matter of which was mentioned in the transcript.

The additional Xerox copy of this interview is for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures (2)

62-116464

REC-41 62-116464-207

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr. 12 DEC 9 1975
ENCLOSURE Special Counsel for Intelligence Coordination

Assoc. Dir.

1 - 67- (Personnel file of SA William T. Tucker)

Dep. Adm.

AJD:mjg (10)

Dep. Adm.

NOTE: (10)

Asst. Dir.

WILSON, JR.

Admin.

Comp. Syst.

Ext. Affairs

Files & Com.

Gen. Inv.

Gen. Inv.

Ident.

Ident.

Inspection

Inspection

Intell.

Intell.

Laboratory

Laboratory

Plan. & Eval.

Plan. & Eval.

Spec. Inv.

Spec. Inv.

Training

Training

Legal Coun.

Legal Coun.

Telephone Rm.

Telephone Rm.

Director Secy.

Director Secy.

MAIL ROOM TELETYPE UNIT

84 DEC 11 1975

NW 89804 DocId:32989695 Page 144

GPO : 1975 O - 569-920

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.)

2. DATE PROVIDED

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

11/25/75

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 setting forth results of an interview by HSC Staff
Members of incumbent SA William T. Tucker

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
Intelligence collection

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

Interviewed regarding his assignment at Washington Field Office
and the FBI's investigation of Institute for Policy Studies and
the handling of the informant Earl Robert Merritt.

62-116464

FMK: Fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUS STUDY

TREAT AS YELLOW

6-108

3791 (6-75)

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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.

~~EXECUTIVE SESSION~~

HOUSE OF REPRESENTATIVES

HEARINGS

BEFORE THE COMMITTEE

on

SELECT COMMITTEE ON INTELLIGENCE

Staff Interview

Wednesday, November 5, 1975

Washington, D. C.

~~EXECUTIVE SESSION~~

Official Reporters to Committees

62-116464-201

ENCLOSURE

CPO 10-76107-1

STAFF INTERVIEW

Wednesday, November 5, 1975

House of Representatives,

Select Committee on Intelligence,

Washington, D. C.

The staff interview began at 11:32 o'clock a.m., in
Room B-316, Rayburn House Office Building.

Present: James Oliphant and John Atkisson, Committee
Counsel.

Mr. Boos. Do you swear the statements you are about to
make to the House Select Committee on Intelligence are the
truth, the whole truth, and nothing but the truth?

Mr. Tucker. I do.

Mr. Oliphant. Would you state your name for the record,
please, Mr. Tucker?

Mr. Tucker. My full name is William Timothy Tucker.

Mr. Oliphant. Mr. Tucker, we are not a prosecutive body,
but, for the record, I am going to inform you of your rights.

You are represented by counsel?

Mr. Tucker. That is correct.

Mr. Oliphant. You don't have to answer any questions.
Any time you want to stop, you are entitled, of course, to do
that. Any of these questions that you answer can be used
against you. Do you understand that?

1 Mr. Tucker. I am well aware of my rights.

2 Mr. Oliphant. I would think you would be.

3 Mr. Atkisson. You understand in addition you have the
4 right to ask us to clarify any question you don't understand.
5 We don't want you to guess or speculate about any subject we
6 may bring up here. If you want a question repeated or clari-
7 fied, ask us to do so. We are asking for your testimony from
8 your own knowledge, not from what you think somebody else may
9 know.

10 Mr. Tucker. I will.

11 Mr. Oliphant. Agent Tucker, would you give us a brief
12 resume of your career with the Bureau?

13 TESTIMONY OF WILLIAM TIMOTHY TUCKER, SPECIAL AGENT,

14 FEDERAL BUREAU OF INVESTIGATION

15 Mr. Tucker. I entered on duty with the FBI on March 17,
16 1969. After a four-month training period, I was assigned to
17 the Jacksonville Division, which covers the Northern District
18 of Florida.

19 I was subsequently appointed within the division to work
20 in the Fort Walton Beach, Florida, resident agency, and I
21 stayed there until roughly between August 19, 1969, and
22 October 28, 1970, and approximately on the 1st of November,
23 1970, I reported to the Washington Field Office of the FBI.

24 I have been at the Washington Field Office for almost five
25 years exactly. During that time, I have worked on -- would you

1 like me to go into my work?

2 Mr. Oliphant. Yes, I would.

3 Mr. Tucker. Initially, I worked on background investiga-
4 tions for a period of approximately five months. In March of
5 1971, I would say, I was assigned to work on the May Day,
6 covering the May Day demonstrations. Subsequently, I was re-
7 assigned to the squad which handled -- previously I had been
8 temporarily assigned there -- I was permanently assigned to the
9 squad handling domestic intelligence and remained there until
10 August, 1974, and then transferred to work in organized
11 crime special, and in March of this year, I was reassigned
12 again, and now I am working violations of the Federal Escape
13 and Rescue Statutes and bank robbery.

14 Mr. Oliphant. Prior to your stint with the domestic
15 intelligence group, had you ever had any prior contact
16 officially with the new left or with the radical movement?

17 Mr. Tucker. Would you clarify that?

18 Mr. Oliphant. As an FBI agent, had you ever been
19 assigned to investigate radical movements, subversive move-
20 ments?

21 Mr. Tucker. Prior to coming to Washington?

22 Mr. Oliphant. Prior to coming to Washington, D. C.

23 Mr. Tucker. No, I had not.

24 Mr. Oliphant. What specific squads were you working on
25 when you worked on the domestic intelligence assignments?

1 Mr. Tucker. It was one squad and designated in the
2 Washington Field Office of the FBI as S-7, "S" standing for
3 security, seven meaning the 7th Security Squad, seven out of
4 nine.

5 Mr. Oliphant. Seven out of nine squads in the Washington
6 Field Office, or seven out of nine security squads?

7 Mr. Tucker. Seven out of nine security squads and C-squads
8 for criminal and "A" for applicants.

9 Mr. Oliphant. What was S-7 assigned to do?

10 Mr. Tucker. Primarily we were assigned to investigate
11 those persons and/or groups who posed -- we had legalistic
12 terms, and I am trying to come up with that -- who could
13 possibly be involved in those acts which would consist in
14 espionage, sedition, sabotage, or disruption in the normal
15 functions of the United States Government.

16 Mr. Oliphant. Did you have a number of targets you were
17 looking at?

18 Mr. Tucker. When I was assigned to the S-7 squad, my
19 work, however -- we had a two-fold responsibility on the squad.
20 We were also assigned certain criminal violations. The work
21 I did was ninety-nine percent criminal. The investigations I
22 was conducting were unlawful flight to avoid prosecution inves-
23 tigations and anti-riot law investigations.

24 What we did was we broke the squad into a sub-squad.

25 Mr. O'Connor, myself, and two other agents were assigned to

1 investigate basically the Weathermen faction of the Students
2 for a Democratic Society; not to develop intelligence on it,
3 but to locate the members of the Weathermen who were Federal
4 fugitives.

5 Mr. Oliphant. Were there intelligence targets that
6 were designated groups and individuals who were considered
7 subversive to go along with the legalistic definition you
8 were groping for?

9 Mr. Tucker. Before I go into that, when I was sent up
10 here, I had to consult with the Legal Division, and I was
11 given the agreement which we signed with the FBI regarding
12 confidentiality, and I was told that agreement was only waived
13 vis-a-vis my dealings with Earl Robert Merritt, and I was not
14 to discuss anything which involved one, ongoing investigations;
15 two, anything which would endanger an FBI source; or, three,
16 any information which would jeopardize third-party sources.

17 Mr. Oliphant. Mr. Tucker, all we are asking for now is
18 we are trying to get the Merritt investigation into proper
19 perspective. We are not asking for something which would
20 reveal a source or reveal an ongoing investigation, or put
21 anyone in jeopardy.

22 What we are asking for is, were there targets? You don't
23 have to tell us what they were. Were there targets, intelli-
24 gence targets?

25 Mr. Tucker. Targets?

1 Mr. Oliphant. Were there cases opened on individuals
2 and organizations who were considered subversive?

3 Mr. Tucker. May I ask Mr. Flannagan if he thinks that
4 would be an appropriate question for me to address myself to?

5 Mr. Flannagan. Off the record, please.

6 (Discussion off the record.)

7 Mr. Tucker. There were cases opened on various groups
8 and individuals.

9 Mr. Oliphant. Was one of these groups the IPS?

10 Mr. Tucker. Yes.. By IPS, you mean the Institute for
11 Policy Studies?

12 Mr. Oliphant. That is correct.

13 Now, who designated the IPS as a target, or, if you know,
14 how was the investigation opened on that?

15 Mr. Tucker. My involvement with the Institute of Policy
16 Studies was not -- I was not involved in investigating the
17 Institute of Policy Studies.

18 Mr. Oliphant. Were you interested in certain individuals
19 who were in the Institute for Policy Studies?

20 Mr. Tucker. No, I wasn't. In the sense that I was not
21 tasked with the case assignment if there were cases on the
22 individuals. I was not tasked with that responsibility of
23 investigating the institution or any case on individuals.

Mr. Oliphant. What was your interest with the IPS, then?

Mr. Tucker. Any violation of the Federal Harboring

1 Statute.

2 Mr. Oliphant. Did there come a time when you became
3 acquainted with a fellow by the name of Earl Robert Merritt,
4 Jr.?

5 Mr. Tucker. Yes, I did.

6 Mr. Oliphant. Would you tell us about your relationship
7 with him?

8 Mr. Tucker. I was the alternate agent on a case, an
9 informant ^{ANT} case in which he was the informant with whom we were
10 dealing. Mr. O'Connor was the case agent.

11 Mr. Oliphant. Did he become an informant for the Bureau?

12 Mr. Tucker. Yes, he did.

13 Mr. Oliphant. Did you participate in qualifying him as an
14 informant?

15 Mr. Tucker. No.

16 Mr. Oliphant. There is a process, isn't there, that a
17 person goes through before they can be qualified as an informant
18 for the Bureau?

19 Mr. Tucker. Again, I don't think I can go into our
20 internal policies --

21 Mr. Oliphant. Yes or no; there is a policy, I mean --

22 Mr. Tucker. There is a set policy; yes.

23 Mr. Oliphant. All right.

24 Mr. Tucker. Again, I am not trying to be difficult.

25 Mr. Oliphant. I understand, Mr. Tucker, and you have

1 counsel here. I am not trying to make you give away the crown
2 jewels; okay?

3 Mr. Tucker. Okay.

4 Mr. Oliphant. Is one of the bases of the investigation,
5 for want of a better word, the process to make sure that the
6 informant is reliable? That would be one of the things you
7 would be looking for; is that correct?

8 Mr. Tucker. Of course.

9 Mr. Oliphant. Did you know that he had been an informant
10 for the Metropolitan Police Department?

11 Mr. Tucker. Yes.

12 Mr. Oliphant. Did you check with the Metropolitan Police
13 Department to find out if he had been reliable?

14 Mr. Tucker. I did not check.

15 Mr. Oliphant. Do you know if anyone checked?

16 Mr. Tucker. No, I do not know that.

17 Mr. Oliphant. Do you know why not?

18 Mr. Tucker. No, I don't know why not, but I would like
19 to comment on that.

20 Mr. Oliphant. Certainly.

21 Mr. Tucker. I knew the individual who operated him at
22 the Metropolitan Police Department and informally discussed the
23 fact that he had been released by him and now we were operating
24 him, so it wasn't that we weren't aware of why he left them
25 and came to us.

1 Mr. Oliphant. Did you, during your informal conversations,
2 ever ask if he had been reliable?

3 Mr. Tucker. I don't think the specific question of
4 reliability was raised.

5 Mr. Oliphant. Did you ever ask what sort of activities he
6 had been performing for the Metropolitan Police Department?

7 Mr. Tucker. This is an area you don't get into. When
8 you are talking to another agent regarding dealing with a
9 source, you would not broach those kinds of subjects, because
10 those are sacrosanct.

11 Mr. Oliphant. So it is safe to say you were not apprised
12 of what kind of activity he had been doing with the Metropoli-
13 tan Police Department?

14 Mr. Tucker. From the Metropolitan Police Department.

15 Mr. Oliphant. Did you receive information from any other
16 source as to what sort of activity he had been doing?

17 Mr. Tucker. From Merritt, himself.

18 Mr. Oliphant. What did Merritt tell you he had been doing
19 with the Metropolitan Police Department?

20 Mr. Tucker. Again, I was the alternate agent, and my
21 information will not be as complete as Mr. O'Connor's, because
22 he was primarily responsible, although we worked as partners,
23 and would often, in face-to-face dealings with Merritt, I
24 would say almost ninety-nine percent of the time, we were there
25 together, but he would often speak to Mr. O'Connor on the

1 phone I would say on about an 80-20 basis regarding, if you
2 had to average it out how many times they talked; so getting
3 back to your question, I would say we knew that he had dealt
4 with the Institute for Policy Studies prior to coming with us
5 and had done some work on the gathering of intelligence on
6 the activities of those people who had come to Washington to
7 participate in the May Day demonstrations.

8 Mr. Oliphant. Did he ever tell you that he had performed
9 any breakins for the Metropolitan Police Department?

10 Mr. Tucker. No, he did not.

11 Mr. Oliphant. Did he ever tell you he had taken mate-
12 rials from various organizations for the Metropolitan Police
13 Department?

14 Mr. Tucker. No, he did not.

15 Mr. Oliphant. Did anyone ever tell you either of those
16 two facts?

17 Mr. Tucker. No one ever told me that.

18 Mr. Atkisson. How about the Bureau of Alcohol, Tobacco,
19 and Firearms?

20 Mr. Tucker. No one, to include anyone.

21 Mr. Atkisson. Were you aware of any connection between
22 Earl Robert Merritt, Jr., and ATF?

23 Mr. Tucker. Yes, the details of which I cannot recall
24 now. I think he had dealt with an Agent Seals at one time.

25 Mr. Oliphant. What was the length of your relationship

1 with Mr. Merritt?

2 Mr. Tucker. I dealt with Merritt, I would say, between
3 the beginning of November, 1971, until the end of May, 1972.

4 Mr. Oliphant. Did there come a time in November, 1971,

5 Merritt delivered to you any material that he had acquired
6 from the IPS?

7 Mr. Tucker. Yes.

8 Mr. Oliphant. Would you describe each one of these incidents,
9 to the best of your recollection?

10 Mr. Tucker. There is only one incident. On approxi-
11 mately the 26th of November, I believe that was a Wednesday even-
12 ing, he called, and he said --

13 Mr. Oliphant. Where were you?

14 Mr. Tucker. He called our office, who called me to let me
15 know he had called, and he left a number. So I called him
16 back, and he said he had obtained some materials from the trash
17 at IPS. This was, I believe, the Wednesday before Thanksgiving,
18 and that Friday I met with him in Lafayette Park, and he turned
19 over those items to me consisting of a manila envelope with
20 papers in it. It appeared to me that it did come from the
21 trash.

22 Mr. Oliphant. Why do you say that?

23 Mr. Tucker. There were crumpled message slips, and the
24 items appeared soiled, as I recollect. I believed it had
25 come from the trash.

1 Mr. Oliphant. Were there airline tickets?

2 Mr. Tucker. No.

3 Mr. Oliphant. Any letter to Professor Waskow from
4 Colgate University?

5 Mr. Tucker. No. Again, there was no inventory made of
6 these items.

7 Mr. Oliphant. When he called you on the phone, did you
8 ask him to look at any of the postmarks on the letters?

9 Mr. Tucker. There was no discussion of letters.

10 Mr. Oliphant. There was no discussion at all regarding
11 the substance of the letters; is that correct? Or the substance
12 of the materials he had taken?

13 Mr. Tucker. There may have been, but I cannot recall the
14 substance of it. I do recall he has made certain allegations
15 that I ordered him to open mail he had found. I did not do
16 that. There was no discussion of any mail in those materials.
17 I assume that these were items he found in the trash, and
18 again there was no discussion of that.

19 Mr. Oliphant. Would you be willing to give a sample of
20 your voice for comparison with a tape, if that were asked of
21 you?

22 Mr. Tucker. Of course.

23 Mr. Oliphant. Did you know Merritt was a homosexual?

24 Mr. Tucker. Yes. He admitted that to us.

25 Mr. Oliphant. Did this make him desirable to you as an

1 informant?

2 Mr. Tucker. No, not particularly.

3 Mr. Oliphant. Did you ever ask him to provide you with
4 any information regarding homosexual or homosexualities, or
5 alleged homosexuality of any American citizens?

6 Mr. Tucker. No.

7 Mr. Oliphant. Did he ever volunteer this material to you,
8 this sort of information?

9 Mr. Tucker. On one occasion he did.

10 Mr. Oliphant. On only one occasion, or one individual?

11 Mr. Tucker. One glaring occasion he mentioned the fact
12 that some prominent people he knew were being extorted because
13 of homosexuality.

14 Mr. Oliphant. What action, if any, did you take regard-
15 ing this?

16 Mr. Tucker. Inasmuch as this was totally unfounded
17 rumor, he could not in any way substantiate or corroborate the
18 information, we took no action.

19 Mr. Oliphant. Are you familiar with the Community Book
20 Store?

21 Mr. Tucker. Yes.

22 Mr. Oliphant. We are talking about the Community Book
23 Store at 2028 P Street. What did you know about the Community
24 Book Store at that time?

25 Mr. Tucker. The Community Book Store was both a book

1 store and a rallying point or an information center, for want
2 of a better word, for those people who were involved in the
3 movement to end the war in Viet Nam.

4 Mr. Oliphant. Did you have a key to the Community Book
5 Store?

6 Mr. Tucker. No, I didn't.

7 Mr. Oliphant. Did you come in possession of a key to the
8 book store?

9 Mr. Tucker. No.

10 Mr. Oliphant. Did you ever ask Mr. Merritt to perform a
11 break-in for you there at the Community Book Store?

12 Mr. Tucker. No, I didn't.

13 Mr. Oliphant. Did you ever ask him to take any materials
14 whatever from the Community Book Store?

15 Mr. Tucker. No, I didn't.

16 Mr. Oliphant. Did he ever bring you any materials from
17 the Community Book Store?

18 Mr. Tucker. Not to my knowledge.

19 Mr. Oliphant. Did he ever bring you any materials from the
20 Red House Collective?

21 Mr. Tucker. He didn't deliver anything to me from the
22 Red House Collective. I knew he had been in there.

23 Mr. Oliphant. Did he ever bring you anything from the
24 Union of American Hebrew Congregations?

25 Mr. Tucker. No.

1 Mr. Oliphant. Did you know he was wanted, or that he had
2 allegedly cashed some bad checks?

3 Mr. Tucker. Yes.

4 Mr. Oliphant. How did you know that?

5 Mr. Tucker. He admitted that to Mr. O'Connor.

6 Mr. Oliphant. Did you subsequently investigate to find
7 out if this was true or not; search the record?

8 Mr. Tucker. O'Connor did.

9 Mr. Oliphant. Did you have anything to do with that at
10 all?

11 Mr. Tucker. No.

12 Mr. Oliphant. Do you know if he was told he was not
13 going to be prosecuted on this?

14 Mr. Tucker. That was, I believe -- my knowledge of this
15 is that this was a decision made by the local United States
16 Attorney or the local state's attorney, whichever the case
17 may be.

18 Mr. Oliphant. Was Merritt informed of this?

19 Mr. Tucker. I never informed him of it.

20 Mr. Oliphant. Did you have any -- without their names --
21 did you ever have any other sources or informants or people
22 who gave you information at the same time within the homo-
23 sexual community, other people, other than Merritt?

24 Mr. Tucker. Again, I would like to talk to counsel.

25 Mr. Oliphant. Go ahead.

1 (Discussion off the record.)

2 Mr. Tucker. Yes.

3 Mr. Oliphant. Did you ever ask these people to supply
4 information for you on Merritt?

5 Mr. Tucker. No.

6 Mr. Oliphant. Did you ever ask them anything about
7 Merritt?

8 Mr. Tucker. There was one individual who I would also
9 talk to who was an informant of mine, and I may have on one
10 occasion or two occasions, without indicating to this individual
11 my relationship with Merritt, ask him, "What is his story?"
12 and never went into any detailed inquiry regarding this
13 individual's knowledge of Merritt. In fact, he told me that
14 he basically knew that Merritt lived in the area.

15 Mr. Oliphant. During the time when you were working with
16 Merritt, how were you dressed? How did you come to work?

17 Mr. Tucker. I was dressed very casually, jeans, blue work-
18 shirt, had long, shoulder-length hair, and full beard.

19 Mr. Oliphant. Who gave you permission for this?

20 Mr. Tucker. The Special Agent in charge.

21 Mr. Oliphant. Were you requested to dress like this?

22 Mr. Tucker. No formal request was made.

23 Mr. Oliphant. Were you undercover at all?

24 Mr. Tucker. No. I went into the office every day. I
25 was assigned cases and worked just like any other agent.

1 Mr. Oliphant. How did you characterize Dr. Waskow in
2 the IPS to Merritt? How did you describe him to Merritt?

3 Mr. Tucker. I can recall no -- you mean physically
4 described him?

5 Mr. Oliphant. No, politically.

6 Mr. Tucker. I don't know how I described him to Merritt,
7 but I could describe him for you.

8 Mr. Oliphant. Okay.

9 Mr. Tucker. He was affiliated with the Institute for
10 Policy Studies and often was a proponent of left-wing causes
11 here in the District, local left-wing causes.

12 Mr. Oliphant. Was he a subject of investigation of the
13 Federal Bureau of Investigation?

14 Mr. Tucker. I cannot discuss that.

15 Mr. Oliphant. Well, I think inasmuch -- off the record.

16 (Discussion off the record.)

17 Mr. Oliphant. Was IPS the subject of an FBI investiga-
18 tion?

19 Mr. Tucker. We are in the same problem.

20 Mr. Atkisson. Counsel, we just went through this whole
21 subject area with Mr. O'Connor's interview.

22 Mr. Flannagan. I think he can answer that question.

23 Mr. Tucker. Again, as I said when I came up here, I was
24 told by the legal division that the confidentiality agreement was
25 only waived vis-a-vis my relationship with Merritt. The

1 question on IPS, I think I can answer, but as to Waskow,
2 I think we may be getting, you know, where are we going to
3 draw the line?

4 Mr. Oliphant. Was Dr. Waskow working at IPS?

5 Mr. Tucker. I believe so; yes.

6 Mr. Oliphant. Did Merritt have contact with Waskow?

7 Mr. Tucker. Yes.

8 Mr. Oliphant. Did he supply information on Waskow?

9 Mr. Tucker. Yes.

10 Mr. Oliphant. What sort of information did he supply on
11 Waskow?

12 Mr. Tucker. I cannot recall any specifics.

13 Mr. Oliphant. Did it have to do with fugitives?

14 Mr. Tucker. He never provided us any information regarding
15 the Weathermen.

16 Mr. Oliphant. Did he provide information regarding other
17 fugitives?

18 Mr. Tucker. Did Merritt provide?

19 Mr. Oliphant. Yes.

20 Mr. Tucker. In one instance a bond default subject
21 Randy Coleman, he provided us information regarding him.

22 Mr. Oliphant. Did there come a time when Merritt was
23 terminated?

24 Mr. Tucker. Yes.

25 Mr. Oliphant. Why was he terminated?

1 Mr. Tucker. He was found to be unreliable.

2 Mr. Oliphant. Could you expand on that?

3 Mr. Tucker. He gave us information that he had contacted
4 an individual, and we knew in fact that that individual was
5 out of the Washington, D. C. area when he said he contacted
6 him.

7 Mr. Oliphant. What action did you take after that?

8 Mr. Tucker. We told Merritt that he had lied to us and
9 that we were severing our relationship with him.

10 Mr. Oliphant. We will get back to that in a minute, but
11 I would like to ask you what you did with the materials that
12 were given to you allegedly from the trash in mid-November of
13 1971.

14 Mr. Tucker. I went back to the office on Friday, put them
15 in my desk, showed them to O'Connor, and we gave them back to
16 Merritt.

17 Mr. Oliphant. Did you incorporate them in any FBI
18 reports?

19 Mr. Tucker. No.

20 Mr. Oliphant. Why not?

21 Mr. Tucker. I didn't.

22 Mr. Oliphant. Do you know if they were incorporated in any
23 FBI reports?

24 Mr. Tucker. May I go off the record here?

25 Mr. Oliphant. I don't think you should.

1 Mr. Tucker. Then let me put it this way: When you say
2 report, within the FBI a report is a compilation of information
3 which is received and written by the case agent. In this
4 case it would have been the case agent on the IPS case. I
5 do not know if the case agent ever compiled anything from what
6 he had given me and put it in the report.

7 Mr. Oliphant. Did you show this material to the case
8 agent?

9 Mr. Tucker. No, I did not.

10 Mr. Oliphant. Do you know if O'Connor showed it to the
11 case agent?

12 Mr. Tucker. I do not know.

13 Mr. Oliphant. Did you copy any of the material and
14 memorialize it in writing in any way, shape, or form?

15 Mr. Tucker. I did not, but Mr. O'Connor, I understand,
16 did regarding a speech which was given by a Mr. Wolfson at
17 the Peoples Grand Jury.

18 Mr. Oliphant. This speech was found in the garbage, the
19 Wolfson speech?

20 Mr. Tucker. Yes.

21 Mr. Oliphant. Why was that put in the report, or why was
22 that memorialized and put in the files?

23 Mr. Tucker. I do not know.

24 Mr. Oliphant. Do you know of anything else?

25 Mr. Tucker. No, I do not.

1 Mr. Oliphant. Didn't you state that the reason that you
2 were interested in IPS and in having Merritt there was that
3 basically you were looking for fugitives; is that correct?

4 Mr. Tucker. This is correct.

5 Mr. Oliphant. Let me show you this memorandum.

6 Mr. Tucker. All right. I have seen this before.

7 Mr. Oliphant. Okay. Just for the record, I have shown
8 Agent Tucker a memorandum of two pages. The first page is
9 an FBI report giving a date of contact 11/26/71. The second
10 page is a memorandum dealing with IPS agenda.

11 What, if anything, did this have to do with fugitives?

12 Mr. Tucker. What did that have to do with fugitives?

13 Nothing.

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1 Mr. Oliphant. Why did you put it in the files?

2 Why were you interested in that?

3 Mr. Tucker. I didn't put it in the files. Let me
4 explain. Mr. O'Connor put it in the file. It was information
5 about IPS. There was a case on IPS. We thought that the
6 case agent might be interested in that kind of information.

7 Mr. Flanagan. Who was the case agent, incidentally?

8 Mr. Tucker. There were numerous case agents. I cannot
9 recall who the case agent was. At this time I would not
10 know.

11 I can check for you.

12 Mr. Oliphant. Do you know what the subject matter
13 of the investigation was? You don't have to go into detail.
14 Was the subject matter subversion?

15 Mr. Tucker. Yes.

16 Mr. Oliphant. I'm showing Mr. Tucker a memorandum dated
17 November 29, 1971.

18 Mr. Tucker. That is correct.

19 Mr. Oliphant. Now, could you tell us what, if anything,
20 that memorandum has to do with subversion or with fugitives?

21 Mr. Tucker. It has nothing to do with subversion or
22 fugitives.

23 Mr. Oliphant. Why was that incorporated into the files?

24 Mr. Tucker. Because it would give the FBI some idea of
25 how this organization was operating.

1 Mr. Oliphant. Agent Tucker, the second page of this,
2 this page is deleted in its entirety. Now without going
3 into details of what was in that page, do you recall the
4 content of that page?

5 Mr. Tucker. I could not hazard a guess at this point.

6 Mr. Oliphant. Do you recall or does it appear likely
7 to you that this might have been a document that was
8 taken from IPS or do you feel it was something, some subjective
9 writing that you made?

10 Mr. White. Could we go off the record on this?

11 Mr. Oliphant. Sure.

12 (Discussion off the record.)

13 Mr. Oliphant. All right. The question is, was the
14 second page which is deleted in its entirety, a document
15 of some sort taken from the Institute of Policy Studies,
16 to the best of your recollection?

17 Mr. Tucker. It would not have been.

18 Mr. Oliphant. Is it fair to say, then, that this page
19 would have been some report that you made on the basis of
20 some sort of independent investigation?

21 Mr. Tucker. Yes.

22 Mr. Oliphant. Would it be fair to say that this probably
23 had to do with the Institute of Policy Studies?

24 Mr. Tucker. Yes.

25 Mr. Oliphant. Would you describe now in detail what happened

1 when Earl Robert Merritt was terminated, as best as you
2 remember it, the day of his termination?

3 Mr. Tucker. I don't recall the exact date. I do
4 recall we picked him up and drove him to a secluded spot
5 in Rock Creek Park. It was not a secluded spot, I cannot
6 remember the exact street. It is where there is an old mill
7 and there is a dam there. It is not Fletcher's, the name
8 of the mill. That escapes me now. We confronted him with the
9 information that we believed that he was lying us.

10 He denied it. Admittedly there were heated words
11 between us. He was never physically abused or things like
12 that. I was upset at the time. I was rather firm with
13 Merritt but I don't believe abusive.

14 Mr. Oliphant. How upset were you?

15 Mr. Tucker. That would be hard to describe.

16 Mr. Oliphant. Well, describe your actions and describe
17 what you said.

18 Mr. Tucker. I think the strongest thing I did was pound
19 on the picnic table and call him a liar.

20 Mr. Oliphant. Did you threaten him in any way,
21 shape, or form?

22 Mr. Tucker. Absolutely not.

23 Mr. Oliphant. When you say you were firm, what were
24 you firm about?

25 Mr. Tucker. The fact that he attempted to tell us he

1 wasn't lying and we were firm with him in letting him
2 know that we knew that he had lied to us and that he was
3 trying to cover this up with an additional lie.

4 Mr. Oliphant. Did it then become apparent to you that
5 maybe some of the other information he had given to you was
6 also not true?

7 Mr. Tucker. Yes.

8 Mr. Oliphant. Did you ever make a report in a sense,
9 in essence, correcting the previous erroneous information
10 that had been incorporated in the FBI files?

11 Mr. Tucker. I had made no such report. I had no informa-
12 tion as to which information he had given me was erroneous.

13 Mr. Oliphant. Did you ever make a report or notation or
14 any sort of memorialized writing that it now appeared
15 that some of the information that had been given in the
16 past by this informant --

17 Mr. Tucker. I did not. Mr. O'Connor did.

18 Mr. Oliphant. What did he say, to the best of your
19 recollection?

20 Mr. Tucker. To the best of my recollection it was
21 that we have received information, I am trying to get the
22 exact words as best I can -- that Merritt -- I guess "unreliable"
23 was the word we used, was "unreliable."

24 Mr. Oliphant. Did you and O'Connor in a sense
25 make this retroactive? I am sure you said he was unreliable

1 regarding a specific instance that you could prove,
2 is that correct?

3 Mr. Tucker. Yes.

4 Mr. Oliphant. Did you then say, these would not be
5 your exact words, but this may now put in jeopardy or cast
6 aspersions on some of the prior information which he has
7 given to us? Did you make any notation to that effect?

8 Mr. Tucker. I did not.

9 Mr. Oliphant. Do you know if Agent O'Connor did?

10 Mr. Tucker. As far as I know he did not. Normally what
11 would be done in a case like this would be that in the
12 future communications dealing with him, this would be
13 pointed out, "He has been shown to be unreliable in the past."

14 Mr. Oliphant. How many reports, roughly, did you
15 write based on information which he had given you over the
16 time that you were handling.

17 Mr. Tucker. I did not handle it. Mr. O'Connor wrote
18 about 95 percent of the reports.

19 Mr. Oliphant. How many of those reports were written,
20 roughly?

21 Mr. Tucker. All reports were written.

22 Mr. Oliphant. How many, roughly?

23 Mr. Tucker. Again, when you are using the word
24 "report" generically, contacts would be our in-house term.

25 I would say there must be, again I am hazarding a

1 guess, somewhere between 100 and 200--maybe not that
2 high, maybe 100. That is a ballpark figure.

3 Mr. Oliphant. On how many individuals, again a ballpark
4 figure, was he supplying information?

5 Mr. Tucker. Maybe 25.

6 Mr. Oliphant. How much money did you pay him or
7 did the Bureau pay him over the time that he was working
8 with the Bureau?

9 Mr. Tucker. I never have conducted an audit.
10 I think it may have been somewhere around fifteen to seventeen
11 hundred dollars, in that figure.

12 Mr. Oliphant. Would that include both payments and
13 expenses or was there any differentiation made?

14 Mr. Tucker. There is a differentiation. I think that
15 would be a cumulative amount.

16 Mr. Oliphant. What sort of expenses would he have?
17 What would be his expenses?

18 Mr. Tucker. Expenses would be actual, anything he
19 would have to pay out of his pocket.

20 Mr. Oliphant. Was he paid on a regular basis?

21 Mr. Tucker. No. He was paid on a c.o.d. basis.

22 Mr. Oliphant. What was about the most money that he
23 was ever given at one time?

24 Mr. Tucker. Again I am guessing, \$100.

25 That is the upper limit.

1 Mr. Oliphant. Isn't it true that when you pay
2 an informant you have to justify this in writing
3 internally in the Bureau?

4 Mr. Tucker. That is affirmative.

5 Mr. Oliphant. Now when you justified this, did you
6 have to qualify Merritt as a reliable informant?

7 Mr. Tucker. I don't think, I don't know if I wrote
8 any of those requests for payments. I may have written one.
9 I don't really know. You have to justify your requests,
10 though, when you do make such an application, yes.

11 Mr. Oliphant. Did you see any justifications for Merritt
12 that either you or O'Connor wrote?

13 Mr. Tucker. Yes.

14 Mr. Oliphant. What did you say in those?

15 Mr. Tucker. Do you want me to give you an outline
16 of how these go? I cannot reply specifically. It runs something
17 like this. "During the period of so and so to such and such
18 captioned source provided information on the following
19 matters." Then you list them and give a brief capsule
20 of the information which he provided. In the body you
21 would say "It is therefore requested that the captioned
22 source be paid so much and then you break it down if
23 there were expenses, for the information he has provided.
24 That memorandum then would go to the special agent in charge
25 who would have to approve it along with some other papers

1 which go along with that which are for handling the
2 money.

3 Mr. Oliphant. Agent Tucker, there has to be some
4 sort of subjective analysis of yours that, or whoever is
5 preparing the voucher that he is reliable, that it is good
6 information.

7 Mr. Tucker. You would not utilize reliability as a
8 criterion at this time. This is done in semi-annual letters
9 regarding your informant and/or initial justifications.

10 Mr. Oliphant. Did you write a semi-annual letter?

11 Mr. Tucker. I did not.

12 Mr. Oliphant. Did O'Connor?

13 Mr. Tucker. He may have. I don't know. He would have,
14 when you convert someone from a potential informant to
15 a full-fledged informant the question of reliability
16 would have to be established.

17 Mr. Oliphant. Was that written?

18 Mr. Tucker. Yes.

19 Mr. Oliphant. What was said about Merritt?

20 Mr. Tucker. Based on the information we knew he was
21 reliable.

22 Mr. Oliphant. I just have one further question.
23 Regarding all the materials which were handed over in
24 November of 1971, in the packet which allegedly came from
25 the trash, we take it these were quite extensive, that there

1 was a lot of stuff in there, is that correct?

2 Mr. Tucker. Again, there was no inventory made.

3 If I had to hazard a guess, again, it probably would not
4 equal more than what you have in front of you right there.

5 Mr. Oliphant. Why were only certain things incorporated?

6 Why didn't they incorporate everything?

7 Mr. Tucker. I didn't make the determination as to
8 what was going to be maintained and what was going to be
9 copied. So I cannot really say what the motivation was.
10 Again, it appears to me that the items which were maintained
11 were background information regarding IPS and its internal
12 operations.

13 Mr. Oliphant. My question to you is: Referring to
14 the November 29, 1971 memoranda that you were shown,
15 this states that you were telephonically advised about
16 three items which you stated had no real value substantively
17 to either a subversive or a fugitive investigation.

18 Now they were written down as background information.

19 My question to you is: If you thought these were significant
20 enough to put in, coming to you over the telephone, are you
21 saying that the other information that you got from
22 the trash there was even less interesting, or of lesser
23 value than this sort of information which you did see fit
24 to incorporate?

25 Mr. Tucker. In retrospect, I would have to say yes.

1 Mr. Oliphant. But it was Agent O'Connor who made
2 the decision, is that correct?

3 Mr. Tucker. I don't know if I joined in that decision.

4 Again --

5 Mr. Oliphant. Was it ever written in a report that
6 you had received information from Merritt that allegedly
7 came from the trash? Did that ever come in a report?

8 Mr. Tucker. I don't believe so. Again, I did not have the
9 case assigned to me and do not know if the case agent
10 who was writing the reports --

11 Mr. Oliphant. Wouldn't that be normal, to state how
12 you got the information?

13 Mr. Tucker. The way it would be set out would be
14 something along this line. On such and such a day such
15 and such a source provided the following.

16 Mr. Oliphant. I have no further questions.

17 Mr. Flannagan. Agent Tucker, I think you indicated
18 earlier in this interview that your dealing with Robert
19 Merritt was from roughly November, 1971, through May of
20 1972, is that correct?

21 Mr. Tucker. Correct.

22 Mr. Flannagan. Did your involvement with the investigation
23 of IPS coincide with those dates? In other words, after May
24 of 1972, were you involved in an investigation of IPS?

25 Mr. Tucker. Only insofar as IPS may have been involved

1 with the Weathermen faction of SDS.

2 Mr. Flannagan. Did you work with Agent Charles Sawyer?

3 Mr. Tucker. Agent Sawyer had already left the squad by that
4 time. He was working on a different squad.

5 Mr. Flannagan. Did you work with Special Agent John
6 Van Wagenen?

7 Mr. Tucker. Yes, I did.

8 Mr. Flannagan. Did you work with Special Agent
9 James Rogers?

10 Mr. Tucker. Yes, I did.

11 Mr. Flannagan. Did you work with Special Agent
12 Edward C. Rudiger?

13 Mr. Tucker. Yes, I did.

14 Mr. Flannagan. And with Special Agent Robert Feuer?

15 Mr. Tucker. Yes, I did.

16 Mr. Flannagan. And Peter Chase?

17 Mr. Tucker. Yes, I did.

18 Mr. Flannagan. Well, Peter Chase was not assigned
19 to the IPS investigation until May of 1973. Did you work
20 with Mr. Chase on the IPS investigation?

21 Mr. Tucker. No. I worked on the same squad with
22 those individuals. I thought that was the thrust of your
23 question: Did I work on IPS with those individuals.

24 Mr. Flannagan. Yes.

25 Mr. Tucker. Your question is a hard one to answer.

1 As I can recall, they were the agents assigned, who had the
2 IPS case assigned to them.

3 Mr. Flannagan. Right. I am asking if you worked
4 with them on that case.

5 Mr. Tucker. I worked with them on the same squad but
6 after Merritt, I don't think I developed any more information
7 about IB which I would have channeled to those agents.

8 Mr. Flannagan. Do you know to your own knowledge whether
9 or not any of those agents just mentioned had any dealings
10 with Robert Merritt?

11 Mr. Tucker. Agent Feuer did.

12 Mr. Flannagan. Were any of the three of you, and
13 I am speaking of you, Mr. O'Connor, and Mr. Feuer, were
14 any of the three of you in charge of Merritt as an informer?
15 In other words, does the Bureau tend to think of an informer
16 as being developed by one agent?

17 Mr. Tucker. Yes. Mr. O'Connor was what we term the case
18 agent.

19 Mr. Flannagan. Concerning Robert Merritt?

20 Mr. Tucker. Right.

21 Mr. Flannagan. Were Feuer's contacts with Robert
22 Merritt independent of O'Connor; or would it necessarily
23 have been with the knowledge of Mr. O'Connor?

24 Mr. Tucker. With the knowledge.

25 Mr. Flannagan. As I further understood your testimony

1 earlier, you have no knowledge whatsoever of the Union
2 of American Hebrew Congregations?

3 Mr. Tucker. None other than what I have read in the
4 papers.

5 Mr. Flannagan. No other knowledge before then?

6 Mr. Tucker. No.

7 Mr. Flannagan. Did you ever, early in your relationship
8 with Robert Merritt, encourage him to take a job outside
9 of the Bureau?

10 Mr. Tucker. I think I may have.

11 Mr. Flannagan. Do you recall any specific jobs
12 you might have encouraged?

13 Mr. Tucker. No, nothing specific. I think that he
14 wasn't working at the time. I think that may have been brought
15 up, you know, you ought to get a job.

16 Mr. Flannagan. Did he, to the best of your recollection,
17 ever mention to you anything about a potential job opening
18 with Ethel Kennedy?

19 Mr. Tucker. Absolutely and categorically, no.

20 Mr. Flannagan. You cannot really remember whether or
21 not --

22 Mr. Tucker. That I recall.

23 Mr. Flannagan. Exactly.

24 Mr. Tucker. Why, incidentally, and I don't think
25 this was asked, why did you take Mr. Merritt to Rock Creek

1 Park to discuss his termination with him?

2 Mr. Tucker. To give us a little anonymity. You don't
3 want to discuss this sort of thing at 18th and L. In other
4 words, there would be privacy there. That is a better
5 word than anonymity.

6 Mr. Flannagan. Where did you pick him up?

7 Mr. Tucker. I don't recall. We usually would pick him
8 up around 22nd and Massachusetts, and that area ^{OF} ~~OF~~ Sheraton
9 Circle.

10 Mr. Flannagan. Who did you regard as your supervisor with
11 respect to any of your investigative endeavors in connection
12 with IPS?

13 Mr. Tucker. Well, the entire time I was assigned to the
14 S-7 squad my supervisor was John R. Palmer.

15 Mr. Flannagan. Did Mr. Palmer specifically verbally or in
16 writing authorize the investigation of IPS?

17 Mr. Tucker. There was a case opened on IPS. I
18 don't know whether it was opened during Mr. Palmer's tenure
19 or not.

20 Mr. Flannagan. Were you aware, when Mr. Merritt began
21 giving you information concerning IPS, were you aware of the
22 nature of his first contact with IPS?

23 Mr. Tucker. No. I don't know how he first came to know
24 them or they came to know him. I do not know that.
25 If I did know it then, I don't know it now.

1 Mr. Flannagan. Did you ever encourage him to get a
2 job at IPS?

3 Mr. Tucker. Yes.

4 Mr. Flannagan. Was he successful in that?

5 Mr. Tucker. No.

6 Mr. Flannagan. What was the reason he gave for not being
7 successful?—

8 Mr. Tucker. He said that they had become extremely
9 vigilant in who they were going to hire. We felt that
10 since that was the case, we then began to discourage him with
11 any contact with IPS.

12 Mr. Flannagan. Did he ever mention anything about
13 the lie detector case?

14 Mr. Tucker. Yes, he did.

15 Mr. Flannagan. What was the nature of that reference?

16 Mr. Tucker. He told us he talked to one of the attorneys
17 at IPS who told him he would have to undergo a polygraph
18 examination.

19 Mr. Flannagan. Did you say to him that in effect that
20 would be all-right, because you could fix any polygraph
21 test that might be administered?

22 Mr. Tucker. That I could fix?

23 Mr. Flannagan. That the Bureau could?

24 Mr. Tucker. No.

25 Mr. Flannagan. I believe you said earlier with

1 respect to the Community Book Store, that you never,
2 to your knowledge, never received anything from that
3 establishment.

4 Mr. Tucker. That is correct.

5 Mr. Flannagan. You never received any petitions,
6 membership lists, literature?

7 Mr. Tucker. To my knowledge at this point, no. I
8 may have because he would often come in with literature
9 announcing demonstrations and the like.

10 Now he gave, and it may have been reported that he gave
11 us information from the Community Book Store, but at this
12 point I don't know.

13 Mr. Oliphant. Mr. Tucker, let me ask you this: What
14 did you do with all the documents you got, allegedly from
15 the trash, the middle of November? What happened to them?

16 Mr. Tucker. We gave them back to Mr. Merritt and he
17 was told to take them back to IPS. He got them from the
18 trash and that is where they belonged.

19 Mr. Oliphant. Is that usual, to return things
20 to the trash?

21 Mr. Tucker. again we were not too sure about that
22 situation. The legal question of abandonment is really not
23 a very settled one.

24 Mr. Oliphant. Have you ever returned anything to the
25 trash before?

1 Mr. Tucker. That is the only time I ever got anything
2 from the trash.

3 Mr. Oliphant. Have you ever heard of people returning
4 things to the trash after they used them, agents?

5 Mr. Tucker. No, I haven't.

6 Mr. Oliphant. Why were they returned, why were these
7 documents returned to Merritt?

8 Mr. Tucker. Again, because we weren't very sure of the ques-
9 tion of abandonment in this case.

10 Mr. Oliphant. You weren't sure they had been abandoned?

11 Mr. Tucker. No. We weren't sure of the law on
12 abandonment.

13 Mr. Oliphant. Are you not sure of the word "abandonment"
14 or were you not sure they had been abandoned?

15 Mr. Tucker. I had no reason to doubt that he got
16 them from the trash at that time. Can I answer that way?

17 Mr. Oliphant. Sure.

18 Mr. Tucker. If that satisfies your question.

19 Mr. Oliphant. Did you return any other documents to
20 him?

21 Mr. Tucker. No.

22 Mr. Oliphant. Then why did you return these?

23 Mr. Tucker. Because we weren't sure if we should
24 have had them.

25 Mr. Oliphant. Why?

1 Mr. Tucker. Because they had come, he said they had
2 come from the trash. Again, we weren't too sure about the
3 law of abandonment, whether or not we could have them.

4 Mr. Oliphant. Is acquiring documents from the trash
5 or evidence from the trash an investigative technique employed
6 by the FBI?

7 Mr. Tucker. Yes.

8 Mr. Oliphant. Had you heard of this technique being
9 used before you received these documents from the trash?

10 Mr. Tucker. Yes.

11 Mr. Oliphant. Have you heard of it being used since you
12 received these documents from the trash?

13 Mr. Tucker. Yes.

14 Mr. Oliphant. And at any other time have you ever
15 heard of documents being returned back to the trash?

16 Mr. Tucker. No.

17 Mr. Oliphant. Do you recall if there was a manuscript
18 in these documents?

19 Mr. Tucker. No.

20 Mr. Oliphant. You don't remember, or there wasn't?

21 Mr. Tucker. I don't remember.

22 Mr. Oliphant. What sort of container were these
23 documents in, or these materials, whatever you want to call
24 them?

25 Mr. Tucker. A manilla envelope.

1 Mr. Oliphant. A large manilla envelope?

2 Mr. Tucker. Yes.

3 Mr. Oliphant. About how many documents were in there?

4 Mr. Tucker. Again, I would have to characterize it by
5 about the same amount as sitting in front of you right
6 now.

7 Mr. Oliphant. Thank you.

8 Mr. Flannagan. I have no further questions.

9 (Whereupon, at 1:00 o'clock a.m., the interview
10 was concluded.)

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Mr. W. R. Wannall	1 - Mr. J.B. Adams 2 - Mr. J.A. Mintz (1-Mr. Notis) 1 - Mr. W.R. Wannall 11/7/75
Mr. R. L. Shackelford	1 - Mr. R.L. Shackelford 1 - Mr. W.O. Cregar 1 - Mr. L.E. Brunnick 1 - Mr. J.P. McMahon

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

PURPOSE:

To recommend that Legal Counsel Division consult with the Department to seek guidance as to the manner in which the Bureau should respond to NSC requests for materials in Bureau files relating to organizations and individuals currently involved in civil litigation with the Bureau, and to ascertain how Bureau personnel should respond to similar inquiries while giving testimony in either Executive or public sessions.

DETAILS:

In September and October, 1975, the HSC requested, among other items, information from Bureau files concerning a number of individuals associated with the Socialist Workers Party (SWP) and information from the file on the Institute for Policy Studies (IPS), as well as the file of former Bureau informant Earl Robert Merritt, Jr.

On 11/5/75, Bureau representatives Mr. W. H. Wannall, Mr. R. L. Shuckelford, and Mr. D. Ryan furnished depositions to the HSC concerning numerous matters including Bureau investigations of 5 individuals affiliated with the SWP and this Bureau's investigation of the IPS. HSC representatives indicated at that time, that these topics will be the subject of testimony scheduled for public session 11/18/75. With regard to HSC inquiries concerning the 5 SWP individuals, the thrust of the inquiries centered around this Bureau's authority to investigate the SWP and its members, which is one of the main issues to be resolved in a pending civil suit which the SWP has brought against the Bureau. With regard to the IPS, HSC inquiries centered around this Bureau's authority to investigate this organization, as well as public charges made against this Bureau by

1 - 62-116464 (HSC)
1 - 100-16 (SWP)
JPM:bsf (12)

1 - 100-447935 (IPS)
1 - 137-28413 (Merritt)

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NW 89804 DocId:32989695 Page 188

Memorandum to Mr. W. R. Wannall
Re: U. S. House Select Committee On Intelligence (HSC)

Earl Robert Merritt, Jr., a former Bureau informant who furnished information concerning the IPS. Charges by Merritt have been publicly refuted by this Bureau. It is noted that the IPS is also currently involved in civil litigation with this Bureau charging illegal wiretapping and breaking and entering.

Additionally, on 11/5/75, 2 Bureau Agents, against whom Merritt has levied his unfounded charges, were deposed by HSC members at which time the Agents were accompanied by the Departmental Attorney who is handling this litigation.

OBSERVATIONS:

In view of the pending HSC request for material relating to IPS, as well as information pertaining to Earl Robert Merritt, Jr., who is to be a principal witness in the IPS civil litigation, and because the HSC representatives have indicated that the questioning of Bureau officials scheduled for the HSC public hearing on 11/18/75 will involve matters directly related to the Government's actions in the defense of the civil suits regarding both the IPS and SWP, it is felt that Departmental advice should be sought prior to this Bureau responding to or engaging in further response to the HSC in these areas.

RECOMMENDATIONS:

1) That Legal Counsel Division consult with the Department to obtain advice as to how the Bureau should respond to HSC requests for materials concerning IPS and Merritt, and advise the Intelligence Division by memorandum of the results.

2) Legal Counsel Division should determine from the Department, the parameters to which Bureau representatives should confine their testimony in either Executive or public sessions concerning IPS and SWP and advise the Intelligence Division by memorandum.

Mr. J. B. Adams

11/20/75

Legal Counsel

U. S. RECORDING COMPANY;
HOUSE SELECT COMMITTEE

At 3:00 p.m. on November 20, 1975, Joe Tait, U. S. Recording Company, telephonically advised me that he has been requested to appear for a staff interview by representatives of captioned committee at 11:00 a.m. on November 21, 1975, at which time he anticipates being served with a subpoena requiring him to produce his records concerning dealings with the Martin Kaiser Company. Mr. Tait requested advice concerning an appropriate response to the demand for his records. He said that the records that would be involved in the demand are all classified and he regarded that classification as binding. I told Mr. Tait that in view of the fact the documents were classified, it would be necessary for the matter to be presented to the Department for a determination as to declassification of the documents or for the development of procedures for submission of the documents to the Committee in classified form.

Mr. Tait interrupted me and said that he would prefer that I furnish this information to his attorney and he requested me to call Bryan Gettings at telephone number 525-2260.

I called Bryan Gettings and advised him of Mr. Tait's request that I inform him of the difficulties involved in responding to a subpoena for the production of documents where the documents involved are classified. I told Mr. Gettings that it would be necessary for the fact that the subpoena was issued for classified documents to be brought to the attention of the Department for possible declassification or for the development of appropriate procedures for submission of classified documents to the Committee.

1/ - 62-116464 (House Select Committee)

- 1 - Mr. Wannall
- 1 - Mr. Bassett
- 1 - Mr. Cochran
- 1 - Mr. Hotis
- 1 - Mr. Mintz

JAM:mfd

CONTINUED - OVER

Memorandum to Mr. Adams
Re: U.S. Recording Company

I also told Mr. Gettings that it would be appropriate for him to alert the Committee staff to the problems involved in supplying the Committee with documents that are classified. I told Mr. Gettings that I would not counsel him as to what advice he should give his client, but the determination would be entirely his.

Mr. Gettings considered the matter briefly and then told me that he would advise Mr. Tait to appear in response to the subpoena, but to take no documents with him. Further, he would advise Mr. Tait to explain to the Committee staff that the documents are all classified and that they would continue to respect the limitations imposed on disclosure of that information due to the classification. He also would advise the Committee staff that should the Committee desire to inquire further concerning the documents that such inquiries should be made directly to the Department of Justice. He said that he would not communicate with the Department of Justice directly at this time concerning this matter, but would leave such communication up to the Committee staff.

Upon completion of my discussion with Mr. Gettings, I telephonically advised Mr. Callahan and Mr. Bassett of the results. Mr. Callahan inquired concerning the current validity of the classification of the documents.

I discussed that matter with Mr. Bassett who advised me that the classification of the documents had previously been reviewed and found to be valid. I requested Mr. Bassett to verify that information in light of the fact that he advised me the classification may have been based on purchasing regulations rather than Executive Order 11652. Further, I told Mr. Bassett that it may be necessary for the Bureau to be prepared to submit the documents to the Departmental Review Committee for a determination as to whether the documents should be declassified for purposes of responding to the subpoena.

At approximately 4:15 p.m., Mr. Daly advised me that Tim Oliphant, of the House Select Committee, called and requested the Bureau to authorize Mr. Tait to release the documents to the Committee in view of Mr. Tait's reluctance to do so based on their classification. I directed Mr. Daly to call Oliphant and respond to his request by telling him that the documents were classified and request Oliphant to permit us an opportunity to review

Memorandum to Mr. Adams
Re: U.S. Recording Company

the documents to determine the validity of the classification and to make any necessary special arrangements for their delivery such as excision of sensitive material.

Mr. Daly discussed this matter with Mr. Oliphant and then advised me that Oliphant was agreeable to changing the time of the testimony from 11:00 a.m. on November 21st, to the late afternoon of November 21st, and further that he was agreeable to having the documents reviewed and sensitive information concerning the subjects of the purchases deleted. Oliphant indicated that they were principally interested in the amounts of the purchases and not the subject matter of the purchases.

I called Bryan Gettings at approximately 4:30 p.m. and told him that the Committee staff had agreed to postpone the appearance to permit the Bureau an opportunity to review the records and to make necessary excisions concerning sensitive information describing the materials purchased. I also explained to Mr. Gettings that due to arrangements between the Department of Justice and the Committee, classified documents were made available on Committee request. Therefore, I asked Mr. Gettings for an opportunity to have the Bureau review the documents he was holding for Mr. Tait in order for necessary excisions to be made prior to Mr. Tait's appearance in response to the Committee request. I told him that the Bureau was not in a position to direct Mr. Tait to decline to appear or to produce the documents based simply on the fact that they were classified, but that we did have an agreement with Mr. Oliphant that we would be permitted to excise certain portions.

Mr. Gettings told me that he understood the limitations under which the Bureau had to respond to Committee requests, and that he would agree to have a Bureau representative review the documents and make necessary excisions. However, he said that he was not bound by any agreements with the Committee or by arrangements by the Attorney General and that he did not feel that Mr. Tait or he should be inconvenienced by the Committee unnecessarily. Therefore, he may advise Mr. Tait to decline to appear until the first part of December, 1975.

He said that he had determined that the Committee could not have a subpoena issued and served on Mr. Tait prior to that time. Mr. Gettings said that he would contact Mr. Oliphant, discuss the proposals, and advise me of his decision.

Memorandum to Mr. Adams
Re: U. S. Recording Company

I called Assistant Director Cochran and alerted him to the fact that it may be necessary on the morning of November 21st for Laboratory representatives to review the documents being held by Mr. Gettings in order to make necessary excisions of sensitive information. He agreed that he and William Harward of the Laboratory would be available for that purpose and he requested that Mr. Keehan of the Inspection Division contact him to make necessary arrangements.

I advised Mr. Keehan that Mr. Gettings had agreed to make the documents available for Bureau review and that he should be available on the morning of November 21st to review the documents for purposes of the current Inspection Division inquiry. If this arrangement can be made it will be possible for the Inspection Division to have access to the documents before they are submitted to the Committee and perhaps become unavailable for our review. Mr. Keehan indicated he would be available on November 21st.

At 5:20 p. m., Mr. Gettings called me and invited a representative of the Bureau to come to his office at 1400 North Uhle Street located at Court House Square in Arlington, Virginia, to pick up the records in question and transport them to Bureau Headquarters for review and appropriate excision. He said that he had contacted the Committee staff and they have agreed that Mr. Tait will appear Friday, November 21st, without his records but to discuss the purchase arrangements with the FBI and with Martin Kaiser. He said that the Committee staff agreed to this arrangement for the interview on the 21st, but it may be that the Committee will insist upon production of the records at a later time. I advised Mr. Bassett and Mr. Keehan of the Inspection Division and requested Mr. Keehan to pick up the records at Mr. Gettings' office at 10:00 a. m. on November 21st.

I advised Mr. Cochran that the records will be available in the Bureau and requested him to confer with Mr. Keehan and to arrange for appropriate excision and he agreed.

RECOMMENDATION:

For information.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall *work*

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

DATE: 12/1/75

FROM : F. J. Cassidy *JK*

1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. F. J. Cassidy

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

Assoc. Dir.
Dep. Adm.
Dep.
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

On 11/18/75 the Assistant to the Director-Deputy Associate Director, James B. Adams, and other representatives of the FBI appeared in open hearings before the HSC. A transcript of the hearings was furnished to Assistant Director Wannall for review and to provide additional information for inclusion in the official record of the hearings. On furnishing this transcript it was indicated that the transcript should not be duplicated and that the material should reach the Committee by 12/1/75.

On Monday, 12/1/75, SA Paul V. Daly, Legal Counsel Division, contacted Carolyn Andrade, Office Manager of HSC, who advised that the deadline for our submissions would be postponed until 12/3/75 and that we could duplicate the transcript of the hearings previously furnished if we so desired.

ACTION:

None. For information.

FJC:fb
(6) *JK*

REC-4162-116464-200

7 DEC 9 1975

The Attorney General
Director, FBI

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

November 6, 1975

1 - Mr. W. O. Cregar
1 - Mr. A. C. McCray

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

Reference is made to HSC letter dated September 26, 1975, requesting access to all notes, memoranda, files, and reports for the dates noted for the following:

A Quaker Action Group, Philadelphia, Pennsylvania, from 1966-1972

The American Friends Service Committee, Philadelphia, Pennsylvania, from 1960 to present

The Movement for a New Society, Philadelphia, Pennsylvania, from 1971 to present

Enclosed for your approval and forwarding to the HSC is the original of a memorandum which constitutes this Bureau's response to the above request.

A copy of this memorandum is being furnished for your records.

Enclosures (2)

REC-41

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

3 DEC '75

Assoc. Dir. _____

(9)

Dep. AD Adm. _____

Dep. AD Inv. _____

Asst. Dir. _____

Admin. _____

Comp. Syst. _____

Ext. Affairs _____

Files & Com. _____

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Ident. _____

Inspection _____

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Laboratory _____

Plan. & Eval. _____

Spec. Inv. _____

Training _____

Legal Coun. _____

Telephone Rm. _____

Direct. Inv. _____

10375 ROOM

TELETYPE UNIT

84 DEG + 10375 ROOM
NW 89804 DocId:32989695 Page 195

GPO : 1975 O - 569-920

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

62-116464

November 6, 1974

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

Reference is made to HSC letter dated September 26, 1975, requesting access to all notes, memoranda, files, and reports for the dates noted for the following:

A Quaker Action Group, Philadelphia, Pennsylvania, from 1966-1972

The American Friends Service Committee, Philadelphia, Pennsylvania, from 1960 to present

The Movement for a New Society, Philadelphia, Pennsylvania, from 1971 to present

Reference is further made to conversation on October 15, 1975, with Mr. Richard Vermeire and Ms. Ellen Miller of the HSC staff to the effect that the HSC now desired information on A Quaker Action Group for the years 1970-1972 and in regard to The American Friends Service Committee for the years 1971 to present. In regard to The Movement for a New Society the request for information for the period 1971 to present stood as originally requested.

Pertinent information responsive to the above HSC request has been prepared in accordance with established procedures relating to such matters, and this material is available for review at FBI Headquarters by appropriately cleared personnel of the HSC staff.

In regard to A Quaker Action Group it is noted that most of the information in the file from December, 1971, onward concerns Bureau memoranda involving a civil suit brought by this organization against the Secretary of the Interior challenging a regulation limiting the number of persons permitted to demonstrate in front of the White House. These memoranda do not relate to A Quaker Action Group

Assoc. Dir. _____

Dep. AD Adm. _____

Dep. AD Inv. _____

Asst. Dir. _____

Admin. _____

Comp. Syst. _____

Ext. Affairs _____

Files & Com. _____

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Ident. _____

ACM:lm

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ORIGINAL AND ONE TO THE ATTORNEY GENERAL

Spec. Inv. _____

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Legal Coun. _____

Telephone Rm. _____

Director's Secy. _____

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NW 89804 DocId:32989695 Page 196

GPO 954-546

62-116464-205 SEE NOTE PAGE TWO

ENCLOSURE

U. S. House Select Committee
on Intelligence Activities

per se, but deal with requests made of the Bureau by Departmental Attorneys. This material has not been prepared for the HSC.

In regard to The American Friends Service Committee (AFSC) it is noted that two items have not been prepared for the HSC. One deals with information from another government agency to the effect that the AFSC would protest the first flight of the B-1 Bomber at Palmdale, California. This item was received by this Bureau on December 20, 1974. The other item, received in August, 1972, was from a friendly foreign intelligence service to the effect that the AFSC had been in contact with a mission of another foreign government in that country.

Also in regard to The American Friends Service Committee four serials containing information from an intelligence service abroad have not been included in the material prepared for the HSC. These four serials relate to exchange of visits between members of the AFSC and individuals from a foreign country.

1 - The Attorney General

CONFIDENTIAL

NOTE:

The other government agency referred to regarding the B-1 Bomber is OSI, U. S. Air Force. The friendly foreign intelligence service is the RCMP who furnished information regarding the AFSC contacting the People's Republic of China Mission in Ottawa, Canada.

The four serials referred to in last paragraph of memorandum contain information from Bureau source 300 received by Legat Bonn. This material emanates from the U. S. Army, Germany. Liaison Section states that on 11/3/75 Colonel John Heiss, Chief of Security Division, ACSI, Department of Army, Pentagon, requested this information not be released to the HSC. Classified by 6283, XGDS 2, Indefinite.

CONFIDENTIAL

- 2 -

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

HOUSE SELECT COMMITTEE

Addressee: HOUSE SELECT COMMITTEE

LTR LHM Memo Report dated 11/6/75

U.S. HOUSE SELECT COMMITTEE ON INTELLIGENCE
Action of Document: ACTIVITIES re request 9/26/75
for all material on Quaker Action Group,
American Friends Service Committee and The
Movement for a New Society.

Originating Office: FBI

Delivered by: Richard J. Taylor Date: 930

Received by: E. M. Buddeke 11/10/75

Title: Adm Cm

Return this receipt to the Intelligence Division, FBI

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.)

2. DATE PROVIDED

DOCUMENT

BRIEFING

INTERVIEW

TESTIMONY

OTHER

11/6/75

FOR REVIEW

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

	SSC
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<input checked="" type="checkbox"/>	HSC
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4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum and enclosures

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

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

HSC letter 9/26/75

U

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

Intelligence collection
Information handling

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

Materials relating to: A Quaker ActionGroup, Philadelphia, Pa. from 1970-72; The American Friends Service Committee, Philadelphia, Pa., 1971 to present; The Movement for a New Society, Philadelphia, Pa., 1971 to present.

62-116464

FMK:fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUSTUDY

TREAT AS YELLOW

3791 (6-75)

CLASSIFY AS APPROPRIATE

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.

2 - [REDACTED] A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Gregar
1 - Mr. R. L. Shackelford

The Attorney General

November 14, 1975

1 - Mr. T. J. McNiff

Director, FBI

15
D
U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Reference is made to letter from HSC dated October 28, 1975, requesting certain information from the FBI.

Attached for your approval and forwarding to the HSC is the original of a memorandum, with enclosure, which constitutes this Bureau's response to the HSC request for Bureau materials concerning Earl Robert Merritt, Jr.

Your attention is called to Bureau request contained in enclosed memorandum for a meeting between representatives of this Bureau and the HSC to discuss the manner in which this Bureau will respond in the future to HSC requests for information concerning individuals with whom a confidential relationship may have existed.

A copy of the memorandum is being provided for your records.

Enclosures (3)

ENCL PERIOD FILE

62-116464

ENCLOSURE

REC-41

62-116464-204

Document to Dir. Office FBI

N

1 - The Deputy Attorney General
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____ 137-28143
Inspection _____ (11)
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Secy. _____

Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

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NW89804 DocId:32989695 Page 201

GPO : 1975 O - 569-920

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

62-116464

November 14, 1975

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

RE: INFORMATION CONCERNING
EARL ROBERT MERRITT, JR.

Reference is made to HSC letter dated October 28, 1975, which requests, in part, "access to any and all files at FBI concerning Earl Robert Merritt, Jr."

This Bureau is becoming concerned about the HSC practice of submitting requests for all information in Bureau files concerning named individuals, with no indication as to the reason for the inquiry. As the HSC is aware, this Bureau has, at one time or another, maintained a confidential relationship with many of the individuals named in prior HSC requests, primarily in requests dated September 24, 1975, October 3, 1975, and November 4, 1975. It has been this Bureau's understanding that in responding to HSC requests, this Bureau would not be forced to divulge the identity of its sources. This Bureau feels it is essential, therefore, to meet with HSC representatives for the purpose of formulating guidelines for future handling of requests pertaining to individuals. It would be appreciated if the HSC would contact the Bureau liaison agent with the HSC for the purpose of arranging requested meeting. Replies to requests contained in HSC requests of October 3, 1975, and November 4, 1975, will be held in abeyance pending formulation of such guidelines.

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Director Sec'y _____

With regard to referenced request for material relating to Merritt, HSC Staff Member Ellen Miller on November 13, 1975, advised this request is related to

1 - 137-28143

TJM:1hb 116

(10)

ORIGINAL AND ONE COPY TO AG

WAW/CC

SEE NOTE PAGE 2

NW 89804 DocId:32989695 Page 202

ENCLOSURE

62-116464-204

GPO : 1975 O 569-920

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

RE: INFORMATION CONCERNING EARL ROBERT MERRITT, JR.

forthcoming HSC hearing concerning Institute for Policy Studies, and delivery of the material, rather than access, was requested. As the reason for the inquiry has been identified and in view of the imminence of the forthcoming hearing, pertinent material relating to Merritt is being forwarded to you as an enclosure to this memorandum.

Enclosure

1 - The Attorney General

NOTE:

Earl Robert Merritt, Jr., was a paid criminal informant of the Washington Field Office from 10/1/71 until he was discontinued 6/1/72 as doubt had been cast upon his credibility. Merritt has subsequently made unfounded allegations of having engaged in illegal tactics in the Bureau's behalf and has also alleged improper conduct on the part of handling Agents. These allegations have been refuted in affidavits submitted by concerned personnel. Merritt furnished information to this Bureau concerning Institute for Policy Studies (IPS) which was under investigation during the period he was an informant.

This response to HSC request has been coordinated with Assistant Director John A. Mintz, Legal Counsel Division.

Above-mentioned HSC letter of 9/24/75 requested access to material relating to six individuals, one of whom is a current informant. HSC was granted access to material relating to the five Bureau informants and was confidentially advised of the informant status of the sixth, and no material

NOTE CONTINUED PAGE 3

- 2 -

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

RE: INFORMATION CONCERNING EARL ROBERT MERRITT, JR.

NOTE CONTINUED:

was furnished concerning this individual. By letter 10/3/75, HSC requested access to 15 different individuals, one of whom is a current confidential source and the remaining were all former informants or alleged informants. By letter 11/4/75, HSC requested delivery of material relating to the five former informants mentioned in letter of 9/24/75.

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

Addressee: HOUSE SELECT COMMITTEE

LTR LHM Memo Report dated 11/14/75
U. S. House Select Committee (HSC). Re: Info
Caption of Document: Concerning Earl Robert Merritt, Jr.
(HSC letter 10/28/75.)

Originating Office: FBI

Delivered by: John O'Halloran Date: 11-14-75

Received by: John O'Halloran

Title: Consel

Return this receipt to the Intelligence Division, FBI

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.)

2. DATE PROVIDED

DOCUMENT

BRIEFING

INTERVIEW

TESTIMONY

OTHER

11/14/75

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

SSC

HSC

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

Memorandum and enclosures

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 10/28/75

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)

**Information handling
Intelligence collection**

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

All materials concerning Earl Robert Merritt, Jr., as they relate to Institute For Policy Studies.**62-116464**

FMK:fmk

(4)

**ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUSTUDY****TREAT AS YELLOW***5-AG*

3791 (6-75)

CLASSIFY AS APPROPRIATE

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.

2 - Mr. J. A. Mintz
(1 - 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

The Attorney General

November 11, 1975

Director, FBI

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

Reference is made to HSC letter dated September 30, 1975, requesting delivery and access to certain documents and information pertaining to the Administrative Index (ADEX) and its precedent, the Security Index (SI). Reference is also made to HSC letter dated October 15, 1975, requesting, under items 5 and 6, additional information and documents concerning the ADEX and the SI.

Enclosed for your approval and forwarding to the HSC is the original of a memorandum with enclosures which constitutes this Bureau's response to the above requests.

A copy of this memorandum is being furnished for your records.

Enclosures (11)

62-116464

1 - The Deputy Attorney General REC-41
Attention: Michael E. Shaheen, Jr.
Special Counsel for 62-116464-203
Intelligence Coordination

KAM:en en
(10)

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
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Inspection _____
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Legal Coun. _____
Telephone Rm. _____

SECRET MATERIAL ATTACHED

3 DEC 9 1975

RECEIVED 11/11/1975
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NW 69804 DocId:32989695 Page 208

GPO : 1975 O - 569-920

2 - 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 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

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.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____ KAM:en *2* *✓*
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Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____ MAIL ROOM TELETYPE UNIT

W/200/TUL SEE NOTE PAGE 4 *10/13* *Q*

SECRET MATERIAL ATTACHED

62-116464-203 JBN

EX-11

GPO : 1975 O - 569-920

RE: SECURITY INDEX (SI) AND
ADMINISTRATIVE INDEX (ADEX)

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 are 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

RE: SECURITY INDEX (SI) AND
ADMINISTRATIVE INDEX (ADEX)

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 ESC so desire, the outdated SI and ADEX cards mentioned above will be made available for review by appropriate ESC representatives at FBIHQ.

Enclosures (9)

1 - The Attorney General

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 classification of this section of the ADEX.

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

Addressee: HOUSE SELECT COMMITTEE

LTR LHM Memo Report dated 11/11/75

U.S. HOUSE SELECT COMMITTEE
Caption of Document:

9/30/75 request also 10/15/75,
items 5 and 6

Originating Office:

FBI

215

Delivered by: Richard J. Taylor Date: 11/12/75

Received by: John Cuddeback

Title: AA

Return this receipt to the Intelligence Division, FBI

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.)

2. DATE PROVIDED

DOCUMENT

BRIEFING

INTERVIEW

TESTIMONY

OTHER

11/11/75

FOR REVIEW AND DELIVERY

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

SSC

HSC

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

Memorandum and enclosures

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 9/30/75

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

S

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
Information handling
Intelligence collection**

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

Materials furnished reflecting the various criteria which have been and are currently being utilized to include an individuals name on the ADEX and a chart reflecting a statistical break down of the ADEX; Authority for maintaining the ADEX; for review by appropriate HSC Staff Members at FBIHQ computerized ADEX listing; documents pertaining to the SI.

62-116464

FMK:fmk

(4)

**ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX.
IN CONNECTION WITH HOUSTUDY****TREAT AS YELLOW**

5-10

3791 (6-75)

CLASSIFY AS APPROPRIATE

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.

The Attorney General

1-Mr. J. B. Adams
2-Mr. J. A. Mintz
(1-Mr. D. W. Bowers)

Director, FBI

November 10, 1975
1-Mr. D. W. Moore
1-Mr. W. R. Wannall
1-Mr. W. O. Cregar
1-Mr. W. A. Branigan
1-Mr. J. M. Fox

~~ALLEGATIONS OF SOVIET
PENETRATIONS ON CAPITOL HILL
INTERNAL SECURITY - RUSSIA~~

Transmitted herewith is a copy of a letter to Mr. Michael Shaheen, Jr., Special Counsel for Intelligence Coordination, Department of Justice, dated November 5, 1975, forwarded to me from Congressman Otis G. Pike, Chairman, House Select Committee on Intelligence. The letter requests from the FBI information regarding Soviet-bloc penetrations of Congressional staffs.

For your information, the case referred to in paragraph two of my letter to Congressman Pike was never presented to the Department of Justice for a prosecutive opinion. It was felt that use of extremely sensitive sources and techniques in the investigation of this matter militated against prosecution.

Also enclosed is a copy of my proposed response to this request. This response will be delivered to Congressman Pike with your approval.

Enclosures (2)

1 - The Deputy Attorney General - Enclosures (2)
1 - Mr. Michael E. Shaheen, Jr. - Enclosures (2)
Special Counsel for Intelligence Coordination
Department of Justice

REC-41 62-116464-202
SECRET MATERIAL ATTACHED
3 NOV 9 1975

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

JMF:emg/mls

NOTE:

See memorandum W. A. Branigan to W. R. Wannall dated 11/10/75, captioned as above, prepared by JMF:emg

84 DEC 11 1975
MAIL ROOM

TELETYPE UNIT

NW 89804 DocId:32989695 Page 216

62-116464
GPO 201-346

SECRET

1-Mr. J. B. Adams
 2-Mr. J. A. Mintz
 (1-Mr. D. W. Bowers)
 1-Mr. D. W. Moore

November 10, 1975

BY LIAISON

1-Mr. W. R. Wannall
 1-Mr. W. O. Cregar
 1-Mr. W. A. Branigan
 1-Mr. J. M. Fox

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

Dear Mr. Chairman:

I have received your letter of November 5, 1975, requesting information concerning Soviet-bloc penetrations of Congressional staffs.

The FBI is aware of only one instance wherein an individual employed on a Congressional staff furnished to hostile intelligence agents information obtained through his Congressional employment, without the prior knowledge of the FBI. After the FBI learned of this action and confronted the individual involved, he admitted that he had indeed passed information which he had obtained while employed with a Congressional staff to a hostile intelligence service. This individual initially offered to assist the FBI, and for a limited period of time he appeared to cooperate. It was subsequently learned, however, that he had renewed his contacts with his foreign principal, that he had fabricated much of the information previously furnished to the FBI and, in general, he gave every indication that he was unstable, unreliable, and not to be trusted. In order to assure that he posed no further threat to the security of the United States, action was taken to neutralize any further value he might have to the hostile intelligence service. Because the disclosure of this information to your Committee might infringe on the privacy of others, I am unable to supply more specific facts at this time.

REC-41 62-116464-20277

SECRET

Classified by Director, FBI
 Exempt from GDS, Categories 2 and 3
 Date of Declassification Indefinite

JMF:emb/mls (13)

See note page 3

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

MAIL ROOM TELETYPE UNIT

GPO : 1975 O - 569-920

SECRET

Honorable Otis G. Pike

This Bureau knows of no other "American citizens and foreign nationals" who may have improperly passed sensitive information to Soviet-bloc intelligence agents without prior FBI knowledge. Congressional staff members regularly volunteer to the FBI facts regarding their contacts with Soviet-bloc officials and other persons who appear suspicious and who have an undue interest in sensitive material. Soviet-bloc officials often make efforts to recruit sources and influential contacts on Capitol Hill through whom they may obtain sensitive information. When the FBI learns of such instances it advises the appropriate Congressman and, if he has no objection, the FBI may interview the staff member or, in some instances, consider utilization of him in an operation, controlled by the FBI, aimed at determining the reason for the individual's interest. These operations are undertaken between the FBI and the Congressman or staff member with an understanding of confidentiality and sometimes involve sensitive sources and methods. To furnish such information to the House Committee, it is felt, will not only violate the understanding of confidentiality the FBI has had with the Congressman and staff members involved, but may also jeopardize the sensitive sources and methods which were utilized in some of these cases, and have a detrimental effect on our future ability to fulfill our foreign counter-intelligence responsibilities.

For these reasons I regret that I am unable to furnish to your Committee information regarding these individuals who have confidentially cooperated with the FBI.

Sincerely yours,

Clarence M. Kelley
Director

1 - The Attorney General
1-The Deputy Attorney General
1 - Mr. Michael E. Shaheen, Jr.
Special Counsel for Intelligence Coordination
Department of Justice

SECRET

- 2 -

SECRET

Honorable Otis G. Pike

NOTE:

This letter has been prepared in response to the request from Congressman Pike dated 11/5/75. Mr. Pike's letter is attached for information.

See memorandum W. A. Branigan to W. R. Wannall dated 11/10/75 captioned "Allegations of Soviet Penetrations on Capitol Hill," prepared by JMF:dan.

SECRET

- 3 -

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

Addressee: HOUSE SELECT COMMITTEE

LTR LHM Memo Report dated 11/10/75

Caption of Document: ALLEGATIONS OF SOVIET PENETRATIONS
ON CAPITOL HILL

Originating Office:

FBI

Delivered by:

Paul V. Kelly

Date: 11/11/75

Received by:

Emily Stekoff

Title: Investigator

Return this receipt to the Intelligence Division, FBI

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.)

2. DATE PROVIDED

DOCUMENT

BRIEFING

INTERVIEW

TESTIMONY

OTHER

11/10/75

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

	SSC
<input checked="" type="checkbox"/>	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.)

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

HSC letter 11/5/75

S

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

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

Information furnished regarding Soviet-bloc penetrations of Congressional staffs.

62-116464

FMK:fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUSTUDY

TREAT AS YELLOW

5-10

3791 (6-75)

CLASSIFY AS APPROPRIATE

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.

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

62-116464

November 14, 1975

UNITED STATES HOUSE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (HSC)

RE: INFORMATION CONCERNING THE VIETNAM
VETERANS AGAINST THE WAR

Reference is made to letters from captioned Committee dated October 20, 1975, and October 28, 1975 (Item 5). Letter dated October 20, 1975, specifically requested access to all notes, memoranda, files, reports, and actions directed toward the Vietnam Veterans Against the War, from 1971 to the present.

Pertinent information responsive to the above HSC request has been prepared in accordance with established procedures relating to such matters, and this material is available for review at FBI Headquarters by appropriately cleared personnel of the HSC staff.

However, due to the voluminous material in question and pursuant to an agreement reached in a discussion with Ellen Miller, Staff Member, HSC on October 28, 1975, only reports and memoranda from our Boston, Chicago, New York, and Washington Field Offices are being made available for review.

1 - The Attorney General

ORIGINAL AND ONE COPY FURNISHED THE ATTORNEY GENERAL

HWD:met/lhb/lhb
(8)

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Legal Coun. _____
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Director Sec'y _____

MAIL ROOM TELETYPE UNIT

NW 89804 DocId:32989695 Page 223

GPO : 1975 O - 569-920

Information Concerning the Vietnam
Veterans Against the War

NOTE:

In addition to the above-mentioned request, the HSC requested access to the same type of materials as mentioned above for John Kerry, former Head of the Vietnam Veterans Against the War, from 1971 to the present. This request is being handled by separate communication since it involves the reviewing of approximately 70 references and one main file. Ellen Miller, mentioned above, conferred with Supervisors Thomas J. McNiff and Howard W. Dare, Jr., concerning this matter on October 28, 1975, and an agreement was reached whereby only reports and memoranda from those offices mentioned above would be made available for review.

The Attorney General

2 - J. A. Mintz
(1 - J. B. Hotis)
1 - W. R. Wannall
1 - W. O. Cregar
1 - H. W. Dare, Jr.

November 14, 1975

REC-40
Director, FBI

UNITED STATES HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Reference is made to letters from the HSC
dated October 20, 1975, and October 23, 1975, requesting
certain information from the FBI.

Attached for your approval and forwarding to the
HSC is the original of a memorandum containing a response to
one of the Committee's requests.

A copy of the memorandum is being provided for
your records.

Enclosures (2)

62-116464

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

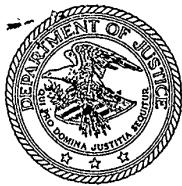
5-
HWD:met
(9)

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Telephone Rm. _____

"ENCLOSURE IN BULKY ROOM"

84 DEC 15 1975 MAIL ROOM TELETYPE UNIT
NW 89804 DocId:32989695 Page 225

GPO 954-346



FBI

OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

OCT 21 1975

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Steve Blackhurst
SB Assistant Special Counsel for
Intelligence Coordination

SUBJECT: House Select Committee Letter dated October 20, 1975
on Intelligence

Attached is a letter from the House Select Committee dated October 20, which requests various FBI materials. Please prepare an appropriate response to this request.

10/23/75 arranged Date

10/28/75 conference letter of HSC, with Kieff + Date. Beware furnish info & items only
from CG, BS, WFO + NY.

65-2110

REC-4062-116464-201

DEC 9 1975

1/- ENCLOSURE

recd 10/21/75 cc: Paul Daly
TSW

1-Ad Hoc
10-22-75

62-116464

5-17/M/F



OCT 21 1975

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Steve Blackhurst
Assistant Special Counsel for
Intelligence Coordination

SUBJECT: House Select Committee Letter dated October 20, 1975

Attached is a letter from the House Select Committee dated October 20, which requests various FBI materials. Please prepare an appropriate response to this request.

cc: Paul Daly

OTIS G. PIKE, N. Y., CHAIRMAN

ROBERT N. GIAMO, CONN. ROBERT MCCLORY, ILL.
JAMES V. STANTON, OHIO DAVID C. TREEN, LA.
RONALD V. DELLMUMS, CALIF. JAMES P. JOHNSON, COLO.
MORGAN F. MURPHY, ILL. ROBERT W. KASTEN, JR., WIS.
LES ASPIN, WIS.
DALE MILFORD, TEX.
PHILIP H. HAYES, IND.
WILLIAM LEHMAN, FLA.

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

October 20, 1975

Mr. Michael E. Shaheen, Jr.
Special Counsel for Intelligence Coordination
U.S. Department of Justice
Washington, D. C. 20530

Dear Mr. Shaheen:

We hereby request access to all notes, memoranda, files, reports, and actions directed toward Mr. John Kerry, former head of the Vietnam Veterans Against the War from 1971 to the present.

In addition, we request access to the same materials for the Vietnam Veterans Against the War for the same time period.

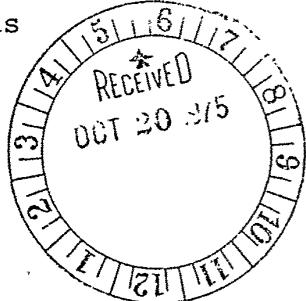
Please provide these materials forthwith.

Sincerely,



A. Searle Field
Staff Director

ASF/EM/mas



62-116464-201
RECEIVED

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

Addressee: HOUSE SELECT COMMITTEE

LTR LHM Memo Report dated 11/14/75

Caption of Document: U.S. HOUSE SELECT COMMITTEE

10/20 and 10/28/75, Item 5

Originating Office: FBI 1150

Delivered by: Richard J. Taylor Date: 11/19/75

Received by: John C. Lindmark

Title: A.G.

Return this receipt to the Intelligence Division, FBI

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.)

2. DATE PROVIDED

DOCUMENT

BRIEFING

INTERVIEW

TESTIMONY

OTHER

11/14/75

FOR REVIEW

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

	SSC
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<input checked="" type="checkbox"/>	HSC
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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.)

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

Hsc letter 10/20/75 and 10/28/75, item 5

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
Intelligence collection

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

For review by appropriate HSC Staff Members at FBIHQ all materials concerning the Vietnam Veterans Against the War, from 1971 to the present.

62-116464

FMK:fmk

(4) ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH HOUSTUDY

TREAT AS YELLOW

5-AG

3791 (6-75)

CLASSIFY AS APPROPRIATE

INSTRUCTIONS

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THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

FBT

Intelligence Community Staff

DCI/IC 75-2626
25 November 1975

MEMORANDUM FOR: Members of the USIB Ad Hoc Coordinating Group

SUBJECT : Security Clearances

Attached is a listing of staff personnel of the House Select Committee on Intelligence who have been briefed for compartmented information.

Jack E. Thomas
Jack E. Thomas
Major General, USAF (Ret.)
Chief, Coordination Staff, ICS

Attachment

ST-110

REGAL 62-116464-200

3 DEC 9 1975

62-116464

5-End

84 DEC 11 1975
NW 89804 DocId:32989695 Page 232

Staff Members of the House Select Committee on Intelligence who have been briefed on Compartmented Information are listed below:

<u>NAME</u>	<u>Social Security No.</u>	<u>Briefed (SI, TK & BYC)</u>
Andrade, Carolyn M.	118-03-6022	Yes
Atkisson, John	573-52-2011	Yes
Bach, Stanley	339-36-5639	Yes
Beam, Alex	219-62-4010	Yes
Boos, John L.	372-46-0008	Yes
Brooks, Herbert	472-14-2142	Yes
Carroll, Roger	006-34-3747	Yes
Donnor, Aaron B.	Gen-07-8884	Yes
Field, A. Searle	045-36-1241	Yes
Flint, Jonathan	577-72-4788	Yes
Gitten, Denise	230-74-7560	Yes
Hattery, Tom	212-62-4870	Yes
Hecht, Stanley	150-38-1567	Yes
Hess, Jacqueline	230-48-5696	Yes
Hughes, Peter III	051-26-5880	Yes
Hyndman, Paul V.	513-46-7801	Yes

62-116464-200

SEARCHED INDEXED

<u>NAME</u>	<u>Social Security No.</u>	<u>Briefed (SI, TK & BYC)</u>
Kirschstein, Fred	442-46-1435	Yes
Mattox, Charles W.	492-32-1209	Yes
Miller, Ellen	401-58-4873	Yes
Oliphant, James B. F.	147-32-2375	Yes
Paisner, Susan	035-36-1143	Yes
Poor, Susan	041-50-1835	Yes
Rushford, Gregory	333-40-5391	Yes
Schafer, Michal A.	330-40-5003	Yes
Scheiber, Josephine	053-24-9431	Yes
Schroeher, Kathy	132-40-2811	Yes
Sheketoff, Emily	048-40-7421	Yes
Starek, Roscoe	327-40-4032	Yes
Vermiere, Richard	147-34-4083	Yes
Whieldon, Jeffrey	026-32-4085	Yes
Yamamoto, Cheryl	575-58-4368	Yes
Zeune, Sandra A.	285-44-4582	Yes

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall *WRW*

FROM : W. O. Cregar *WO*

SUBJECT: HOUSTUDY 75

1 - Mr. J. J. McDermott
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar

DATE: 12/4/75

Assoc. Dir. *WRW*
Dep. 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

W. O. Cregar
Houstudy 75 is the code word assigned to the control file containing communications pertaining to requests made by the House of Representatives Select Committee on Intelligence Activities.

By memorandum dated 6/11/75, captioned as above, which was approved, it was recommended that, for purposes of sensitivity and urgency of 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.

For reasons cited above, maintenance of the above file in Room 4063 JEH has proven to be of invaluable assistance to personnel assigned to that Project. It is recommended, therefore, that the above arrangement be continued for an additional six-month period or until such time as the Project is discontinued, whichever comes first.

RECOMMENDATION:

That this memorandum be forwarded to the Files and Communications Division for action requested above.

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R. J. Miller
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W. O. Cregar

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66-17404

STATEMENT OF ARTHUR MURTAUGH
BEFORE THE SELECT COMMITTEE ON INTELLIGENCE
NOVEMBER 18, 1975

*Col. Klink
L. DeLoach
M. DeLoach
T. Murphy
S. Johnson
K. Clark*

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I WELCOME THIS OPPORTUNITY TO TESTIFY BEFORE YOU. AS A RETIRED FBI SPECIAL AGENT WHO LOYALLY SERVED THE BUREAU FOR 20 YEARS AND WHO WAS ASSIGNED TO THE FBI'S INTERNAL SECURITY INTELLIGENCE SQUAD IN ATLANTA FOR 10 YEARS, I WOULD HOPE I COULD GIVE THIS COMMITTEE INSIGHT INTO THE BUREAU'S INTELLIGENCE PRACTICES NOT FROM THE THEORETICAL VIEWPOINT OF A POLICY-MAKER BUT FROM THE PRACTICAL VIEWPOINT OF A FIELD AGENT.

O'Harra 11/18/1974

THE THRUST OF MY COMMENTS WILL BE TO ATTEMPT TO HAVE YOU SEE THAT IT IS POSSIBLE FOR THE STRUCTURE OF AN ORGANIZATION SUCH AS THE BUREAU TO BE RESPONSIBLE FOR MUCH WRONGDOING WITHOUT ANY MEASURABLE CULPABILITY ON THE PART OF INDIVIDUALS WORKING IN THE LOWER LEVELS OF THE ORGANIZATION. FOR EXAMPLE, I WAS AT ONE TIME ASKED TO OBTAIN THROUGH MY INFORMANTS HANDWRITING SAMPLES OF A GENTLEMAN WHO IS NOW A MEMBER OF YOUR BODY, THE HONORABLE ANDREW YOUNG OF ATLANTA. I WAS ALSO ASKED TO OBTAIN HANDWRITING SAMPLES OF SEVERAL OF HIS ASSOCIATES IN DR. MARTIN LUTHER KING'S SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE. I WAS AN AGENT WITH LOTS OF EXPERIENCE AT THE TIME THIS REQUEST CAME TO ME FROM MY SUPERVISOR. I WAS AWARE THAT THE MANNER IN WHICH THE REQUEST WAS MADE WAS SUCH THAT THE INFORMATION WAS TO BE USED FOR ONE OF THE ILLEGAL PURPOSES OF THE BUREAU.

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THE REQUEST WAS MADE AFTER REGULAR WORKING HOURS ORALLY TO ME IN PRIVATE. I TURNED TO MY SUPERVISOR WHO WAS KNOWN AMONG THE AGENTS AS "COLONEL KLINK" AND TOLD HIM THAT I FLATLY REFUSED TO

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COMPLY WITH HIS REQUEST AND THAT HE COULD TELL HIS COUNTERPART AT THE BUREAU WHO HAD CALLED HIM ON THE WATCHLINE SEEKING THE INFORMATION THAT I KNEW DAMN WELL IT WAS GOING TO BE USED IN AN UNRECORDED COUNTERINTELLIGENCE OPERATION TO DESTROY MR. YOUNG'S CHANCES OF GETTING ELECTED TO THE HOUSE OF REPRESENTATIVES. THE REQUEST CAME ONLY A FEW DAYS AFTER MR. YOUNG HAD ANNOUNCED THAT HE WAS SEEKING A SEAT IN THE HOUSE.

MY SUPERVISOR'S REACTION WAS, "NOW DON'T GET EXCITED ART, WE WILL MANAGE SOME OTHER WAY." AND I RESPONDED "I SUPPOSE YOU WILL." AND I TOLD HIM THAT IF HIS COUNTERPART AT THE BUREAU WANTED TO FORCE THE ISSUE WE WOULD DO IT IN THE OPEN WITH LOTS OF PUBLICITY. THAT WAS THE LAST I HEARD OF THAT REQUEST FROM MY SUPERVISOR AND I NOTICED LATER THAT MR. YOUNG MADE IT TO YOUR AUGUST BODY SO I MUST ASSUME THAT MY SUPERVISOR HAD NO OTHER SOURCE AT THAT TIME, THAT COULD GET THE INFORMATION FOR HIM. YOU, OF COURSE, WILL FIND NO RECORD OF THE ABOVE INCIDENT IN THE BUREAU FILES.

I AM COGNIZANT OF YOUR MANDATE TO INVESTIGATE THE INTELLIGENCE OPERATIONS OF THE BUREAU AND OF THE GREAT MASS OF INFORMATION THAT HAS ALREADY BEEN UNCOVERED REGARDING THESE OPERATIONS. I BELIEVE, HOWEVER, THAT A CLEAR AND PRECISE PICTURE OF THE BUREAU'S INTELLIGENCE PRACTICES CAN ONLY BE SEEN BY ANALYZING THE ADMINISTRATIVE STRUCTURE, THE ENTRENCHED BIASES AND THE PERVERSIVE INDOCTRINATED FBI MENTALITY THAT COMMANDS AND CONTROLS THEIR INTELLIGENCE PRACTICES.

IN THE INCIDENT INVOLVING REPRESENTATIVE ANDREW YOUNG, IF THE SAME REQUEST HAD BEEN MADE TO MOST AGENTS WHO HAD REACHED THE LEVEL IN THE BUREAU THAT I WAS AT THAT TIME, THEY WOULD HAVE ROUTINELY

COMPLIED WITH THEIR SUPERVISOR'S REQUEST SIMPLY BECAUSE THEY WOULD HAVE GONE THROUGH A PROCESS WHICH WOULD HAVE ELIMINATED ALL THOSE WHO SAW ANYTHING WRONG WITH THE TYPE OF ACTIVITY CONTEMPLATED BY THEIR SUPERVISOR. THE OFT TIMES EXPRESSED FEELINGS OF ALL OF THE PERSONNEL WORKING IN CONJUNCTION WITH ME ON THE INTELLIGENCE SQUAD IN ATLANTA DURING THE PERIOD THAT THE YOUNG INCIDENT TOOK PLACE ACCOUNTS FOR THE FACT THAT THE INFORMATION REQUESTED WOULD HAVE BEEN ROUTINELY OBTAINED. THE FEELING WAS THAT THE RACIAL MOVEMENTS IN WHICH MR. YOUNG WAS ENGAGED, ALTHOUGH NOT ILLEGAL PER SE, WAS INIMICABLE TO THE VALUE STANDARDS THAT THE SQUAD MEMBERS SUBSCRIBED TO. IF IT TOOK A LITTLE ILLEGAL ACTIVITY TO COMPROMISE THE MOVEMENT, THEN SO BE IT. PAST EXPERIENCE HAD MADE IT CLEAR TO ALL AGENTS THAT MR. HOOVER HAD NO SYMPATHY WITH ANY RACIAL MOVEMENT.

YOU MAY JUSTLY INQUIRE AT THIS JUNCTURE HOW I HAPPENED TO SURVIVE IN THE BUREAU IF THESE SELECTION PROCESSES WEEDED THOSE IN OPPOSITION OUT. THE ANSWER WAS AND IS THAT I WAS BOTH STUBBORN AND SMART ENOUGH TO KEEP MY RECORD GOOD AND CLEAR AND THOSE AROUND ME KNEW IT. AS AN ATTORNEY AND SOMEONE WHO BELIEVED IN THE RULE OF LAW, I WOULDN'T CONFORM IF IT REQUIRED ME TO BE DISHONEST OR TO VIOLATE THE LAW AND I KNEW THE LAW. I CAN SORROWFULLY SAY THAT MY VIEWS WERE NOT SHARED BY MY PEERS IN THE BUREAU.

I JOINED THE FBI AS AN AGENT IN 1951 AND RETIRED IN 1971. BY 1957 THE WEAKNESSES IN THE STRUCTURE OF THE BUREAU HAD BECOME ALL TOO OBVIOUS TO ME. IN 1960 AS A RESULT OF ADMINISTRATIVE ACTION TAKEN AGAINST ME BY MR. HOOVER, ON ACCOUNT OF AN ALLEGED PROBLEM OF OVERWEIGHT, I FOUND MYSELF IN A YMCA ROOM IN MACON,

GEORGIA AWAY FROM MY FAMILY FOR A PERIOD OF ABOUT FIVE MONTHS. DURING THAT TIME I DID A GREAT DEAL OF SOULSEARCHING AND READING IN AN EFFORT TO MAKE A DECISION AS TO WHETHER I SHOULD LEAVE THE BUREAU AND ATTEMPT TO EXPOSE THE WEAKNESSES IN STRUCTURE OR STAY IN THE BUREAU AND WAIT FOR A MORE OPPORTUNE TIME WHEN THE PROBABILITY OF SUCCESS IN CORRECTING THESE WEAKNESSES WOULD BE GREATER. I DECIDED TO REMAIN AND OBSERVE BUT I RESOLVED THAT I WOULD UNDER NO CIRCUMSTANCES PARTICIPATE IN ANY OF THE UNETHICAL OR ILLEGAL ACTIVITIES THAT WERE BY THEN SO PREVALENT IN THE BUREAU.

I WAS ABLE TO OBSERVE FROM MY VANTAGE POINT IN THE FBI THAT THE BUREAU WAS ON A COLLISION COURSE OF COLLAPSE WHICH WOULD RESULT IN CONGRESSIONAL INVESTIGATION, AND I SAID SO OPENLY AMONG AGENT ASSOCIATES FROM 1960 ONWARD. I COUNSELLLED WITH MANY, YES, PRACTICALLY ALL, OF THE AGENT PERSONNEL WITH WHOM I CAME IN CONTACT AT THIS TIME AND FOR THE REMAINING 11 YEARS THAT I SPENT IN THE BUREAU AND FOUND THAT THEY WERE VAGUELY AWARE IN 1960 OF THE PROCESS OF WHICH I SPEAK AND THEY WERE ACUTELY AWARE OF IT IN 1971.

THE INHERENT ADMINISTRATIVE PROCESSES WITHIN THE BUREAU WHICH I HAVE ALLUDED TO BEFORE, WHICH ADVERSELY AFFECT THE BUREAU'S INTELLIGENCE FUNCTIONS CAN BE SUMMARIZED AS FOLLOWS:

I. SECRECY

MR. HOOVER THREW A VEIL OF SECRECY OVER THE BUREAU AT ITS VERY INCEPTION THOUGH THE GREAT MASS OF INFORMATION HANDLED BY THE BUREAU COULD BE PLACED ON BILLBOARDS IN THE MIDDLE OF TIMES SQUARE AND THE PUBLIC INTEREST WOULD NOT BLOCK THE SIDEWALKS, BUT SECRECY SERVED MANY USEFUL PURPOSES

TO THE BUREAU. IT MADE IT IMPOSSIBLE FOR THE PUBLIC OR CONGRESS TO KNOW ANYTHING ABOUT WHAT WAS GOING ON INTERNALLY. IT GAVE THE BUREAU OPERATION AN AURA OF MYSTERY AND GENERATED A TYPE OF FEAR AND RESPECT FOR THE BUREAU WHICH I PERSONALLY FEEL IS UNHEALTHY IN A SOCIETY THAT STRIVES TO BE BOTH DEMOCRATIC AND OPEN.

II. COMPLETE UNFETTERED CONTROL OF THE PROCESS OF SELECTING PERSONNEL.

THIS IS THE AREA TO WHICH YOUR COMMITTEE SHOULD DIRECT ITS GREATEST EFFORT, FOR IT WAS THROUGH A SELECTION PROCESS EXEMPT FROM CIVIL SERVICE UNDER THE SOLE CONTROL OF THE DIRECTOR THAT MR. HOOVER WAS ABLE OVER A PERIOD OF NEARLY 50 YEARS TO BRING IN THOUSANDS OF CAREFULLY SELECTED AGENT PERSONNEL WHO WERE POLITICALLY DISPOSED TO THE RIGHT AS HE WAS AND THEN THROUGH A PERSONNEL SYSTEM, WHICH OFFERED NO POSSIBILITY AT ALL FOR AN AGENT TO QUESTION HOOVER'S ETHICS AND METHODS, TO FORCE THOUSANDS OF THOSE SELECTED TO LEAVE THE BUREAU IN UTTER DISGUST SIMPLY BECAUSE THEY HAD NO AVENUE THROUGH WHICH THEY COULD AIR GRIEVANCES INVOLVING UNETHICAL OR ILLEGAL PRACTICES. FOR EXAMPLE, A YOUNG AGENT WHOM I KNOW WAS SENT TO ALBANY, GEORGIA FOR HIS FIRST OFFICE. HIS WIFE WAS A SOCIOLOGIST. SHE WAS OFFERED A POSITION IN THE HEAD START PROJECT IN ALBANY, GEORGIA THAT WAS UNDER THE DIRECTION OF A BLACK ATTORNEY NAMED KING. THE AGENT REPORTED THIS INFORMATION TO HIS SUPERIOR IN ALBANY. HE WAS IMMEDIATELY SUMMONED TO ATLANTA BY THE AGENT IN CHARGE AND TOLD THAT HIS WIFE COULD NOT TAKE THE JOB BECAUSE THEY DID NOT WANT FBI.

PERSONNEL OR THEIR WIVES ASSOCIATED WITH BLACKS WHO WERE ACTIVE IN THE CIVIL RIGHTS MOVEMENTS. THIS AGENT SUBSEQUENTLY RESIGNED IN DISGUST.

III. MANIPULATION AND CONTROL OF THE PRESS.

THE EXAMPLES OF THIS SUBJECT ARE LEGION. THE ONE THAT I AM MOST FAMILIAR WITH WAS THE CONCERTED EFFORT TO GET WHAT WAS ALWAYS REFERRED TO IN THE BUREAU AS "OUR FRIENDS IN THE MEDIA" TO PUBLISH PERSONAL AND VERY PRIVATE INFORMATION TAKEN FROM THE WIRETAP WHICH ITSELF WAS OF QUESTIONABLE LEGAL VALIDITY ON DR. MARTIN LUTHER KING. OF COURSE, THE DAY TO DAY MANIPULATION WAS ACCOMPLISHED BY LEAKING CHOICE ITEMS TO OUR " FRIENDS". IT WAS NOT AT ALL UNCOMMON TO LEARN OF SOME POLITICALLY DAMAGING INFORMATION ABOUT SOME LEADING FIGURE IN POLITICS AS HAVING BEEN DEVELOPED BY THE BUREAU AND THEN ALWAYS AT A TIME WHEN IT WOULD BE MOST DAMAGING TO THE INDIVIDUAL, THE INFORMATION WOULD SOME WAY SHOW UP IN THE CHICAGO TRIBUNE OR SOME OTHER FRIEND OF THE BUREAU. IF THE INFORMATION WAS MORE VALUABLE FOR PURPOSES OF POLITICAL BLACKMAIL BY HOLDING IT, THAN BY GIVING IT TO THE PRESS, IT WAS WITHHELD. THE LEAKED INFORMATION ALWAYS SEEMED TO INVOLVE PERSONS OF LIBERAL PERSUASION. (FROM MY YEARS IN THE BUREAU, I CAN ONLY ASSUME THAT THE BUREAU HAD DEDUCED THAT PERSONS OF LIBERAL PERSUASION ARE SOMEHOW MORE APT TO SLEEP WITH SOMEBODY ELSE'S WIFE, DRINK TOO MUCH LIQUOR, OR BE SEXUALLY PERVERTED THAN ARE SOLID CONSERVATIVES.)

IV. ABSOLUTE AUTHORITY AT THE TOP AND BLIND LOYALTY AT THE

BOTTOM AIDED BY THE SELECTION PROCESS.

THIS QUESTION OF LOYALTY IS INTERESTING SINCE, OF COURSE, WE ALL LIKE OUR FRIENDS TO BE LOYAL TO US AND WE RESPECT IT AS A QUALITY IN MAN. THE WATERGATE HEARINGS WERE PARTICULARLY INFORMATIVE ON THIS POINT AS YOU WILL RECALL. EACH OF THE WITNESSES WHO WERE IMPLICATED IN WRONGDOING IN WATERGATE OPENED THEIR STATEMENTS WITH A BIT ON LOYALTY AND WENT ON TO TELL EVENTUALLY HOW IN THE NAME OF LOYALTY THEY HAD VIOLATED THE LAW. THE BUREAU HAS ITS PARALLEL IN THIS CONCEPT OF BLIND LOYALTY. PERSONNEL HAVE BEEN WILLING TO FOREGO THEIR OWN INTEGRITY TO ALLOW IMPROPER, UNETHICAL, OR ILLEGAL ACTIVITY BY THE BUREAU TO GO ON UNCHALLENGED RATHER THAN INJURE THE BUREAU BY A PUBLIC ATTACK WHICH MANY REGARD AS DISLOYAL TO THE BUREAU.

V. HARSH DISCIPLINARY MEASURES.

THE HARSH DISCIPLINARY MEASURES WHICH WERE THE HALLMARK OF MR. HOOVER'S PERSONNEL POLICY ARE TOO EXTENSIVE TO GO INTO AT LENGTH HERE. THEY SOMETIMES RESULTED IN HUMOROUS SITUATIONS BUT VERY OFTEN IN VERY TRAGIC SITUATIONS. BY THE MID-1960'S THESE HARSH DISCIPLINARY MEASURES HAD SO ERODED CONFIDENCE IN HOOVER AMONG THE AGENT PERSONNEL THAT THE POLICY OF "TELL THE MAN NOTHING" HAD REACHED A POINT WHERE INFORMATION COULD ACTUALLY GET INTO THE HANDS OF BUREAU SUPERVISORS AND IT STILL WOULD NOT GET TO HOOVER BECAUSE THE HARSHNESS OF THE DISCIPLINARY ACTION MADE THE INTEGRITY OF ALL AGENTS VERY PLIABLE.

IN A DEMOCRACY, DOMINATION OF A POWERFUL ORGANIZATION SUCH AS THE FEDERAL BUREAU OF INVESTIGATION BY ANY SEGMENT OF THE POLITICAL SPECTRUM THREATENS THE VERY EXISTENCE OF DEMOCRACY.

THE PROCESS RESULTS IN THE ORGANIZATION BEING USED TO AID THE POLITICAL AND PHILOSOPHICAL FRIENDS OR CAUSES OF THE LEADER AND TO NEUTRALIZE ANY OPPOSITION.

MR. HOOVER'S VENDETTA AGAINST DR. MARTIN LUTHER KING ILLUSTRATES THIS PROCESS IN A GRAPHIC MANNER.

I SUBMIT THAT THE FBI NOW CONSTITUTES A DEGENERATE DICTATORSHIP IN WHICH THE STRUCTURE STILL REMAINS BUT FROM WHICH PUBLIC SUPPORT IS RAPIDLY BEING WITHDRAWN. I FURTHER SUBMIT THAT SUCH A DICTATORSHIP IS INCOMPATIBLE WITH THE CONSTITUTIONAL CONCEPTS UPON WHICH THIS NATIONAL WAS FOUNDED. I FEEL THAT THIS CAN BE HISTORICALLY PARALLELED WITH THE ASCENSION OF OTHER DICTATORSHIPS THROUGHOUT THE WORLD.

I RECOMMEND THAT ANY REFORM WHICH YOU CONSIDER DEAL DIRECTLY WITH EACH OF THE POINTS I MENTIONED IN THE ESTABLISHMENT OF THE PROCESS BUT I URGE YOU TO GIVE PARTICULARLY CAREFUL ATTENTION TO THE PROCESS OF AGENT SELECTION.

IN ORDER TO INSURE AGAINST RE-ESTABLISHMENT OF UNCONTROLLABLE POWER WITHIN THE BUREAU I WOULD SUGGEST THE FOLLOWING:

1. SEEK THE REMOVAL OF ALL ENTRENCHED PERSONNEL INCLUDING THE DIRECTOR AS QUICKLY AS IS PRACTICAL. (NOT IN A VINDICTIVE MANNER, BUT FOR THE GOOD OF THE SERVICE.)

2. ESTABLISH A SYSTEM BY WHICH LINE LEVEL PERSONNEL CAN REPORT UNETHICAL OR ILLEGAL ACTIVITY WITHIN THE BUREAU TO AN OUTSIDE CONTROL AGENCY. ALTHOUGH THERE ARE SOME CONSTITUTIONAL QUESTIONS INVOLVED, I WOULD RECOMMEND THAT THE CONTROL AGENCY BE UNDER THE JUDICIARY, THUS EXTENDING THE CONCEPT OF CHECKS AND BALANCES, AND THAT THE TIME NECESSARY FOR SETTING UP HEARINGS AND RESOLVING DIFFICULTIES BE EXTREMELY SHORT, MAYBE AS LITTLE AS SEVEN DAYS SO THAT CORRUPTIVE PROCESSES COULD NOT GET STARTED.
3. THAT ALL PERSONNEL WORKING WITHIN THE AGENCY AND ALL NEW PERSONNEL WORKING WITHIN THE AGENCY BE REQUIRED TO ATTEND INSTRUCTIONAL CLASSES GIVEN BY VARIOUS EDUCATIONAL INSTITUTIONS THROUGHOUT THE COUNTRY IN WHICH THE RIGHTS AND DUTIES OF BUREAU EMPLOYEES WOULD BE THOROUGHLY TAUGHT SO THAT WE WOULD NOT HAVE PEOPLE LIKE JIM McCORD IN THE WATERGATE SITUATION TELLING THE SENATE IN YEARS TO COME THAT HE THOUGHT THAT WHAT WAS OBVIOUSLY ILLEGAL COULD BE MADE LEGAL BY THE FLICK OF A PEN BY THE ATTORNEY GENERAL.
4. LEGISLATE THE PROCESS OF AGENT SELECTION IN SUCH A WAY THAT FUTURE PERSONNEL WOULD REPRESENT THE FULL SPECTRUM OF AMERICAN SOCIETY INSTEAD OF ONLY A NARROW SEGMENT AS IT NOW DOES. EITHER REDUCE THE PAY OF AGENT PERSONNEL OR ESTABLISH EDUCATIONAL REQUIREMENTS FOR ADMISSION THAT WOULD JUSTIFY THE CURRENT HIGH-PAY STANDARDS. I WOULD PREFER THAT THE STANDARDS BE MADE HIGHER AND LEAVE THE

5. LEGISLATE CONTROLS REGARDING THE RELEASE OF INFORMATION FROM THE BUREAU WHICH WILL PREVENT THE BUREAU FROM USING THE WEALTH OF INFORMATION IT COLLECTS AT GOVERNMENT EXPENSE AS A MEANS OF PRESS MANIPULATION. (IF QUINN MARTIN PRODUCTIONS CAN EXAMINE BUREAU RECORDS AND PRODUCE A TELEVISION PLAY AS THEY DID IN THE PHILADELPHIA-MISSISSIPPI CASE AND, AS I BELIEVE, DISTORT THE TRUE PICTURE IN AN EFFORT TO PROTECT THE BUREAU IMAGE, THEN I FEEL THESE RECORDS SHOULD BE THROWN OPEN TO ALL OF THE MEDIA TO DO WITH AS THEY CHOOSE IN THE INTEREST OF PROTECTING THE FIRST AMENDMENT.) You have here a case of inverse abridgement of the First Amendment rights. Prohibit the practice of allowing the Director to use Bureau facilities to pontificate through the guise of news releases in which he never submits to cross examination by the press. It seems that Mr. KELLEY has moderated this evil to some extent. But if you don't prohibit the practice through legislation, he or a future Director, once they feel more secure would undoubtedly fall back on this odious practice.

THANK YOU MR. CHAIRMAN.