

File #:

62-116395

Serial Scope:

381 THRU 385

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

The Attorney General

June 23, 1975

Director, FBI

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

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

By letter dated May 14, 1975, with attached appendices, the SSC requested certain information and documents from the FBI.

Enclosed for your approval and forwarding to the Committee are the original of a memorandum and enclosures which serve as a response to two of the SSC requests.

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

It is to be noted that the memorandum of J. Edgar Hoover dated July 21, 1971, the letter to the President from Mr. Hoover, September 20, 1971, and the letters from Mr. Hoover to Secretary of State William P. Rogers, September 20, 1971, and to Dr. Henry Kissinger, September 21, 1971, all contain information with reference to contacts between Mr. Hoover and the President of the United States at that time. The December 20, 1971, letter to J. Edgar Hoover from John N. Irwin II, classified Confidential, was written in Mr. Irwin's capacity as Chairman, National Security Council Under Secretaries Committee. In accordance with the request of K. William O'Connor, we are deferring to him any action necessary to obtain appropriate clearance from the White House to furnish these documents to the Committee.

Enclosures (48)

REC-88

Assoc. Dir. 62-116395

Dep. AD Adm. 62-116395

Dep. AD Inv. 62-116395

Asst. Dir.: 1 - The Deputy Attorney General

Admin. 1 - The Deputy Attorney General

Comp. Syst. Attention: K. William O'Connor

Ext. Affairs Special Counsel for

Files & Com. Intelligence Coordination

Gen. Inv. 3 JUL 21 1975

Ident. 3 JUL 21 1975

Inspection RLM:mam

Intell. (9) RLM

Laboratory RLM

Plan. & Eval. RLM

Spec. Inv. RLM

Training RLM

Legal Coun. RLM

Telephone Rm. RLM

Director Sec'y RLM

MAIL ROOM

TELETYPE UNIT

CONFIDENTIAL MATERIAL ATTACHED

GPO : 1975 O - 569-920

62-116395

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

June 23, 1975

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

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

RE: FURTHER DOCUMENTS PERTAINING TO THE
FBI AND DEPARTMENT OF JUSTICE

ORGANIZATION, STRUCTURE, AND JURISDICTION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/13/00 BY SP2ALM/jy

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

Pursuant to your request in Appendix B, Items 13 and 14, for all memoranda and other materials reflecting meetings and contacts during 1971 between the President and the Director of the FBI and between officials of the FBI and officials of the Department of State on the subject of "legal attaches," enclosed are copies of 23 documents.

Enclosures (23)

1 - The Attorney General

RLM:mam
(8) (20) ORIGINAL AND ONE COPY TO AG

NOTE:

The Senate Committee request is understood to be a request for contacts with reference to the legal attaches as a group and therefore contacts between officials of the FBI and officials of the State Department pertaining to any one particular legal attache, such as Tel Aviv, have not been included.

Assoc. Dir. — In the enclosures there is reference to State "dragging its feet,"
Dep. AD Adm. — and information that negotiations with the State Department the
Dep. AD Inv. — fact that collection of political intelligence was the primary
Asst. Dir.: — purpose for the expansion of legal attaches was concealed from
Admin. — the State Department. The enclosures also contain information
Comp. Syst. — that there are a large number of CIA employees assigned to the
Ext. Affairs — U. S. Embassy at Kuala Lumpur.
Files & Com. —
Gen. Inv. —
Ident. —
Inspection —
Intell. —
Laboratory —
Plan. & Eval. —
Spec. Inv. —
Training —
Legal Coun. —
Telephone Rm. —
Director Sec'y —

NOTE CONTINUED PAGE TWO

CONFIDENTIAL MATERIAL ATTACHED

NW 89804 DocId:32989615 Page 3

ENCLOSURE

GPO : 1975 O - 569-920

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

RE: FURTHER DOCUMENTS PERTAINING TO
THE FBI AND DEPARTMENT OF JUSTICE

NOTE CONTINUED:

The Confidential material attached includes Wannall to Miller memorandum, 11/4/71; Miller to Rosen memorandum, 11/26/71; Wannall to Miller memorandum, 12/9/71; and letter from the Undersecretary of State, John N. Irwin II to Mr. Hoover dated 12/20/71. The Bureau memoranda were classified on 6/5/75 since disclosure of the fact that the 1971 expansion of the FBI's foreign liaison program was for the purpose of collecting foreign political intelligence could damage existing diplomatic relations between the United States and foreign countries involved. Further it could seriously damage existing cooperative relationships with foreign police and intelligence agencies.

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

Addressee: Senate Select Committee

☒ LTR ☐ LHM ☐ Memo ☐ Report dated 6/23/75

U.S. SSC to Study Govt Operations with Respect
Caption of Document: to Intelligence Activities. Re:
Further Documents Pertaining to the FBI and
Department of Justice; Organization, Structure,
and Jurisdiction.

Originating Office: FBI

Delivered by: Richard T. Taylor

Date: 7/11/75

Received by: CM

Title: Office Manager

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP2HMK/j

All memoranda and other materials
reflecting meetings and contacts
during 1971 between the President
and the Director of the FBI on the
subject of "legal attaches":

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/13/00 BY SP2AM/chj

COPY - RETYPED FOR REASON OF LEGIBILITY

July 21, 1971

MEMORANDUM FOR MR. SULLIVAN

I have given very careful consideration to your memoranda of June 7, 1971, and June 16, 1971, together with the memorandum of Mr. Wannall of May 27, 1971, which was initialled by you; Mr. Wannall's memorandum of May 28, 1971, initialled by you; my letter to the President dated September 21, 1970, initialled by you; your memorandum of September 22, 1970; Mr. Brennan's memorandum of September 21, 1970, initialled by you; and also Mr. Child's memorandum of May 23, 1969, analyzing the work and the accomplishments of our various foreign liaison offices and the problems incident thereto, together with the recommendations of Messrs. Dalbey, Felt, and Beaver upon the recommendation made in your memorandum of June 7, 1971, suggesting the closing down of a number of the foreign liaison offices, some of them recently established last December with your approval.

First and foremost, I want to clarify a point you have raised in your memoranda, namely that our foreign liaison offices, with the exception of Mexico City, are not operational and that we cannot develop "hard, high quality, positive intelligence by sending men to these countries only in a liaison capacity." We do not have the legal right to establish any foreign offices on an operational basis. The law specifically limits foreign intelligence operations to coverage by the CIA, and, therefore, we have known all along that our offices in foreign countries could not be in an operational status.

I cannot agree that establishing liaison offices in foreign countries without being operational prevents us from developing hard, high quality, and positive intelligence. Certainly in all memoranda prior to your memorandum of June 7, 1971, you did not indicate any such reservation and, in fact, you specifically initialled the memorandum of Mr. Brennan addressed

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DATE 10/12/02 BY SP2AM/cj

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July 21, 1971

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Memorandum for Mr. Sullivan

July 21, 1971

to you under date of September 21, 1970, upon which I predicated my letter to the President of September 21, 1970. At that time I believed that by reason of your approval of the various memoranda dealing with the foreign liaison operations, you were in accord with the procedures which the Bureau had followed and, in fact, approved the establishment of additional liaison offices which I listed in my letter to the President of September 21, 1970, and which I indicated was predicated upon Mr. Brennan's memorandum of September 21, 1970.

I want to also point out that at no time, either in September or more recently, did I ever suggest to the President the idea that we should expand our foreign liaison operations. It was the President's idea expressed to me in September, 1970, that such expansion should take place, and, as a result thereof, I submitted my letter to him of September 21, 1970. The President I know in my presence directed Mr. Haldeman to present my letter to the President to the Secretary of State for prompt and immediate concurrence. Several months passed, and it was not until December, 1970, that Dr. Kissinger inquired of me as to what had happened to the expansion of our foreign liaison which the President had approved being expanded in September, 1970. When I told Dr. Kissinger that this matter had been delayed in the State Department and that I had been awaiting word for approval of the same by the Secretary of State, Dr. Kissinger stated he would personally take this matter up with the President and that I would receive in a few days the State Department's approval of the expansion of our foreign liaison. Several days later in December, 1970, I received a telephone call from Secretary of State Rogers stating that the President had spoken to him about the expansion of our foreign liaison operations and that he was in full accord with the same with the exception of the opening of an office at Helsinki in view of the pending negotiations to be carried on there by representatives of the Russian Government and the United States Government concerning the limitation of arms. As I have previously indicated in my memorandum to you, I concurred with the suggestion of the Secretary of State and countered with the recommendation that instead of opening an office at Helsinki, we open an office at Copenhagen, with which the Secretary agreed.

I heard nothing more about the expansion of foreign liaison from the President or Dr. Kissinger until June, 1971, when in a conference with the

Memorandum for Mr. Sullivan

July 31, 1971

President, he expressed his desire that we again expand our foreign liaison in view of the valuable information which had been procured by the Bureau in its operations abroad. I indicated to the President that I would confer with Dr. Kissinger when he would be available about this matter as to obtain any suggestions he might have. In the interim, the President left for San Clemente, California, and Dr. Kissinger left on a worldwide trip and both of them have just returned within the last few days from San Clemente, California.

I outlined the preceding to give you a chronological picture of what has taken place in this field. I do not understand the somewhat sudden change in your attitude to the value and importance of our foreign liaison operations in view of your concurrence of its expansion in December, 1970, and the various memoranda of Mr. Brennan and Mr. Wannall, who are in direct contact with the operations of the foreign liaison situation.

Therefore, in view of the what I consider objective review by Messrs. Felt, Balbey, and Beaver together with the many letters and oral expressions from Dr. Kissinger as to the value of our foreign liaison program, I cannot agree with your memorandum of June 7, 1971.

This morning I received another memorandum from you transmitting a memorandum of Mr. Wannall upon the statistical accomplishments in the foreign liaison program in which you reach the conclusion that by juggling statistics, you can prove almost anything. I do not share this view, though I do think that statistics alone do not always prove or disprove a particular situation.

I have personally over the years reviewed all of the material which we have transmitted to Dr. Kissinger and much of the material which we have transmitted to the State Department and other Government agencies concerning our foreign liaison program, and I believe that we have made, as expressed by the President and Dr. Kissinger, a very valuable contribution to the necessary knowledge of the President and Dr. Kissinger in the foreign field. This has been accomplished without "operational" functions, which, I have previously indicated in this memorandum, we cannot embark upon in view of the law.

Memorandum for Mr. Sullivan

July 21, 1971

In order that I may be kept abreast of the operations of our foreign liaison posts, I have instructed Assistant Director Ponder in charge of inspections to arrange for an inspection of all of our FBI foreign liaison posts as soon as possible and to make such evaluations of them as are warranted.

Very truly yours,

J. EDGAR HOOVER

**John Edgar Hoover
Director**



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

September 20, 1971

BY LIAISON

The President
The White House
Washington, D. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/12/02 BY SP4ALM/clj

Dear Mr. President:

In confirmation of our discussion this morning, I am proceeding to make the necessary arrangements for the opening of additional liaison offices at Manila, Philippines; Rio de Janeiro, Brazil; Santo Domingo, Dominican Republic; Canberra, Australia; Kuala Lumpur, Malaysia; and New Delhi, India. Each of these offices will be staffed by one Special Agent and one clerical employee, which will result in an increase in our overseas personnel from the present ceiling of 88 to a total of 100.

We consider that the new offices will be in a position to provide additional coverage in the important South Pacific and Southeast Asian areas as well as to strengthen our operations in Latin America.

I have today asked the Secretary of State to secure the necessary clearances, both for the increase in our personnel ceiling and for the opening of the new posts. I will inform you promptly when this has been accomplished.

Sincerely yours,

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.

September 21, 1971

BY LIAISON

Honorable Henry A. Kissinger
Assistant to the President
for National Security Affairs
The White House
Washington, D. C.

Dear Dr. Kissinger:

Attached is a copy of my letter of September 20, 1971,
to the President in confirmation of my discussion with the President
on that date.

I felt you should be informed of our readiness to establish
six additional liaison posts as indicated therein.

Sincerely yours,

J. Edgar Hoover

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DATE 10/17/00 BY SP2AM/ely

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October 14, 1971

BY LIAISON

Honorable Henry A. Kissinger
Assistant to the President
for National Security Affairs
The White House
Washington, D. C.

Dear Dr. Kissinger:

On October 12, 1971, Ambassador Wymberley Coerr, Deputy Director of the Bureau of Intelligence and Research, Department of State, and Mr. R. Glynn Mays, also of the Department of State but assigned to the National Security Council Under Secretaries Committee, requested additional information with reference to my letter of September 20, 1971, to Secretary Rogers requesting clearance for six new liaison posts abroad. The State representatives explained that various questions had been raised by the Ambassadors in the countries concerned, particularly in view of the current five percent reduction being effected by the Department of State in United States personnel overseas.

A copy of my letter of October 14, 1971, to Under Secretary of State John N. Irwin II is attached for your information. You will note that it sets forth general information concerning our activities abroad and our reasons for selection of the six proposed new posts.

The Attorney General and the Deputy Attorney General have also been furnished a copy of this letter.

Sincerely yours,

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DATE 10/13/02 BY SP2BIM/dy

J. Edgar Hoover

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All memoranda and other materials
reflecting meetings and contacts
during 1971 between officials of
the FBI and officials of the
Department of State on the subject
of "legal attaches":

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DATE 10/12/80 BY SP8ALM/ely

September 13, 1971

BY COURIER SERVICE

Mr. G. Marvin Gentile
Deputy Assistant Secretary for Security
Department of State
Washington, D. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/13/80 BY SP2ALM/ely

Dear Mr. Gentile:

This is to inform you of several changes which are being made in FBI personnel assigned overseas.

Legal Liaison Officer Daniel A. Grove, who has been assigned to Hong Kong, British Crown Colony, is returning to the United States for domestic assignment and will be replaced by Mr. Roderick V. Precht1, Jr., presently serving as Assistant Legal Attache at Tokyo, Japan. Mr. Raymond N. Byers, concerning whom you will be further informed and who is presently assigned to the domestic field, is being transferred to Tokyo, Japan, to replace Mr. Precht1.

Mr. James A. Miller, Legal Attache, Managua, Nicaragua, is returning to the domestic field for further assignment. Mr. Armand A. Cammarota, presently Assistant Legal Attache at Managua, is being named Acting Legal Attache. Mr. Miller is not being replaced at the present time. Miss Grace L. Eklof, presently assigned in Mexico City, Mexico, is returning to the domestic field for further assignment and is not being replaced.

By letter dated September 3, 1971, we informed Mr. Thomas Stern, Deputy Assistant Secretary of State for Organization and Management, of our desire to increase the staff of the Office of the Legal Attache, London, England, by an additional Assistant Legal Attache and of our intention to offset this increase by a decrease in the number of employees

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Mr. G. Marvin Gentile

assigned to the Legal Attache Office in Buenos Aires, Argentina. Upon concurrence, it is our intention to transfer Assistant Legal Attache Robert W. Scherrer from Buenos Aires to London in order to accomplish this.

It will be appreciated if you will notify the appropriate elements of the Department of State of these pending changes.

Sincerely yours,

J. Edgar Hoover

BY COURIER SERVICE

Date: September 14, 1971
To: Presidential Appointments Staff
Department of State
Attention: Miss Betty L. Groves
Chief, Title and Rank
From: John Edgar Hoover, Director
Subject: FBI PERSONNEL IN TOKYO, JAPAN, AND
HONG KONG, BRITISH CROWN COLONY

Mr. Raymond N. Byers, who has been employed by this Bureau since January 21, 1952, is being assigned to the United States Embassy at Tokyo, Japan, as an Assistant Legal Attache. He is replacing Assistant Legal Attache Roderick V. Precht1, Jr., who is being assigned to the American Consulate General at Hong Kong, British Crown Colony, as Legal Liaison Officer. Mr. Precht1 is replacing Mr. Daniel A. Grove, the Legal Liaison Officer in Hong Kong, who is returning to the United States on domestic assignment.

Mr. Byers, who is serving in GS-14, was born on January 1, 1921, at Franklin, Indiana. He was graduated from the University of Indiana at Bloomington, Indiana, in 1951 and received a Bachelor of Science degree. He will be accompanied by his wife, Mildred, on this assignment and expects to depart for Tokyo on or before September 30, 1971.

Mr. Precht1, who was born on July 11, 1926, at Elmira, New York, has been employed by this Bureau since November 16, 1953. He is currently serving in GS-15. He is

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**Presidential Appointments Staff
Department of State**

a graduate of Georgetown University and of Georgetown Law School, Washington, D. C. He will be accompanied to Hong Kong by his wife, Sharon, and his three daughters, Kimberly Marie, aged 12; Kelly Ann, aged 9; and Kiernan Kathleen, aged 3. Mr. Precht1 and his family plan to arrive in Hong Kong in early October, 1971.

The foregoing is furnished for your official use. You may wish to advise the Embassy of the United States in Tokyo and the American Consulate General in Hong Kong of this change in personnel. It will not be necessary to have anyone meet Mr. Byers or Mr. Precht1 when they arrive at their new posts since these arrangements will be handled by my representatives in Hong Kong and Tokyo.

BY COURIER SERVICE

Date: September 17, 1971

To: Mr. Thomas Stern
Deputy Assistant Secretary
for Organization and Management
Department of State
Room 7810
New State Department Building
Washington, D. C. 20530

From: John Edgar Hoover, Director

Subject: OFFICE OF LEGAL ATTACHE
MEXICO CITY, MEXICO;
REOPENING OF THE RESIDENT AGENCY
AT HERMOSILLO, SONORA

In order to handle the increased volume of work in the Office of the Legal Attache, Mexico City, Mexico, in a prompt and efficient manner, I have approved the reopening of a Resident Agency in Hermosillo, Sonora. This will involve no increase of personnel and the position will be filled by an employee already assigned to the Office of the Legal Attache, Mexico City, Mexico.

Accordingly, your concurrence is requested and your early attention to this matter will be appreciated.

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DATE 10/17/02 BY SP2AM/ely

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UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

September 20, 1971

BY COURIER SERVICE

Honorable William P. Rogers
The Secretary of State
Washington, D. C.

Dear Mr. Secretary:

The President has today instructed me to increase further our liaison operations abroad, and I have indicated that we could station representatives at Manila, Philippines; Rio de Janeiro, Brazil; Santo Domingo, Dominican Republic; Canberra, Australia; Kuala Lumpur, Malaysia; and New Delhi, India. I propose to station one Special Agent and one clerical employee in each of these posts, representing an increase of 12 in our present overseas personnel ceiling of 88.

In view of the President's instructions, it would be appreciated if the necessary arrangements could be made, both for the increase in our personnel ceiling and for the requisite clearances with the Ambassadors concerned. If you feel it desirable, one of my representatives will be available to discuss this matter in further detail with the appropriate official of your Department.

Sincerely yours,

A handwritten signature, likely of J. Edgar Hoover, is written in ink below the "Sincerely yours," text.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/12/00 BY SP3A/mk/ty

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UNITED STATES GOVERNMENT

Memorandum

TO: Mr. A. Rosen DATE: 10/12/71

FROM: E. S. Miller

SUBJECT: EXPANSION OF FOREIGN LIAISON

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/13/00 BY SP2AM/ctj

On 10/12/71 I met, at their request, with Ambassador Wymberley Coerr, Deputy Director of the Bureau of Intelligence and Research, Department of State, and R. Glynn Mays, also of the Department of State but assigned to the National Security Council, Under Secretaries Committee. Also present was SA Graham A. Day of this Division.

The State representatives advised that the Director's letter of 9/20/71 to Secretary Rogers requesting clearance for six new liaison posts abroad had been referred to the Committee for clearance. As part of their normal procedure, the views of the affected Ambassadors were solicited with the result that a number of questions were raised. State is currently in the process of effecting a five per cent reduction in U.S. personnel overseas and each Ambassador was concerned with the proposed increase in the personnel complement with which he is charged. Several Ambassadors asked what information might be given to the host government and others inquired as to why their post had been selected.

Both Coerr and Mays appeared to be genuinely cooperative and indicated that they merely wanted our assistance in preparing brief material which might be forwarded to the Ambassadors as a general response to their inquiries. They were pleased to learn that a number of the new posts will be, in effect, acting as regional offices, covering more than one country. No question was raised, and of course no comment was made, concerning the development of high-level intelligence and it was explained that, as in the case with our other posts, our representatives will be establishing and maintaining liaison with the police and other investigative agencies of the countries visited in order to expedite and insure the thorough handling of leads abroad arising from the Bureau's domestic investigations.

It was explained that three of the new posts (Manila, Rio de Janeiro and Santo Domingo) represent a reopening of offices formerly in existence and that only one post (New Delhi) will be in a country not previously covered.

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CONTINUED - OVER

Memorandum E. S. Miller to Mr. A. Rosen
RE: EXPANSION OF FOREIGN LIAISON

Both Coerr and Mays indicated that there was some pressure to resolve the problem and prepare a response to the Director's inquiry. They did not, however, indicate how much time this might involve.

In response to their inquiry we have prepared a letter, addressed to the Under Secretary of State at their request, noting the general objectives of our foreign liaison posts and explaining in general terms why each of the six new locations was chosen. We have also indicated the territory to be covered by each and have furnished general statistics concerning the substantial increase in the results obtained by our foreign offices during the past five years.

ACTION:

Attached for approval is the letter discussed above.

SECRET

October 14, 1971

BY COURIER SERVICE

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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

Honorable John N. Irwin II
Under Secretary of State
Department of State
Washington, D. C.

Dear Mr. Irwin:

Ambassador Wymberley Coerr and Mr. R. Glynn Mays of your Department have asked for additional details with reference to my letter of September 20, 1971, to Secretary Rogers. Specific questions were raised concerning the location of the proposed new posts and concerning our method of operation when they are established.

In general, our need for additional liaison abroad stems from the constantly increasing travel abroad of United States citizens under investigation in this country. For example, just five years ago in fiscal 1966, a total of 653 persons wanted in the United States were located through requests initiated by our Legal Attaches. In fiscal 1971, 2369 such persons were located. In fiscal 1966, slightly more than \$800,000 in property stolen in the United States was located abroad; while in fiscal 1971, nearly \$1,500,000 of such property was so located. In response to earlier programs aimed at reducing United States personnel abroad, I closed our posts at Manila, Rio de Janeiro and Santo Domingo and endeavored to cover those areas by road trip from other posts. This has resulted in inevitable delays and in materially increased travel costs. As a result, when the President asked that I increase our liaison activities abroad, I suggested the reopening of these three posts.

Our method of operation at each post will continue, as in the past, to include the development and maintenance of a close, cooperative relationship with the police and

SECRET

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NW 89804 DocId:32989615 Page 24 express approval of the FBI.

10/13/07
CLASSIFIED BY SP2AM/lely
DECLASSIFY ON: 25X-6

SECRET

Honorable John N. Irwin II

other investigative agencies of the countries visited for the purpose of expediting and insuring the thorough coverage of leads abroad arising from the investigations being conducted by the FBI within the United States. My representatives are not operational, will conduct no investigations, and will secure the information and assistance they need by direct request of the appropriate foreign agency in the country concerned. As a matter of reciprocity, my representatives will accept requests from those agencies for information or assistance in the United States. Specific comments concerning the six proposed new offices follow:

CANBERRA, AUSTRALIA Australia and New Zealand were originally covered by road trip from Manila and subsequently, following the close of our post in Manila, from Hong Kong. The volume of work, particularly in Australia, has increased to the point that it can no longer be handled efficiently at such a distance, and it is expected that the establishment of a representative in Canberra will provide for the more rapid handling of our requests. In addition to the Commonwealth Police and the Australian Security Intelligence Organization, liaison would also be maintained with the state and territorial police agencies. (S)

KUALA LUMPUR, MALAYSIA The Agent stationed here would be responsible for liaison in Thailand, Malaysia and Singapore, all currently being covered by road trip from Hong Kong, and would initiate coverage in Indonesia. Kuala Lumpur was chosen as a central location for the coverage of this large area which is increasingly visited by persons of interest to the FBI. My representatives in Hong Kong have been unable to visit this area with sufficient frequency to insure the prompt handling of our work.

SECRET

SECRET

Honorable John N. Irwin II

MANILA, PHILIPPINES Our liaison post was originally opened in Manila in August, 1961, and was closed on August 31, 1969, in an effort to reduce overseas costs. Although relatively close to Hong Kong, from which the area has since been covered, the volume of our work in the Philippines is such that it can best be handled by a man on the scene as we have encountered numerous delays in our efforts to secure information at long distance. The continued United States military presence in the Philippines, coupled with the large number of Philippine nationals who have become involved in difficulties in the United States and then returned to their home, has resulted in the continuation of a relatively large work load in this area.

NEW DELHI, INDIA This is an area in which we have not previously had regular coverage, and it has been necessary on a number of occasions to despatch representatives from Rome or Hong Kong to handle problems arising there. It is planned that our representative in New Delhi will cover not only India but also East and West Pakistan and Nepal. It is possible that additional territory may be assigned to this office in the future. It is noted that there are nine graduates of the FBI National Academy located in this area.

RIO DE JANEIRO, BRAZIL This office, which was in operation from 1941 to 1967, was consolidated with our post in Buenos Aires, Argentina, as an economy measure. During the more than four years that it has been closed, it has become increasingly apparent that the loss in prompt and effective coverage is greater than the small saving justifies. A number of individuals of interest to the FBI have either moved or traveled to Brazil, and it

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SECRET

Honorable John N. Irwin II

has become apparent that prompt coverage can only be secured through direct and continuing liaison with the investigative agencies of this huge country.

SANTO DOMINGO, DOMINICAN REPUBLIC

This office, originally opened May 21, 1965, was closed March 18, 1969, as an economy measure and coverage has been maintained by Agents assigned to the FBI office in San Juan, Puerto Rico. It is proposed that the Agent assigned to Santo Domingo will initiate coverage in Haiti. There is a considerable population of Dominican exiles residing in the United States who continue to be involved with the various political factions in the Dominican Republic, thereby creating problems of FBI interest in connection with the Neutrality Act, the Foreign Agents Registration Act and other matters affecting internal security interests. To a smaller extent, this is also true of Haiti.

Although my request for this limited expansion was made at the specific instruction of the President, I know that he would not sanction an operation which was not economically worthwhile. You may be assured that, as in the past, these new posts will be carefully supervised and prompt action taken should it be determined either that their continued existence is not warranted or that additional assistance is necessary. I hope that it will be possible for you to secure the requisite clearances in the near future.

Sincerely yours,

J. Edgar Hoover

SECRET

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Rosen

DATE: 11/2/71

FROM : E. S. Miller

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 12/13/02 BY SP2AM/ly

SUBJECT: EXPANSION OF FOREIGN LIAISON

On 11/2/71 we called Mr. R. Glynn Mays, who is assigned by the Department of State to the National Security Council Under Secretaries Committee, and inquired concerning when we could expect a response to our letters of 9/20/71 and 10/14/71 regarding the opening of six additional foreign liaison posts.

Mays stated that Bureau letter 9/20/71 had been referred to the National Security Council Under Secretaries Committee as that group is responsible for the establishment and alteration of overseas personnel ceilings. Inasmuch as each U. S. Ambassador is a personal representative of the President and is not subservient to the Department of State, inquiries were sent to the six affected Ambassadors regarding their concurrence in our proposal. Each of the Ambassadors responded by raising various questions concerning such matters as what information might be given to the host government, FBI methods of operation overseas, and reasons as to why their particular post had been chosen. These inquiries resulted in the visit of Ambassador Wymerley Coerr, Deputy Director of State's Bureau of Intelligence and Research; and Mr. Mays to the Bureau on 10/12/71 as reported in my memorandum of that date. As a result of that memorandum, a detailed letter dated 10/14/71 was forwarded to Under Secretary of State John N. Irwin II furnishing specifics concerning our overseas operations and our reasons for selection of the posts involved.

Mays stated that upon receipt of the second letter, individual responses were prepared and forwarded to each of the six Ambassadors who had raised questions. Replies are still pending, and Mays said he knew no way of hurrying the Ambassadors short of telephoning them. It was pointed out to him that nearly a month and a half had elapsed since the original request, which had been made at the instruction of the President. He was asked to communicate our concern at

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E. S. Miller to Mr. Rosen
Re: EXPANSION OF FOREIGN LIAISON

the delay to whatever level in the Department of State that might be necessary in order to produce action.

ACTION:

State, as usual, is dragging its feet, and we are making no progress at the working level. If approved, the attached letter will communicate our concern to Secretary Rogers.

November 3, 1971

BY COURIER SERVICE

Honorable William P. Rogers
The Secretary of State
Washington, D. C.

Dear Mr. Secretary:

Reference is made to my letter of September 20, 1971, requesting clearance for six additional liaison posts abroad.

As a result of specific inquiries received from the Ambassadors concerned, further details were furnished by letter of October 14, 1971, to Under Secretary John N. Irwin II.

As it has been some time since the President requested this increase, I would appreciate an indication from you as to when we can complete the necessary arrangements.

Sincerely yours,

J. Edgar Hoover

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NW 89804 DocId:32989615 Page 100 express approval of the FBI.

UNITED STATES GOVERNMENT

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Memorandum

TO : Mr. E. S. Miller

DATE: 11/4/71

FROM : W. R. Wannall

DECLASSIFIED BY SP2ALM/ely
ON 10/3/80

SUBJECT: EXPANSION OF FOREIGN LIAISON

R. Glynn Mays of the Department of State who has been handling, on a working level, our request to expand our foreign liaison telephoned 11/4/71. He stated that the affected Ambassadors had been canvassed again for their concurrence and each had raised a number of additional questions. He explained that basically, the Ambassadors were chafing at a request for expansion at a time when the Government is in the throes of additional contraction in its overseas posts, and he indicated that a number of the Ambassadors had pointed out that there are existing arrangements under which FBI leads can be handled in their territory and they do not understand, based on the small volume of work they have witnessed in the past, why FBI wishes to station a man in the territory full time. With reference to our request to open in Kuala Lumpur, Malaysia, he said he would like us to authorize him to explore the possibility of opening in Singapore as an alternative. He stated an overwhelming percentage of the personnel in the American Embassy at Kuala Lumpur are actually Central Intelligence Agency representatives, and the Ambassadors felt there should be no further addition of security representatives.

Mays said that Ambassador Coerr, who had visited the Bureau with Mays 10/12/71 to discuss our request, had suggested that there be a further discussion at which the numerous questions raised by the Ambassadors could be discussed. Mays asked whether Assistant Director Miller and/or another Bureau representative could come to the Department of State on 11/8/71 so that other interested State officials could participate in the discussion. Mays was told that the request we had made was, as he has previously been informed, a Presidential instruction and that ~~it had already been a~~

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URN

Memorandum W. R. Wannall to Mr. E. S. Miller
Re: EXPANSION OF FOREIGN LIAISON

month and a half without action. He was told that we felt no useful purpose would be served by further discussion of operational details but that if the Department of State had questions it desired answered, it should address them to us in writing and we would deal with them in an appropriate manner. We made no comment concerning the proposal to exchange Singapore for Kuala Lumpur (actually, the two points are very close and we see no objection to the change).

Mays said he understood our position and would relay it promptly to his superiors. He indicated that the United Nations Chinese problem and the Congressional action concerning foreign aid had occupied the full time of the top personnel at State with the result that they are not familiar with the latest developments surrounding our request. It is quite apparent that unless we call a halt as we have done in our discussion with Mays today, we could continue conferences and discussions endlessly without achieving our objective. With reference to the implied questioning of the volume of FBI work in the new areas, it should be noted that our selection of the locations for the new posts was based not on work load but on potential for production of high level intelligence of interest to the White House. This has not, of course, been included in either our letters to State or our discussion with its representatives.

Right. H
ACTION:

For information. We will promptly analyze and make recommendations concerning any request received from State in writing.

Properly handled
[Signature]

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Rosen

DATE: 11-22-71

FROM : E. S. Miller

SUBJECT: EXPANSION OF FOREIGN LIAISON

In response to the telephone call to the Director this morning from Undersecretary of State John N. Irwin II, Irwin was promptly contacted in order to arrange the meeting he had requested. As a result of pressing congressional commitments, Mr. Irwin had no time available either today or tomorrow but arranged an appointment for 3:30 p.m., Wednesday, November 24, 1971.

Mr. Irwin stated that the meeting would be held in the office of William B. Macomber, Jr., Deputy Undersecretary of State for Management, but that he, Irwin, would also be present. It should be noted that it was Mr. Macomber with whom we dealt in arranging our 1970 expansion and it is under his direction that State participates in the National Security Council Undersecretaries Committee which must pass on all increases in U.S. personnel stationed abroad.

ACTION:

As instructed, I will attend the meeting scheduled for 3:30 p.m., 11/24/71, and will take with me SA Graham A. Day of this Division.

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NW 89804 DocId:32989615 Page 33

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10:50 AM

November 22, 1971

MEMORANDUM FOR MR. TOLSON
MR. FELT
MR. ROSEN
MR. MILLER
MR. BISHOP

Honorable John N. Irwin, II, Under Secretary of State, called. He said he was calling about the positions abroad (Legal Attaches) that I talked to the President about and the President authorized to be done, and Mr. Irwin said they, of course, want to work out how to do this. Mr. Irwin continued that after getting my letter in October they sent it to the embassies to get some comments back and they wanted to talk about these and how was the best way partly because of the situation overseas and a good part because of the recent Presidential order in connection with the new economic policy of reducing 5% overseas and this raises, from an internal point of view, problems as to how they take this and where and the amount of support they have to give overseas to the variety of agencies they support over and beyond themselves. Mr. Irwin said it would be helpful if they could talk about these with me or whomever I might designate. Mr. Irwin continued that he thought they had talked once and then the FBI officer said he would like to have it in writing rather than further discussion.

Mr. Irwin said he talked to Secretary of State William P. Rogers and Mr. Rogers thought it would be helpful if they could, rather than going back and forth in writing, try and work it out because they know this is what the President requested be done. I commented that the President is anxious. Mr. Irwin said they do want to try to fit it in with the miscellaneous political and administrative problems that exist rather than to just move without the opportunity for further discussion.

I told Mr. Irwin I thought Mr. Miller, Assistant Director in charge of the Domestic Intelligence Division and under whom the Legal Attaches operate, would be the one to talk to and if he, Mr. Irwin, would tell me what time was convenient for him, I could check with Mr. Miller. Mr. Irwin asked if they should call Mr. Miller direct and I told him I would call Mr. Miller and tell him that Mr. Irwin would be in touch with him. Mr. Irwin thanked me.

Very truly yours,

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John Edgar Hoover
Director

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10:50 AM

November 22, 1971

MEMORANDUM FOR MR. TOLSON

ALL INFORMATION CONTAINED
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DATE 10/13/00 BY SP2 PLM/efj

MR. FELT
MR. ROSEN
MR. MILLER
MR. BISHOP

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Very truly yours,

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Director

UNITED STATES GOVERNMENT

Memorandum

~~CONFIDENTIAL~~

TO : Mr. Rosen

DATE: 11/26/71

FROM : E. S. Miller

DECLASSIFIED BY SP2AM/eli
ON 12/13/00

SUBJECT: EXPANSION OF FOREIGN LIAISON

As instructed, I met on 11/24/71 with State Under Secretary John N. Irwin II; Deputy Under Secretary William B. Macomber, Jr.; his Executive Assistant, Samuel R. Gammon; Wymberley Coerr, Deputy Director, Bureau of Intelligence and Research; and R. Glynn Mays of State's Methods and Systems Staff. I was accompanied by SA Graham A. Day of this Division. Mr. Irwin, who was unable to stay for the entire meeting, stated he was most appreciative of the Director's rapid and cooperative response to his request for further discussion. He pointed out that he has a tremendous respect for the Director and for the organization which he has built and has instructed his personnel at State to do everything in their power to fulfill the FBI request. He noted that the request did, however, represent a substantial problem for State and that he had asked for discussion because of the difficulties which State had encountered.

State is fully aware of President Nixon's instruction that FBI liaison activities be expanded. The President has also, however, instructed that the official profile of the United States be lowered abroad and that a five percent across-the-board reduction in United States overseas personnel be made. Coming as it does on the heels of President Johnson's fifteen percent reduction and President Nixon's earlier ten percent reduction, this has created serious staffing problems in each U. S. Embassy. As the Ambassador's concurrence is necessary before any new personnel can be sent abroad, each of those potentially affected by our expansion was consulted by State and each one raised serious objections. Some, as will be indicated below, questioned the necessity for an Agent to be stationed in their countries and several, pointing to the current expansion of the Bureau of Narcotics and Dangerous Drugs, which is also being strongly resisted, asked why one Justice representative could not represent both agencies. As a result, both Mr. Irwin and Mr. Macomber asked that we take a hard look at our proposals to see if some adjustments could be made which would result in a smaller overall increase in our overseas personnel.

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Memorandum E. S. Miller to Mr. Rosen
Re: EXPANSION OF FOREIGN LIAISON

I pointed out that there would be no possibility of our "doubling up" with Narcotics investigators, explaining that our functions and methods of operation are totally different and would actually be incompatible in some areas. I noted that our modest request had actually been scaled down before it was forwarded to State and that we had limited each office to a single Agent with only one Clerk-Stenographer. I referred to the detailed explanation for our request which had been furnished in our letter of 10/14/71 to Mr. Irwin and stated that we would not have made the request if we had not felt it fully justified and responsive to the President's instruction. I said that we would, however, carefully consider each part of the request once more to see if there was any way in which the total number of personnel involved might be reduced. It was agreed that following this review, we would meet again for further discussion during the week of November 29, 1971. Comments and recommendations concerning the specific areas follow:

Rio de Janeiro, Brazil

The Agency for International Development Mission here has been withdrawn in the face of local criticism of U. S. efforts to influence the Brazilian Police. We have been covering this enormous country from our office in Argentina on a 2,500 mile round trip basis. No criticism has been made of our liaison contacts with the Brazilian Police or other agencies, and we feel we should insist on reopening our office here. By reducing our staff in Buenos Aires by one Agent and one clerk (which we intended to do anyway), reopening this office will result in no increase in personnel.

Kuala Lumpur, Malaysia

There is an abnormally large percentage of Central Intelligence Agency personnel here on both an overt and covert basis, and the addition of another investigative agency is feared by the Ambassador as objectionable to the Malaysian Government which is endeavoring to maintain a neutral position. State asks that we let them explore the possibility of opening in Singapore instead of Kuala Lumpur. Singapore is extremely close and is actually a better location from the standpoint of travelers both east and west as Singapore is a normal international aviation stop. We believe Singapore would be just as good a location as Kuala Lumpur and recommend that State be asked to make the necessary arrangements without further delay.

Memorandum E. S. Miller to Mr. Rosen
Re: EXPANSION OF FOREIGN LIAISON

Manila, Philippines

Although the Ambassador here has voiced objection, we feel that we should insist upon reopening this office. There are a number of National Academy graduates in the Philippines, and we have a ready reservoir of good will which we can tap both in our regular work and in our search for political intelligence.

Santo Domingo, Dominican Republic

The Ambassador here was most specific in pointing out that the present coverage from our office in nearby San Juan seemed to be fully adequate. He added that the precarious political situation could be worsened by the addition of U. S. law enforcement personnel. We believe we could forgo reopening Santo Domingo with no loss. The Agent in San Juan now covering the area (and who was scheduled to reopen the office) can be fully briefed concerning the collection of political intelligence and, by stepping up the frequency of his visits, can not only cover the Dominican Republic but also establish liaison in Haiti and Jamaica.

New Delhi, India

It was pointed out that, whereas we had planned to cover East and West Pakistan from this point, the current hostilities would make this unfeasible. India itself, however, is a huge country with an enormous population and is of great potential political significance. For the present, we could establish liaison from here with Iran and could await the resumption of better relations between India and Pakistan before visiting the latter. We feel we should insist upon opening this office.

Memorandum E. S. Miller to Mr. Rosen
Re: EXPANSION OF FOREIGN LIAISON

Canberra, Australia

We believe we could forgo opening an office here at this time as, of the various offices considered, this would probably be the least productive of political intelligence since it has a stable government and enjoys friendly relations with the U. S. From a cost standpoint, this would probably be the most expensive post to open merely because of the great distance and high transportation costs.

ACTION:

It is recommended that we inform State we have very carefully reconsidered our request and, in an effort to be fully cooperative, we have altered our request with the result that only six additional positions*abroad will be needed rather than the twelve originally requested. We will ask to open at Rio de Janeiro, Manila, New Delhi and Singapore, making other arrangements for the coverage we had requested from Santo Domingo and Canberra. We will press for an early meeting for the consideration of this proposal and ask that we be permitted to proceed at the earliest possible moment as there has already been so much delay.

* 3 Agents & 3 clerks

I concur.

th

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Rosen

DATE: 11/29/71

FROM : E. S. Miller

SUBJECT: EXPANSION OF FOREIGN LIAISON

As approved by the Director, we have pressed State for an early meeting at which we can present our altered proposal for expansion of our foreign liaison. Deputy Under Secretary of State William B. Macomber, Jr., has indicated that 3:30 p.m., Tuesday, 11/30/71, is the earliest moment he has available. We will, therefore, meet with State at that time and will urge that our proposal be approved promptly.

ACTION:

For information.

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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Rosen

DATE: 12/1/71

FROM : E. S. Miller

ALL INFORMATION CONTAINED
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DATE 12/12/00 BY SP2AUC/ly

SUBJECT: EXPANSION OF FOREIGN LIAISON

As indicated in memorandum 11/29/71, we had an appointment to discuss our expansion further with Deputy Under Secretary of State Macomber at 3:30 p.m., 11/30/71. At noon on 11/30/71, Mr. Macomber's office advised that he had been unexpectedly summoned by the Secretary of State to a meeting which would occupy the balance of the afternoon, and we were asked to postpone our discussion until 12/2/71. I stated that I was quite anxious to resolve this matter without further delay and asked to meet with other State representatives to discuss our proposal as originally planned. Accordingly, we met with Ambassador Wymberley Coerr, Deputy Director of State's Bureau of Intelligence and Research; Samuel R. Gammon, Executive Assistant to Mr. Macomber; and R. Glynn Mays of State's Methods and Systems Staff. I was accompanied by SA Graham Day of this Division.

I stated that the staffing problems encountered by State had been explained to the Director and that, in an effort to cooperate, he had authorized us to materially reduce our initial request. I said that we would agree to Singapore in place of Kuala Lumpur as suggested by State, and we would cancel our request to open offices in Canberra and Santo Domingo. I pointed out that we would staff our office in Rio de Janeiro by reducing our present staff in Buenos Aires and that we were therefore requesting, in effect, only six additional positions abroad (3 Agents, 3 clerks) in place of the original 12, from which we would open offices in Manila, Rio de Janeiro, New Delhi, and either Singapore or Kuala Lumpur.

Ambassador Coerr said that he greatly appreciated the Director's cooperation and asked that his thanks be conveyed to the Director for this. He instructed Mr. Mays to immediately wire the Ambassador in Singapore to explore the possibility of our opening there in place of Kuala Lumpur. He then stated that our choice of Manila was especially troublesome because, at Presidential direction, a special reduction in U. S. personnel had been made there over and

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Memorandum E. S. Miller to Mr. Rosen

Re: EXPANSION OF FOREIGN LIAISON

above all of the over-all percentage decreases made in other posts. He said that the situation in Manila was so critical that he would ask that we discuss it further with the Director to see whether we might open in Canberra, Australia, in place of Manila, possibly covering the Philippines from Canberra. In addition, Mr. Mays said that the Ambassador in New Delhi had expressed doubt whether there was sufficient FBI work in India to justify stationing a man there. Mays asked for figures which State could use to support our request.

I stated that we were faced with a situation in which the President had, on September 20, 1971, asked the Director to expand his liaison operations abroad and that here we were more than two months later without having taken a single action in direct response to the President's instruction. I pointed out that it seemed to me that the President's instruction should take precedence over any Ambassadorial question and that I saw no point in becoming involved in quibbling with individual Ambassadors in efforts to justify doing what the President had asked. Ambassador Coerr said that he understood our position perfectly and State would proceed to correspond with the Ambassadors further. He did ask that we present the special problem of Manila for determination by the Director.

With respect to Manila, we have a fair volume of work there now which we do not have in Australia. Further, we do not feel it would be feasible to cover Manila from Australia because of the distance involved, and we want to leave our office in Hong Kong free to concentrate on the greatly enlarged Chinese problem. We feel, therefore, that despite the Ambassador's objection, we should insist upon reopening our office in Manila.

ACTION: If approved, we will inform Ambassador Coerr that his proposal that Canberra be substituted for Manila has been reviewed by the Director and that he feels, as he did when he approved the reduced proposal, that it is essential for us to reopen our office in Manila. We will also tell Ambassador Coerr again that too much time has already elapsed and that this matter should be resolved promptly.

Memorandum E. S. Miller to Mr. Rosen

Re: EXPANSION OF FOREIGN LIAISON

(2) We have considered a status letter to Dr. Kissinger concerning this but believe that this would be premature inasmuch as State Under Secretary Irwin has indicated his desire to cooperate and it appears that State is about to authorize part, if not all, of our amended request. We will watch this situation very closely, however, and will submit a proposed letter to Dr. Kissinger if it appears that State is continuing to drag its feet.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Rosen

DATE: 12/3/71

FROM : E. S. Miller

ALL INFORMATION CONTAINED
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DATE 10/19/00 BY SP1AM/ky

SUBJECT: EXPANSION OF FOREIGN LIAISON

As approved by the Director, Ambassador Wymberley Coerr, Deputy Director of State's Bureau of Intelligence and Research, was advised 12/3/71 that we could not accept Canberra, Australia, as a substitute for Manila, Philippines, and that we felt that we had already done everything in our power to cooperate by reducing our request for additional positions overseas from 12 to 6 (3 Agents, 3 clerks). We pointed out that we made our original request on September 20, 1971, and that two and one half months have elapsed without action. Ambassador Coerr said he understood our position perfectly and that he expected to have some definite word for us in the very near future.

Within five minutes, Ambassador Coerr telephoned and said that he had been able to secure approval for us to go ahead with the four offices which we had discussed in his office 12-1-71. He has not yet had a final response from the Ambassador in Singapore, however, so he could not state whether our new post will be in Kuala Lumpur or Singapore. We have approval, however, to open new Legal Attache offices in New Delhi, Manila, Rio de Janeiro, and in either Singapore or Kuala Lumpur. Ambassador Coerr said he expected to be able to advise us which of the latter two would be approved within a very short time.

ACTION: (1) The Administrative Division should notify the Agent and clerical personnel selected for Rio de Janeiro, Manila and New Delhi that State Department clearance has been granted and they should proceed to apply for their passports and/or visas at once. The Administrative Division will be notified immediately as soon as we receive the final clearance for Singapore or Kuala Lumpur. Previously approved transfers of personnel to Santo Domingo and Canberra, Australia, are being cancelled.

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Memorandum Miller to Rosen
Re: EXPANSION OF FOREIGN LIAISON

(2) The Files and Communications, Laboratory and Administrative Divisions should be prepared to furnish the necessary communications equipment and supplies.

(3) A letter of confirmation addressed to Secretary Rogers is being prepared and will be submitted separately.

(4) Letters informing the Attorney General and Dr. Kissinger will be promptly prepared as soon as we hear from State regarding whether our office will be in Singapore or Kuala Lumpur.

December 6, 1971

BY COURIER SERVICE

Honorable William P. Rogers
The Secretary of State
Washington, D. C.

Dear Mr. Secretary:

Following my letter of November 3, 1971, which inquired concerning our request for 6 additional liaison posts abroad, my representatives met on two occasions with officials of your Department. In order to cooperate with the current effort to reduce American personnel overseas, our request was reduced so that instead of 12 additional personnel, only 6 would be required.

On December 3, 1971, Ambassador Wymberley Coerr, Deputy Director of the Bureau of Intelligence and Research, advised that clearance was being granted for our reduced request. This will mean that new liaison posts will be established at New Delhi, India; Manila, Philippines; Rio de Janeiro, Brazil; and in either Singapore, Republic of Singapore, or Kuala Lumpur, Malaysia.

Your cooperation and assistance, which have enabled us to respond to the President's request, are indeed appreciated.

Sincerely yours,

J. Edgar Hoover

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Mr. E. S. Miller DATE: 12/9/71

FROM : W. R. Wannall

DECLASSIFIED BY
ON 10/17/00

SUBJECT: EXPANSION OF FOREIGN LIAISON

War was declared on India by Pakistan the same day that clearance was received from State for our office there. We have been watching the situation closely and it has deteriorated to the point where we believe it would be futile for us to station a man there right now. All commercial airplane flights to New Delhi have been cancelled by the Indian Government and State has advised us that they are considering the possibility of evacuation of American nationals as is currently being done in Pakistan. Our Legats are dependent upon developing friendly relations with the investigative agencies of the host country. Recent statements by President Nixon, Secretary Rogers and Ambassador Bush have tended to blame India for escalation of the situation with the result that considerable hostility has been developed in India against the United States. A very recent demonstration around the United States Embassy in New Delhi is evidence of this. This is just not the time for a new Legat to introduce himself as a United States representative to Indian agencies.

We checked with State on this and Glynn Mays, with whom we have dealt in connection with the expansion, said the situation is such that the Indian Government ~~might even decline to issue a visa to our representative although he cannot say for sure.~~ As our purpose in sending ^{19 JAN 15 1971} India is to have him secure political intelligence items from his contacts, it would seem that he would be ~~unable to~~ do this until the situation eases and a less hostile attitude prevails.

ACTION:

It is recommended that we hold up on sending our personnel to New Delhi for a period of 30 days, on the expiration of which the situation will be reassessed and a further recommendation made for the Director's consideration.

Classified by 6283
Exempt from GDS, Category 3
Date of Declassification Indefinite

~~CONFIDENTIAL~~

~~NATIONAL SECURITY INFORMATION~~
~~Unauthorized Disclosure~~
~~Subject to Criminal Sanctions~~

Mr. E. S. Miller

12/17/71

W. H. Wannall

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/13/00 BY SP2AUL/ely

EXPANSION OF FOREIGN LIAISON

We have been pushing Glynn Mays, who is handling our expansion on the working level at State for a final decision on whether we can open an office in Singapore or Kuala Lumpur. On 12/17/71 he advised that nearly all the arrangements have been completed which will enable us to open in Singapore; however, a final response from the Singapore Government has not yet been received. He stated that he is making every effort, through the U. S. Ambassador in Singapore, to expedite this matter and that he will inform us at once when the final word is received.

With respect to our new office at Rio de Janeiro, Brazil, Mays noted that the U. S. Embassy had been formally moved from Rio to Brasilia about one month ago. This is a move which has been under way during the past four years and was anticipated by our Legal Attache in Buenos Aires who advised that our new office should be opened in Rio de Janeiro nevertheless as the bulk of our work is in Rio and adjacent Sao Paulo. The U. S. diplomatic establishment in Rio will henceforth be known as the Consulate General, and Mays indicated that, as in the case of the Consulate General at Hong Kong, our representative would be known as the Legal Liaison Officer, because no attache title is used in a Consulate General.

We anticipate no difficulty with this as we have had none in Hong Kong. Our representative will continue to be known within the Bureau as Legal Attache, and the title Legal Liaison Officer will be used only by our Mail Room in addressing pouches to him.

ACTION: Attached for approval is a cable reminding the Legat. Buenos Aires, of the change in status of the U. S. establishment in Rio de Janeiro and that our representative will use the title Legal Liaison Officer there.

Enclosure

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.

THE UNDER SECRETARY OF STATE

WASHINGTON

NSC UNDER SECRETARIES COMMITTEE

CONFIDENTIAL

December 28, 1971

Dear Mr. Hoover:

On behalf of Secretary Rogers, I wish to thank you for your letter of December 6. I share your satisfaction that, since our conversation of a few weeks ago, our staffs have reached agreement on increasing the FBI's liaison activities in certain overseas areas. I am particularly gratified that this has been accomplished so as to meet the President's general instruction to you and his earlier directives to the Under Secretaries Committee to keep a tight control on all overseas personnel, and to our ambassadors overseas to monitor and direct the operations of all elements assigned to their missions.

We have recently instructed our Ambassadors in Brasilia, Manila, and Singapore to consult with their respective host governments on this subject, and we expect to hear from them shortly. Once we receive formal clearance from those host governments and have resolved the remaining technical and administrative questions, your agents will be able to assume their new responsibilities in those areas.

Because of the current situation in South Asia, however, this is not the propitious moment to establish an office in New Delhi. We will keep in touch both with our Embassy and with your staff to determine when best to proceed.

The Honorable

J. Edgar Hoover,
Director,

Federal Bureau of Investigation.

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DATE 12/13/01 BY SP2A-cm/ely

CONFIDENTIAL

NATIONAL SECURITY INFORMATION

Unauthorized Disclosure
Subject to Criminal Sanctions

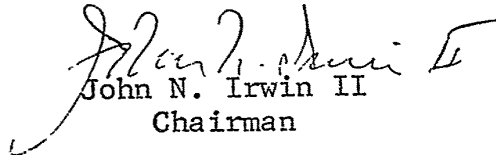
CONFIDENTIAL

-2-

I particularly appreciate your strong personal interest and assistance in helping our two departments respond to Presidential guidance and direction. I am confident that through continued close effort, our respective staffs will shortly resolve the remaining questions at hand.

With warm regards,

Sincerely,


John N. Irwin II
Chairman

CONFIDENTIAL

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

6/23/75

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

☒ SSC☐ HSC4. 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, other-
wise state verbal request of (name), initiative, subpoena, etc.)**SSC letter 5/14/75, Appendix B, Items 13 and 14**6. CLASSIFICATION OF
INFORMATION (enter
U, C, S, TS or
Codeword)7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are
used underline for emphasis)**Liaison, foreign**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/13/00 BY SP2AUM/dj

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

**Memoranda and other materials reflecting meetings and
contacts during 1971 between the President and the Director of FBI
and between officials of the FBI and officials of the
Department of State on the subject of "legal attaches".**

62-116395

FMK; fmk

(4)

TREAT AS YELLOWORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 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.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : Legal Counsel *JM*

SUBJECT: COMMISSION ON CIA ACTIVITIES
WITHIN THE UNITED STATES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/13/00 BY 922ALM/djg

DATE: 7/3/75

1 - Mr. Wannall
1 - Mr. Mintz

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

On July 1, 1975, Doug Marvin, Special Assistant to the Attorney General, telephonically advised me that the Attorney General desired the Bureau's views on a letter to be addressed to the President by the Attorney General commenting on the recommendations of the captioned Commission in its final report.

At 3:21 p.m. on July 1, 1975, he furnished me a copy of the proposed letter to the President and a copy of its enclosure, "Comments on Recommendations of the Commission on CIA Activities Within the United States." I took the material immediately to Mr. Wannall and following our review, we discussed our suggestions with Mr. Callahan and Mr. Jenkins and then telephonically advised Mr. Marvin of the proposed changes. Mr. Marvin adopted all of the proposed changes except our suggestion that the paragraph regarding Recommendation 30 should include a comment that any agreement between the CIA and the FBI should not be undertaken until we have more information concerning possible legislation which may be enacted following the conclusion of the inquiries being made by the Senate Select Committee.

On July 2, 1975, I received from Mr. Marvin a copy of the final draft which was transmitted to the White House and discussed with him the absence of any change in the paragraph regarding Recommendation 30. Mr. Marvin explained that while they concurred in our reservations about attempting to draft an agreement without considering the possibility of new legislation, they felt that the cover letter to the President indicated sufficiently that the comments were preliminary observations and that considerable additional work would be necessary. Attached is a copy of the final letter to the President dated 7/1/75 and its enclosure.

RECOMMENDATION:

For information

Enclosure

JAM:mfd

8 JUL 22 1975

NOT RECORDED

46 JUL 21 1975

JUL 15 1975

NW 89864 DocId:32989615 Page 53

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

ORIGINAL FILED IN 62-116395



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

7-1-75

The President
The White House

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DATE 10/17/00 BY SP2BAM/clj

Dear Mr. President:

In your memorandum of June 11th you requested our comments on the recommendations of the Commission on CIA activities within the United States (The Rockefeller Commission). Many of the recommendations bear directly on the operations of this Department, since a change in the charter of the Central Intelligence Agency will often carry with it implications with respect to the responsibilities of the Federal Bureau of Investigation.

I am enclosing a memorandum which consists of preliminary observations on the recommendations. The basic purpose of the memorandum is to point out those recommendations which may require some modification before they are implemented.

The observations are preliminary in nature because the development of guidelines in this area requires a considerable amount of work and a great deal of consultation with other agencies of the government as well as with the Federal Bureau of Investigation. We have already begun this process and are moving as quickly as possible.

I will, of course, keep you informed on the progress of the Department in developing guidelines with respect to the relationship of the Department, including the FBI to the CIA.

Sincerely,

Edward H. Levi

Edward H. Levi
Attorney General

Enclosure

*sent to Mr. Connors
in handwritten*

ENCLOSURE

ENCLOSURE

62-116395

MEMORANDUM

COMMENTS ON RECOMMENDATIONS OF THE COMMISSION ON CIA
ACTIVITIES WITHIN THE UNITED STATES

The comments of the Department of Justice on the recommendations of the Commission are as follows:

Recommendation 2, suggests an Executive Order spelling out the CIA's jurisdiction for collecting information about the domestic activities of U.S. citizens. The functions of the FBI in domestic intelligence investigations and counterintelligence investigations within the United States ought to be kept quite separate from the functions of the CIA. The problem is more than "proper coordination with the FBI" as the recommendation seems to suggest. Domestic counterintelligence is within the responsibility of the FBI. As to that part of the recommendation urging the destruction of information, it should be noted that some of this information may have found its way into FBI files where it may or may not be legitimately retained. Further, the recommendation suggests that information inconsistent with the Executive Order be destroyed at the conclusion of pending congressional investigations or as soon thereafter as permitted by law. In this respect, it should be made clear that no files should be destroyed before the Department of Justice closes its case as to possible criminal violations by CIA officials or employees.

Recommendation 3, that Congress establish a Joint Committee on Intelligence, raises the question whether this committee would be yet another oversight committee for the FBI as well. As the report recognizes, when there are too many committees assuming an oversight function conflicts and confusion inevitably arise.

Recommendation 6 concerns the establishment of guidelines governing CIA's relationship with the Department of Justice with respect to allegations of criminal conduct by CIA or its employees. It is no longer Department policy, if it ever was, to defer prosecutorial decisions to CIA, or cases concerning CIA activities. This Commission recommendation is a good one, and the guidelines must make clear that the Department will prosecute criminal conduct by CIA or its employees with the same vigor it would prosecute any other criminal conduct.

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DATE 12/13/00 BY SP12/MLH

Recommendation 9(g) suggests that the CIA's Inspector General Reports -- some of which may involve allegations of criminal activity -- should be provided to the National Security Council and the Executive Oversight body for the CIA whose establishment is recommended elsewhere in the report. Such a reporting requirement is unobjectionable, but it should not be read as putting the decision whether to bring allegations of criminal conduct to the attention of the Department of Justice in the hands of persons outside CIA. Any possible criminal violations by CIA or its employees should be reported directly and immediately to the Department of Justice by the CIA Inspector General.

Recommendation 12 calls for guidelines on CIA employees' conduct. These guidelines are important and will not, we suspect, be easy to draft. The recommendation also suggests that the Director of Central Intelligence should approve all actions raising questions of CIA authority. If any proposed activity raises the possibility of criminal violation, the Attorney General should also be consulted.

Recommendation 13 suggests that the CIA should be prohibited from engaging in domestic mail openings, but it leaves open the question whether the CIA ought to participate in the opening of the mail of U.S. citizens abroad. Further, part (b) of the recommendation implies that the CIA may conduct mail cover examinations in the United States. This raises the question whether the CIA rather than the FBI should be conducting any domestic activities of this sort.

Recommendation 14 raises serious problems. For one thing, it suggests the development of an evaluation unit within the Department of Justice or the FBI to coordinate intelligence and counterintelligence information. This could be viewed as an invitation to create a new internal security organization for the purpose of keeping track of dissident domestic political groups. On the other hand, failure to create such an organization could be seen as perpetuating some of the difficulties suggested in the report. The Department of Justice is studying this recom-

mentation to determine the proper solution to this problem.

Recommendation 15 suggests that the President refrain from directing the CIA to perform what are essentially internal security tasks. Because of the need for a rather strict separation of the functions of the CIA and the FBI, the difficult question of defining an internal security matter probably ought to be undertaken. The recommendation also calls for destruction of certain files of the CHAOS project. No files of the CHAOS project should be destroyed before the Department of Justice closes its case as to possible criminal violations by CIA officials or employees in connection with the CHAOS files.

Recommendation 16 calls for a written determination by the Director of Central Intelligence that CIA infiltration of domestic groups is necessary "to meet a clear danger to agency facilities, operations, or personnel, and that adequate coverage by law enforcement agencies is unavailable." On the basis of the Commission report, it is not clear under what circumstances it would ever be necessary and proper for the CIA to infiltrate domestic groups. Perhaps a briefing of officials in the Department would lead to a better understanding of the implications of this policy. In any case, there should be explicit guidelines defining the Director's authority to order such infiltration.

Recommendation 17 calls for the destruction of some CIA files, upon the conclusion of the current congressional investigations or as soon thereafter as possible. As indicated earlier, no files should be destroyed until the Justice Department's investigation is completed.

Recommendation 18 states that the CIA may investigate individuals affiliated with it, but that such investigations "must be coordinated with the FBI" when there is evidence of espionage or violation of law involved. If the CIA is to avoid getting into law enforcement investigations, perhaps it should simply turn all criminal investigations over to the Bureau rather than "coordinate" with the FBI or any other enforcement agency. This problem of separating law enforcement from foreign intelligence is a difficult problem. The Department of Justice has the problem under study and will try to make a more definite statement about it later.

Recommendation 19 would compel the FBI to accept cases involving allegations of security violations "without

regard to whether a favorable prosecutive opinion is issued by the Justice Department." This could raise serious difficulties. For example, it would have the effect of putting the FBI in the uncomfortable position of investigating a matter without reasonable expectation of prosecution. Recommendation 19(a) could be read as requiring the Director of Central Intelligence to refer all serious or continuing security violations to the Security Committee of USIB for its determination whether the case should be referred to the Department. The Director should be able to refer these cases directly without resort to an intermediary.

Recommendation 21 supports legislation making it a criminal offense for CIA employees to leak classified information. In general, the recommendation raises controversial issues similar to those raised in connection with some of the provisions in S.1. The Department, of course, will work with the Central Intelligence Agency in drafting any necessary legislation.

Recommendation 22 suggests that the Director of Central Intelligence should approve in writing certain physical surveillance operations, but again it does not provide the Director with any clear guidelines as to when and under what circumstances approval should be given. It is not clear to what extent, if at all, the CIA should undertake physical surveillance operations within the United States. Moreover, there is the issue of the role of the FBI in matters such as these. The issue is under study by the Department.

Recommendation 23 is ambiguous in that it could be read as meaning that all interceptions of wire or oral communications within the United States would require a warrant. Read another way, the recommendation could be understood to mean that the CIA could conduct warrantless activities in foreign intelligence matters either within the U.S. or abroad. It has been the Administration's position that certain national security surveillances do not require a warrant. Also, the recommendation fails to discuss procedures already agreed to by the Director of the Central Intelligence Agency regarding the interception by the CIA of wire or oral communications of American citizens abroad.

Recommendation 28 suggests that equipment for monitoring conversations should not be tested on unsuspecting persons

living within the United States. Perhaps this recommendation should also apply to unsuspecting American citizens living abroad as well.

Recommendation 30 suggests that the Director of Central Intelligence and the Director of the FBI should draft a detailed agreement setting forth each agency's jurisdiction and devising procedures for effective liaison between them. While it is important that there be cooperation between the CIA and the FBI, this issue ought not be left solely to an agreement between the two agencies. At the least, if there is to be an agreement, representatives of the Attorney General or his Departmental designee ought to be involved in its negotiation and preparation.

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. V. V. Kolombatovic
1 - Mr. T. E. Burns

The Attorney General

June 20, 1975

Director, FBI

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/12/80 BY SP2ACM/clj

By letter dated May 14, 1975, with attached appendices,
the SSC requested certain information and documents from the FBI.

Enclosed for your approval and forwarding to the
Committee is the original of a memorandum with enclosure which
is in response to one of the Committee's requests. We have
enclosed a copy of your letter to Mr. Lloyd N. Cutler, May 2,
1975, described within, since it has a direct bearing on our
response to the Committee's request and describes the procedure
necessary to gain access to the sealed portion of the Joseph
Kraft file.

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

Enclosures (4)

62-116395

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

TEB:jmn
(10)

3 JUL 21 1975

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
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Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____

SECRET AND TOP SECRET MATERIAL ENCLOSED

ROUTE IN ENVELOPE

82 JUL 23 1975
Director Sec'y of State MAIL ROOM TELETYPE UNIT
NW 89804 DocId:32989615 Page 60

GPO : 1975 O - 569-920

62-116395

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. V. V. Kolombatovic
1 - Mr. T. E. Burns

June 20, 1975

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

RE: REQUEST PERTAINING TO ELECTRONIC
SURVEILLANCE

DECLASSIFIED BY SP2ALM/clj
ON 10/13/00

Reference is made to SSC letter to the Attorney General dated May 14, 1975, with attached appendices requesting certain documents and other information from the FBI.

Item number 17 in Appendix D requested all memoranda and other materials reflecting written or oral authorization and re-authorization by the Attorney General and/or the Director of the FBI for electronic surveillance of Joseph Kraft.

A review of FBI files, including the unsealed portions of the FBI file containing assorted memoranda regarding an electronic surveillance on Joseph Kraft has failed to locate any written or oral authorization for such electronic surveillance as requested in the referenced communication.

We have, however, located in the unsealed portion of the above file certain memoranda which reveal that a Bureau official, apparently at the direction of the late Director of the FBI, J. Edgar Hoover, traveled to a foreign country where at the urging of such Bureau official the security service of that nation placed an electronic surveillance on Joseph Kraft's hotel room for a period of approximately one week in 1969.

For the Committee's further information, it is noted that the Attorney General, Edward H. Levi, by letter dated May 2, 1975, to Lloyd N. Cutler, Esquire, 1666 R Street Northwest, Washington, D. C. 20006, as attorney for Joseph Kraft, set forth the terms of an arrangement between Mr. Cutler on behalf of his client and the Attorney General concerning the disposition of certain records relating to surveillance activities directed against Mr. Kraft. This agreement precludes

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TEB:jmn jmn
(9)

ORIGINAL AND ONE TO AG

SEE NOTE PAGE 2

TOP SECRET MATERIAL ATTACHED TO NOTE

ENCLOSURE
ROUTE IN ENVELOPE

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 Page 11 and the content may not be disclosed to unauthorized person.

NW 89804 DocId:32989511

U.S. GPO : 1975 O - 569-920

Request Pertaining to Electronic Surveillance

examination of the sealed portion of Mr. Kraft's file except upon personal approval of the Attorney General subsequent to his notification of Mr. Kraft or his counsel in writing, at least ten days prior thereto and providing him or them with an opportunity to discuss the matter personally with the Attorney General before the grant is made.

The SSC may of course wish to undertake appropriate steps to secure the Attorney General's approval in accordance with the arrangement in order to permit access to the sealed portions of the file to determine whether any information relative to your request is located therein.

Enclosed with this memorandum for your information is a copy of the arrangement described above.

Enclosure

1 - The Attorney General

NOTE:

~~SECRET~~

See T. J. Smith memorandum to E. S. Miller 6/8/73, captioned "SPECOV."

The particulars revealed above regarding coverage of Kraft while in France during 1969 have been the subject of detailed testimony by Mr. Kraft 5/10/74 before the United States Senate Subcommittee on Administrative Practices and Procedures, the Subcommittee on Constitutional Rights of the Committee on the Judiciary, and the Subcommittee on Surveillance of the Committee on Foreign Relations. His testimony appears in the printed records of the above Committees' proceedings and an earlier public disclosure of the surveillance concerning Joseph Kraft appeared in the 9/20/73 issue of the New York Times. Mr. Kraft had apparently learned the particulars of the surveillance through administration leaks. We have deleted the identity of the country involved in the elsur in an attempt to fulfill the confidential nature of our relationship with the French security service, the DST, and to avoid further embarrassment to them. The French actually conducted the microphone surveillance in question and have previously formally protested to us concerning media reports and other public disclosure which revealed their involvement in the surveillance.

~~SECRET~~

NOTE CONTINUED PAGE 3

- 2 -

Request Pertaining to Electronic Surveillance

NOTE CONTINUED:

~~SECRET~~

We have alluded in the memorandum to the SSC to certain memoranda found in the Kraft file in an effort to be completely candid with the Committee since they are obviously aware of many details of the electronic surveillance. Our flat denial of any memoranda regarding authorization or re-authorization without reference to the Sullivan memoranda would raise more questions than it answers and flies in the face of the Committee's knowledge of the existence of our elsur file on Kraft. For additional insight into this matter attached to this note are two memoranda from W. C. Sullivan to Mr. Hoover which are of the type referred to by us in the memorandum to the Committee. As a fallback position, should the Committee rephrase its request and seek to obtain the assorted memoranda from W. C. Sullivan to Mr. Hoover referred to above, it is felt we could comply with such request after appropriate sanitization of the exchange of correspondence between W. C. Sullivan and Mr. Hoover. The sanitization would be undertaken in order to preserve our interests, particularly protection of the French DST, and to protect the privacy of the only three individuals who reportedly had knowledge of the electronic surveillance within the Bureau, W. C. Sullivan, former Paris Legat, Norman Philcox, and the late J. Edgar Hoover. This note has been classified "Secret" in order to protect the confidentiality of our relationship with the French security service the disclosure of which could reasonably be expected to result in serious damage to national security. Classified by 6283, XGDS 1, Indefinite.

~~SECRET~~

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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 6/20/75
Senate Select Committee. Re: Request Pertain-
Caption of Document: ing to Electronic Surveillance.

Re SSC let to AG 5/14/75 w/attached appendices
requesting certain documnts & other info of FBI.

Originating Office: FBI

Delivered by: Richard T. Taylor

Date: 7/11/75 ³⁴⁵

Received by: [Signature]

Title: Office Manager

Return this receipt to the Intelligence Division, FBI

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DATE 10/13/00 BY SP2AM/ely

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

May 2, 1975

Lloyd N. Cutler, Esquire
Wilmer, Cutler & Pickering
1666 K Street, N.W.
Washington, D.C. 20006

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/13/00 BY SP2ALM/ly

Dear Mr. Cutler:

Pursuant to our discussions concerning the disposition of certain records relating to the surveillance activities directed at your client, Mr. Joseph Kraft, the Department is making the following temporary arrangements:

1. Pending further Departmental action relating to the policies which will govern records of the type involved in Mr. Kraft's case, all documents, recordings, or other records of any type in the Department's custody or control which constitute, summarize, or describe the contents of the over-hearings obtained as the result of any electronic surveillance directed against Mr. Kraft and members of his family will be placed under seal.
2. As long as the items described above remain under seal, no official or employee of the Department will have access to them for any purpose, and no official or employee of the Department will allow any person outside of the Department to have any such access, except as described below. The only material referring to these items will be a single index card needed to locate the sealed items. The index card will bear only Mr. Kraft's name and a file number.
3. Should some future need which we do not now foresee require any official or employee of the Department to obtain or permit access to the aforesaid items, the decision on such access shall be made personally by the Attorney General. The Attorney General shall not grant any access without notifying Mr. Kraft or his counsel in writing at least ten days prior thereto, and providing him or

62-116395-384

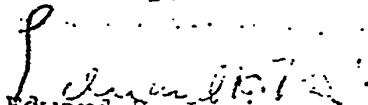
them an opportunity to discuss the matter personally with the Attorney General before the grant is made. The notice shall set forth the date upon which access will be permitted if it is granted, and the purpose for which and person by whom access is sought. The Attorney General will personally inform Mr. Kraft or his counsel of a decision to grant access as soon as practicable after it is made, but in any event at least five business days before access occurs.

4. Although this arrangement is not intended to constitute a permanent solution to the questions you have raised concerning these documents, it will not be rescinded or modified by the Attorney General or his successors unless the Attorney General gives Mr. Kraft or his counsel ten days' prior notice and affords him or them an opportunity to discuss the matter personally with the Attorney General before he rescinds or modifies the agreement. If the Attorney General then decides to rescind or modify this agreement he shall personally inform Mr. Kraft or his counsel of that decision at least five business days before it is implemented.

As a result of our discussions, I understand that this temporary arrangement is acceptable to Mr. Kraft, of course without waiver of any legal rights he may have as a result of prior surveillances. As I advised you, we are working now on general policy determinations which, we hope, will offer a permanent solution to the problem this settles temporarily. Of course, under the terms of this agreement we will notify you of any policy determination which would involve a modification of this agreement.

Until a final policy is determined, this agreement should assure Mr. Kraft that no person will read or otherwise use these documents in any manner so long as they remain under the seal arrangement.

Sincerely,


Edward H. Levi
Attorney General

~~TOP SECRET~~
~~DO NOT FILE~~

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

June 30, 1969

Mr. Hoover:

Joseph K. ...

JUNE

Instead of taking up your time giving you a verbal report, I will set out briefly the basic facts in this note relative to my European trip.

First, I am sure you would want to know how very, very willing and cooperative this high-ranking official was. The moment I arrived I called for an appointment with him and was given it immediately. It was obvious he had to work me in before others scheduled to see him because they were in his outer office when I went through. He was too gracious, however, to mention it.

Second, I presented directly the request and predicated it on my reason to believe that this person could be in contact with the Soviets and it was necessary to determine one way or the other. Giving it this predication I thought would make our position much more valid and secure. He told me they would do it for us without any hesitation. Parenthetically, I might add that such a cover is regarded as illegal. However, he made no mention of this and they do it all the time. He pointed out that if this man is living at a hotel or an apartment where complicated switchboards are involved, there would be some technical problems. I told him that I understood this. He assured me that if it is technically possible to do it, it would be done and if it required solving a problem, it would be solved if at all possible.

Third, as it was necessary for this official to have this man located, the situation analyzed, and the equipment put in use, I decided not to stay for a day or so to get a sampling of the product. If it could have been put on immediately, I would, of course, have stayed around a day to see what it would be like.

Fourth, I instructed our Legat concerning the sensitivity of this matter and made arrangements that the product can be so handled that the girls in his office will not know about it at all. I also told him he was not, under any condition, to ever discuss this with anyone back here at the Seat of Government. He is a competent professional and can be relied upon in this matter.

~~TOP SECRET~~
~~DO NOT FILE~~

DECLASSIFIED BY SP7ALM/ely
ON 10/17/00

NOT RECORDED
JUN 13 1973

JUN 13 1973

~~TOP SECRET~~
~~DO NOT FILE~~

Fifth, the material will be sent directly to me without any mention of the individual's name. I will arrange securely for the translation here and then get the material to you immediately in order that you will be able to handle it directly with the gentleman to whom you alluded in our conversation.

Sixth, the high-ranking official with whom I dealt suggested that we might want to give consideration at the end of this operation to listening to the tape with one of his translators to see if they had overlooked anything significant, which he said could happen because they know nothing about this person's background, contacts, etc. He said that if it were possible he would send the tape over here but this is not possible because they have an unbreakable rule that the tape can't be taken out of this clandestine central headquarters where the work is done and if it were removed; it would cause considerable wonderment and speculation. However, he said he could safely and securely have me enter a portion of this area to listen if I thought it necessary. I told him this was a decision which could be faced after the product was examined carefully and that then you would make the decision.

Respectfully submitted,

Wes X
William C. Sullivan

~~TOP SECRET~~
~~DO NOT FILE~~

~~TOP SECRET~~

DO NOT FILE

July 3, 1969

Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Dear Mr. Hoover:

This is to advise you that the French have overcome some very difficult operational problems and have installed a microphone in this fellow's room. As I mentioned yesterday the elaborate switchboard prevents using a telephone surveillance.

Just as soon as they get an adequate product, it will be sent into me immediately and I will handle the translation under very secure conditions.

You will be promptly advised of developments.

Respectfully submitted,

Bill Sullivan
W. C. Sullivan

DECLASSIFIED BY *SP2A/mfj*
ON *10/14/00*

REC

NOT RECORDED

JUN 13 1973

~~TOP SECRET~~
DO NOT FILE

JUN 13 1973

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

6/20/75

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

☒

SSC

☐ HSC4. 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, other-
wise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 5/14/75, Appendix D, item 17

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

TS

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

Surveillance, electronic

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

Memoranda and other materials reflecting written or oral
authorization and reauthorization by Attorney General and/or
the Director for electronic surveillance of Joseph KraftALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/13/02 BY SP2AUM/edj

62-116395

FMK;fmk

(4)

TREAT AS YELLOW

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

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.

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

The Attorney General

June 20, 1975

Director, FBI

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

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

Enclosed for your approval and forwarding to the SSC is the original of a memorandum containing a response to one of the Committee's requests.

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

Enclosures (2)

62-116395

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

AFW:jmn
(9)

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DATE 10/13/62 BY 2022/2/21/21

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 _____

1 - ENCLOSURE

REC-88

62-116395-383
3 JUL 21 1975

MAIL ROOM ☐ TELETYPE UNIT ☐
NW 89804 DocId:32989615 Page 72

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. F. Watters

62-116395

June 20, 1975

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

RE: FURTHER DOCUMENTS PERTAINING
 TO THE FBI AND DEPARTMENT OF JUSTICE

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 10/13/00 BY SP1AUM/edg

ORGANIZATION, STRUCTURE, AND
 JURISDICTION

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

Appendix B, Part II, Item number 9, of referenced
 letter requested all memoranda and other materials pertaining
 to the origins, contents, and implementation of National Security
 Action Memorandum 161, dated June 9, 1962.

By memorandum dated March 5, 1964, to J. Edgar Hoover,
 Chairman, Interdepartmental Intelligence Conference,
 the Attorney General implemented Presidential instructions
 contained in National Security Action Memorandum 161. In his
 March, 1964, communication to Mr. Hoover, the Attorney General
 directed that the Interdepartmental Intelligence Conference
 should continue to function in accordance with principles
 governing its operations previously approved by the National
 Security Council.

By memorandum dated April 10, 1975, captioned
 "United States Senate Select Committee to Study Governmental
 Operations With Respect to Intelligence Activities," the SSC
 was furnished both National Security Action Memorandum 161 and
 the Attorney General's 1964 memorandum. These two documents
 were provided to the Committee as supplemental attachments to
 an FBI Intelligence Division position paper on jurisdiction
 dated February 13, 1975.

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 _____

AFW:jmn jmn
 (8)

ORIGINAL AND ONE COPY TO AG

SEE NOTE PAGE 2

ENCLOSURE

NW 89804 DocId:32989615 Page 73

GPO : 1975 O - 569-920

Further Documents Pertaining
to the FBI and Department of Justice

Organization, Structure, and Jurisdiction

Any information with respect to the origins of National Security Action Memorandum 161 would logically be in the records of The White House, and you may desire to consult with The White House regarding this aspect of your request.

1 - The Attorney General

NOTE:

Although memoranda and other documents have been prepared in the past in connection with the internal security programs operated by the FBI pursuant to our legal authority in this field, National Security Action Memorandum 161 simply transferred supervision of these internal security programs from the National Security Council to the Attorney General. These were ongoing programs whose essential character was not altered by National Security Action Memorandum 161. It appears that no documents were prepared within the FBI in connection with its implementation. However, we have previously furnished to the Committee, with Departmental concurrence, copies of the Attorney General's memorandum of March 5, 1964, and we are referring the SSC to this document.

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

ORIGINAL

Addressee: Senate Select Committee

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 6/20/75

U.S. Senate Select Committee, Re: Organization,
Caption of Document: Structure, and Jurisdiction
Appendix B, Part II, item number 9

Originating Office: FBI

Delivered by: Paul Volady Date: 7-15-75

Received by: John T. Elliff

Title: Task Force Leader

Return this receipt to the Intelligence Division, FBI

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DATE 10/13/00 BY SP2ALM/elj

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**6/20/75**

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

☒

SSC

☐ HSC4. 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, other-
wise state verbal request of (name), initiative, subpoena, etc.)**SSC letter 5/14/75, Appendix B, Part II,
Item 9**6. CLASSIFICATION OF
INFORMATION (enter
U, C, S, TS or
Codeword)**U**7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are
used underline for emphasis)**Operating procedures**

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

**Memoranda and other materials pertaining to the origins,
contents and implementation of National Security Action
Memorandum 161, dated 6/9/62**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/13/00 BY SP2ALM/ckj**WOC**
5-18

62-116395

TREAT AS YELLOW3
FMK:fmk
(4)ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75.

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.

CODE

TELETYPE

TO SACS SAN DIEGO
SAN FRANCISCO
SEATTLE

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

1 - Mr. W. O. Cregar

JULY 17, 1975

1 - Mr. S. F. Phillips
PERSONAL ATTENTION

FROM DIRECTOR FBI (62-116395)

SENSTUDY 75

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REBUTEL MAY 2, 1975.

PERS. REC. UNIT

INQUIRIES MADE OF BUREAU BY SENATE SELECT COMMITTEE (SSC)
CONCERNING BELOW-LISTED FORMER FBI EMPLOYEES SUGGESTS THAT THEY
MAY BE INTERVIEWED BY SSC STAFF. INTERVIEWS WILL CONCERN
COINTELPRO ACTIVITIES DIRECTED AGAINST THE BLACK PANTHER PARTY
IN THE LATE 1960'S AND EARLY 1970'S BY THE SAN DIEGO,
SAN FRANCISCO AND SEATTLE OFFICES. SET OUT BELOW ARE LAST
KNOWN ADDRESSES OF THESE FORMER BUREAU EMPLOYEES.

EACH OF THESE FORMER EMPLOYEES IS TO BE IMMEDIATELY
CONTACTED AND ALERTED THAT HE MIGHT BE APPROACHED BY THE SSC
STAFF. THEY SHOULD BE TOLD THAT IN THE EVENT THEY ARE INTER-
VIEWED AND DURING THE COURSE OF SAME, QUESTIONS ARE ASKED WHICH
RELATE TO SENSITIVE BUREAU OPERATIONS (SOURCES, METHODS,

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

SFP:lhblhb
(7)

SEE NOTE PAGE 3

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 17 1975

TELETYPE

3 JUL 21 1975

84 JUL 22 1975

NW 89804 DocId:32989615 Page 78

MAIL ROOM ☐

TELETYPE UNIT ☒

REC-88

62-1-382

Handwritten signature and initials in a circle, with "382" written next to it.

PAGE TWO 62-116395

TECHNIQUES, THIRD AGENCY RULE AND ONGOING INVESTIGATIONS), THEY MAY REQUEST AN FBI AGENT BE PRESENT. BUREAU WILL PROVIDE AGENT ON REQUEST OF INTERVIEWEE. AGENT WILL NOT BE PRESENT AT INTERVIEW ITSELF BUT MERELY AVAILABLE NEARBY FOR CONSULTATION PURPOSES. AS A PRELUDE TO INTERVIEW, THE FORMER EMPLOYEE MAY, AFTER BEING CONTACTED BY SSC STAFF, CONTACT BUREAU'S LEGAL COUNSEL DIVISION BY COLLECT CALL FOR FULL INFORMATION TO ASSIST HIM, INCLUDING OBLIGATIONS AS TO CONFIDENTIALITY OF INFORMATION ACQUIRED AS FBI EMPLOYEE. IT IS EMPHASIZED THAT BUREAU'S OFFER OF ASSISTANCE IS NOT INTENDED TO IMPEDE SSC WORK BUT IS DONE AS COOPERATIVE GESTURE AND TO SAFEGUARD SENSITIVE BUREAU INFORMATION. CONTACTS WITH THESE FORMER EMPLOYEES TO BE HANDLED PERSONALLY BY SAC OR ASAC. IN EVENT THIS NOT FEASIBLE FOR JUST CAUSE, TO BE HANDLED BY A SENIOR SUPERVISOR.

BUREAU SHOULD BE ADVISED BY TELETYPE AFTER THE FORMER EMPLOYEES HAVE BEEN CONTACTED IN LINE WITH THE ABOVE INSTRUCTIONS. IF A FORMER EMPLOYEE NO LONGER IN YOUR TERRITORY OR TEMPORARILY AWAY, SET OUT LEAD TO OTHER OFFICE IMMEDIATELY WITH COPY TO FBI HEADQUARTERS.

SAN DIEGO: ROBERT S. BAKER, 4268 HORTENSIA, SAN DIEGO, CALIFORNIA 92103.

PAGE THREE 62-116395

SAN FRANCISCO: ALBERT P. CLARK, 66 ELM AVENUE, LARKSPUR,
CALIFORNIA 94939. WILLIAM COHENDET, 1557 BALBOA WAY,
BURLINGAME, CALIFORNIA 94010.

SEATTLE: LEROY W. SHEETS, 5725 72ND STREET, N.E.,
MARYSVILLE, WASHINGTON 98270.

NOTE:

The referenced Bureau teletype 5/2/75 was a general instruction to all SACs concerning the SSC and Bureau's cooperation with same. We are currently processing a request from the SSC concerning COINTELPRO-BPP in West Coast offices, and among the items of information we are supplying are the current whereabouts of Agents who worked on COINTELPRO as Coordinators and Supervisors in the indicated offices. This teletype to alert the former Agents is in accordance with the procedure we have been following.

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. KUDDESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.
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BARRY GOLDWATER, ARIZ.
CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

June 27, 1975

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DATE 12/13/80 BY SP4AM/clj
MDR-16

RECEIVED

JUL 31 1975

The Honorable Edward H. Levi
Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mr. Attorney General:

Enclosed with this letter are notifications concerning certain matters currently under investigation by the Select Committee which relate to government entities under your jurisdiction.

These notifications are submitted pursuant to an agreement between the Committee, the various intelligence entities, and the White House. Pursuant to that agreement, the various entities in the Executive Branch have agreed not only to make available the pertinent witnesses, but also to submit in response all information and material which they possess that is relevant to the areas and cases which the Committee wishes to investigate. The response should include all relevant underlying documentation and other information, including documents which may not have come to the Committee's attention and which the Committee has not specifically requested, and all material relating to any prior Executive Branch inquiry into the matter. In addition, we would welcome a current analysis of the particular questions raised by the Committee and any other observations on the subject that you believe would be helpful.

We welcome the promise of cooperation and full disclosure that underlies that agreement. Success in fulfilling the full disclosure policy contained in the agreement is indispensable to the Committee's analysis and to the formulation of our ultimate findings, conclusions, and recommendations.

OFFICE OF LEGISLATIVE AFFAIRS

FEDERAL BUREAU OF INVESTIGATION

REC-88
62-116395-381
OFFICE OF LEGISLATIVE AFFAIRS
3 JUL 1 1975

ENCLOSURE

84 JUL 22 1975

NW 89804 DocId:32989615 Page 81

FEDERAL BUREAU OF INVESTIGATION

June 27, 1975

Within the Committee mandate, contained in S. Res. 21, there are four broad subjects relating to the intelligence community which we are required to investigate and study in order to determine the facts and ultimately to decide whether to make recommendations for legislative or other changes. They are:

1. The structure, performance, and utility of government operations with respect to intelligence activities.
2. Whether certain policies or practices are or are not illegal, unethical, or otherwise improper.
3. Whether there has or has not been excessive duplication or inadequate coordination between and among intelligence agencies and, more generally, the efficiency of intelligence activities.
4. Whether there has or has not been adequate internal and external control and oversight over the policies and practices of intelligence agencies.

In attempting to find the answers to these fundamental questions, the Committee is proceeding in two ways. First, we are examining intelligence functions broadly as instruments of government policy, giving attention to the authority for particular functions, the problems which intelligence activities are designed to solve, the procedures by which intelligence activities are and have been proposed, approved, executed, evaluated, and terminated, the range and scope of the activities utilized to achieve intelligence objectives, and the propriety and utility of the activities undertaken. Second, we will examine in depth certain subjects within the broad topics of investigation. (We would, of course, welcome your suggestion of other cases that would give added insight into intelligence matters under your jurisdiction.) These specific subjects for investigation are not intended to limit the scope contained in the more general questions.

The Honorable Edward H. Levi
Page Three

June 27, 1975

The annexed notifications spell these matters out in greater detail. In addition, they ask certain specific questions, set forth certain previously requested documents not yet received, request additional documents,* and, in some cases, ask for the names and present addresses of persons who have held certain positions. Where appropriate, the subject's description indicates that, pursuant to the agreed Outline for Inquiry Procedures, the matter primarily concerns allegations of abuse or other controversial specific matters where there is reason to believe improprieties may have occurred. Finally, the notifications indicate the name(s) of the staff member(s) who, in addition to the Committee's senior staff, will be responsible for the particular matters.

The Committee, in the course of the next few months, will undertake other subjects for investigation as its work proceeds and will notify you as appropriate.

We look forward to your cooperation in these matters.

Sincerely yours,

Frank Church
Frank Church
Chairman

John Tower
John Tower
Vice Chairman

over ✓

* These specific requests are not, of course, intended to limit the agreement to come forward with all relevant information and material, including documents, whether or not they have been brought to the Committee's attention or have been specifically requested by the Committee.

FEDERAL BUREAU OF INVESTIGATION
(Including DEPARTMENT OF JUSTICE)

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DATE 10/13/02 BY 222A/mly
#MDR-16

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FEDERAL BUREAU OF INVESTIGATION
(INCLUDING DEPARTMENT OF JUSTICE)

I. Issues

The Committee's inquiry into the intelligence and counterintelligence activities of the Federal Bureau of Investigation is examining fundamental issues which bear directly on the adequacy of current legislation and administrative organization and procedure. The Committee seeks to determine whether FBI intelligence and counterintelligence activities achieve legitimate objectives in conformity with the rule of law. Among the basic issues to be addressed are the following:

- A. What is the legal authority for FBI intelligence and counterintelligence activities? Should the FBI's authority be clarified or revised or incorporated in a comprehensive statutory charter?
- B. What limitations are placed on FBI intelligence and counterintelligence activities by the Constitution and laws of the United States? Should these limitations be clarified or revised?
- C. What have been the purposes and aims of FBI intelligence and counterintelligence activities? Should these objectives be modified?
- D. How have the intelligence and counterintelligence activities of the FBI been organized and coordinated with other agencies of government? Should these procedures and practices be revised?
- E. What have been the procedures for and techniques of intelligence gathering and dissemination and counterintelligence operations used by the FBI? Under what conditions and through what procedures should these methods and techniques be used in the future?
- F. What have been and should be the mechanisms for internal and external policy-making, control, and supervision of FBI intelligence and counterintelligence activities?

As a means of examining the above issues in the context of actual FBI intelligence operations, the Committee intends to study certain specific topics, some of which are general in nature, and others of which involve specific cases, programs or techniques. Part II, below, contains descriptions of the general areas into which the Committee intends to inquire. Part III contains descriptions of the specific cases mentioned above. The descriptions specifically indicate whether the investigation may concentrate on specific allegations of possible abuses or other controversial matters where there is reason to believe improprieties may have occurred. In addition to the topics described below, additional areas of inquiry may develop during the course of the Committee's work.

II. Areas of General Inquiry

A. Legal Authority for FBI Intelligence and Counter-intelligence Activities

The Committee is examining the legal basis for FBI intelligence and counterintelligence activities. There may be serious question as to the adequacy of the present legislative framework for the FBI's functions in these fields. Current statutes authorize the FBI to perform investigative and law enforcement functions, but they do not specifically authorize intelligence or counterintelligence activities. Therefore, the Committee seeks to determine whether the FBI's authority should be clarified, revised, or incorporated in a comprehensive statutory charter.

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein

B. Organization and Operation of the FBI Intelligence Division

The Committee is investigating the structure and operating practices of the FBI Intelligence Division. Proposals have been made that the national security intelligence and counterintelligence functions of the FBI should be lodged in a separate agency or otherwise separated from the FBI's criminal investigative activities. Further recommendations have been advanced for improved coordination between the FBI and other intelligence agencies, for strengthened supervision of FBI intelligence and counterintelligence activities by the Attorney General or an independent board, and for clearer standards and procedures for FBI activities in this area. Therefore, the Committee desires complete information on the operating practices and procedures of the FBI Intelligence Division and of the field office activities supervised by the Intelligence Division.

The Committee's inquiry focuses on the following specific areas:

1. FBI Internal Security Intelligence Operations

The Committee seeks to determine the nature and purpose of FBI intelligence operations directed at foreign intelligence activities and subversive or extremist activities within the United States. It has been alleged that the scope of FBI intelligence investigations is too broad and has extended to legitimate political activities. Consequently, the Committee must examine how the FBI's responsibilities have been defined.

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein

2. The FBI and the U. S. Intelligence Community

The Committee seeks to determine what have been the policies and procedures for coordination between the FBI and other agencies in the U. S. intelligence community. There have been occasions in the past where friction between the FBI and other agencies has produced serious dissatisfaction within the U. S. intelligence community. The purpose of this inquiry is to evaluate the adequacy of past and present coordinating mechanisms.

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein

3. FBI Foreign Counterintelligence Operations

The Committee seeks to determine the nature of FBI counterintelligence operations directed at foreign intelligence activities within the United States or at any other hostile foreign-related activities within the United States. Since FBI operations to "counter" these activities go beyond intelligence collection, the Committee must consider whether such practices require statutory authorization. The impact of counterintelligence operations on United States foreign relations will also be considered..

Responsible staff: Senior staff
Task Force leader
Loch Johnson
Barbara Banoff

4. Inspection Division Investigations

The Committee is examining the relationship of the FBI Inspection Division to FBI intelligence and counterintelligence activities. This includes both regular Inspection Division reviews of Intelligence Division and field office functions and specific investigations of allegations of improper conduct in connection with FBI intelligence activities.

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein

5. FBI Intelligence Activities and State or Local Law Enforcement Agencies

The Committee seeks to determine the nature of the relationships between FBI intelligence activities and state and local law enforcement agencies. This subject involves the delicate balance between the necessary centralization of certain law enforcement activities and the Constitutionally-mandated decentralization of general law enforcement responsibility. It is necessary for the Committee to evaluate the centralizing influence of the FBI, as well as the FBI's role as a check on local law enforcement abuses.

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein
Walter Ricks

III. Case Studies

General Questions

The descriptions which follow of the specific cases the Committee intends to study are intended to serve the dual purpose of notifying the FBI of the issues the Committee will explore in connection with each case and eliciting from the FBI all information and material in its possession relating to the questions the Committee wishes to explore in each case. In order to avoid unnecessary repetition of certain questions which will be basic to the Committee's investigations of each case, certain fundamental questions are set forth below. As to each case described, the Committee intends to explore these fundamental questions, and expects that the FBI will, as to each case, provide all information and material it has relating to these basic questions even though they are not repeated in the discussion of each particular area.

1. What is or has been the legal authority for the activity?
2. What have been the purposes of the activity?
3. What techniques have been employed in the activity?
4. What kinds of information have been gathered in the activity?
5. How have specific uses of the activity been initiated and approved?
6. How have the targets for the activity been selected?
7. What have been the criteria for target selection?
8. How has the intelligence which is collected been used?
9. To whom has the intelligence collected been disseminated?
10. What has been the basis for any dissemination with respect to each recipient?
11. How has the activity been coordinated with other intelligence agencies?

12. What have been the effects of this coordination?
13. To what extent has each of the foregoing been compatible with the legal authority for and the purposes of the activity?
14. By what means has the activity been monitored, controlled and administered?
15. What are the potential abuses to which the activity may lead?
16. To what abuses has the activity led?
17. What steps have been taken to investigate such abuses?
18. What steps have been taken to avoid such abuses?
19. What have been the costs and utility of the activity?

In some instances, the specific questions set forth below may appear to repeat some of the general questions. The purpose in such cases is simply to clarify the application of the general question to the specific case. Except where inapplicable by their terms, all general questions relate to each specific case.

A. Electronic Surveillance

The Committee is examining all forms of electronic interception of communications including wiretapping, electronic eavesdropping, consensual electronic surveillance interception of video and data communications, local monitoring devices, and all other forms of electronic or technical monitoring. The Committee's general questions apply to each of the techniques listed above, as well as to the matters set forth in the following specific cases.

1. Warrantless Electronic Surveillance

The Committee seeks to determine whether the Attorney General should have the authority to authorize electronic surveillance for certain purposes without a prior judicial warrant. This power has been exercised by succeeding Attorneys General since 1940, upon the explicit directive of the President. The Supreme Court has ruled that this power does not extend to purely domestic matters, but the remaining scope of the Attorney General's authority remains undefined by the Supreme Court.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. What is the scope and basis of the claim of Executive authority to conduct warrantless electronic surveillance?
- b. What have been the procedures for consideration and approval of requests for warrantless electronic surveillance authorized by the Attorney General?
- c. What are the specific disadvantages of the judicial warrant requirement for those electronic surveillances which have been authorized by the Attorney General?

- d. Does the Fourth Amendment permit the issuance of judicial warrants for electronic surveillance on grounds other than ordinary probable cause where national security intelligence purposes are advanced to justify the surveillance?
- e. To what extent are the specific procedures of Title III of the Omnibus Crime Control Act of 1968 inappropriate for electronic surveillance conducted for national security intelligence purposes?

Documents

The Committee requests the following additional documents bearing on the questions stated above:

- a. All written justifications for the specific authorizations by the Attorney General for warrantless electronic surveillance from January 1, 1960, until the present.
- b. All documents reflecting the denial by the Attorney General of specific requests for warrantless electronic surveillance from January 1, 1960, until the present.
- c. Committee staff access to information contained in the impounded documents, depositions, and other materials in all pending civil suits which involve warrantless electronic surveillance and in which the Committee has received the consent of the plaintiffs for such access.

Responsible staff: Senior staff
Task Force leader
Mike Epstein

2. Warrantless Electronic Surveillance and "Leaks"

The Committee is examining several instances of the use of warrantless electronic surveillance and other investigative techniques in connection with "leaks" of classified information. These cases may involve specific allegations of abuse or other controversial matters where there is reason to believe improprieties may have occurred. These instances include:

- a. The investigation of alleged "leaks" by or to 17 Executive officials and newsmen between May 1969 and February 1971.
- b. The investigation of alleged "leaks" from a military staff member assigned to the National Security Council in 1971-72.
- c. The reported investigation of columnist Joseph Kraft in 1969.
- d. The reported investigation of the activities of Mrs. Anna Chennault and Vice Presidential candidate Spiro Agnew in 1968.
- e. Any other instances of warrantless electronic surveillance in connection with the investigation of "leaks" to the press.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. Through what procedures and by whom were each of these electronic surveillances authorized and approved, continued, and terminated?
- b. As to each person to whom information was disseminated, please state:
 - (1) The nature of the information.
 - (2) The basis for the dissemination.

- (3) The date of each dissemination.
- (4) The use which was in fact made of the information by the recipient.
- c. What evaluations were made of the original grounds for the surveillance as it progressed?
- d. What were the results of the evaluations?
- e. Who made them?
- f. What are the reasons for use of electronic surveillance without judicial warrant to investigate "leaks" of classified information to the press?
- g. How does each of the above instances relate to these reasons?
- h. To what extent would requirement of a warrant interfere with the ability to detect such leaks?

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein

3. Surveillance of Dr. Martin Luther King

This investigation examines the authorization for, conduct and termination of, and deliberations regarding the surveillance of Dr. King. This case may involve specific allegations of abuses and other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. Through what procedures and by whom were wiretaps and electronic bugs of Dr. King initiated, approved, continued, and terminated?
- b. What were the locations, extent, and duration of the electronic surveillances of Dr. King?
- c. What were the grounds of national security, if any, for the introduction of the electronic surveillances of Dr. King?
- d. What was the relationship between the information collected and each of the purposes of the surveillance?
- e. What evaluations were made of the original grounds for the surveillance as it progressed?
- f. What were the results of those evaluations?
- g. Who made them?
- h. What periodic evaluations were made of the relationship between the information being collected and the original objectives of the surveillance?
- i. What were the results of the evaluations?
- j. Who made them?

- k. To whom were any results of the surveillance disseminated?
- 1. As to each person to whom information was disseminated, please state
 - (1) The nature of the information.
 - (2) The basis for the dissemination.
 - (3) The date of each dissemination.
 - (4) The use which was in fact made of the information.

Responsible staff: Senior staff
Task Force Leader
Mike Epstein

4. Surveillance at the Democratic National Convention, Atlantic City, 1964

The Committee is examining the use of surveillance and other intelligence operations in Atlantic City, New Jersey, on or about the time of the Democratic National Convention in 1964. This case may involve specific allegations of abuses and other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. Did the FBI conduct electronic surveillance and other intelligence operations at this time and place?
- b. Who were the targets?
- c. Through what procedures and by whom were the decisions made to engage in electronic surveillance and intelligence operations at this time and place?
- d. What were the nature, extent, and duration of the electronic surveillance and other intelligence operations at this time and place?
- e. What was the relationship between each target selected and the purpose of the surveillance?
- f. Was the FBI requested to conduct such surveillance by any person or organization outside the FBI?
- g. If so, by whom, when, and for what stated reason?
- h. To whom were the results of the surveillance disseminated?
- i. As to each person whom information was disseminated, please state

- (1) The nature of the information.
- (2) The basis for the dissemination.
- (3) The date of each dissemination.
- (4) The use which was in fact made of the information.

Responsible staff: Senior Staff
Task Force Leader
Mike Epstein

B. Surreptitious Entry

The purpose of this inquiry is to determine the extent to which the FBI has used surreptitious entry as an intelligence technique, either through its own operations or through operations by other agencies and individuals. This case may involve allegations of abuse and controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. What are the scope and basis of the claim of Executive authority to conduct warrantless surreptitious entry as asserted by the Department of Justice in United States v. Ehrlichman?
2. What surreptitious entries have been carried out by the FBI or by another government agency with the knowledge of the FBI from January 1, 1960, to the present? Please list by date, place, and target.
3. As to any instance in which the FBI has refused to comply with another agency's request for surreptitious entry, what was
 - a. The basis for the refusal?
 - b. The reason given for the request?
4. What procedures were employed to authorize any surreptitious entry identified under 2, and who authorized each such entry?
5. To the extent applicable by their terms, each of the above questions and the General Questions will be explored specifically with reference to any entry or proposed entry at an embassy in May 1972.

Responsible Staff: Senior Staff
Task Force Leader
Mike Epstein
Paul Wallach

C: Mail Covers and Mail Openings

The Committee is examining the conduct of mail covers and mail openings by or on behalf of the FBI and any instances of mail openings or intercepts which may have been conducted by or on behalf of the FBI. This inquiry may involve allegations of abuse or other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. The specific purposes of all mail covers conducted in connection with FBI intelligence and counter-intelligence activities. This includes all documents pertaining to FBI decisions to request Postal Service mail covers and lists of all subjects upon whom mail covers have been placed as a result of FBI requests since January 1, 1960.
2. The procedures and practices for the dissemination of information from mail covers requested by the FBI. This includes a list of all entities to whom mail cover information has been disseminated since January 1, 1960.
3. Whether or not FBI personnel may have conducted mail covers in violation of existing Postal Service regulations. For any mail covers which may have been conducted by FBI personnel or for the FBI by persons other than Postal Service employees, from January 1, 1960, to the present: identify the physical location where the mail cover was conducted, the names of all persons who participated in and authorized the mail cover, and a brief explanation of the purpose of the mail cover and why it was initiated.
4. Whether or not the FBI has opened mail or caused mail to be opened, either with or without the permission of the Postal Service. For all incidents of mail opening which may have been conducted by FBI employees or by other persons in cooperation with the FBI, from January 1, 1960, until the present: identify the physical location where the mail was opened or intercepted, the names of the individuals who participated in the opening or intercept, and the purpose of the opening or intercept.

Documents

The Committee requests the following additional documents bearing on the questions stated above:

1. All documents which discuss, refer to, or relate to the origins, authorizations, conduct, and termination of and procedures for the mail covers, intercepts, and openings identified in 3 and 4 above.

Responsible Staff: Senior Staff
Task Force Leader
Paul Wallach

D. Other Specific Techniques

As to the following techniques, the Committee's inquiry will initially be confined to the General Questions. As the inquiry proceeds, areas of potential abuse and thus of specific inquiry beyond the General Questions may develop:

1. Incommunicado detention and interrogation.
2. Photographic and television surveillance.
3. Polygraphs.
4. The obtaining of bank, credit, school, and other personal records and information, including the obtaining of information under false pretext.

E. COINTELPRO and Disruptive Activities

The Committee is investigating the circumstances surrounding the origins of, authorization for, and implementation of the FBI program known as COINTELPRO and any similar programs. This inquiry may involve allegations of abuse and controversial matters where there is reason to believe improprieties may have occurred. The scope of this investigation covers:

1. COINTELPRO -- Communist Party USA;
2. COINTELPRO -- Socialist Workers Party;
3. COINTELPRO -- White Hate Groups;
4. COINTELPRO -- Black Extremists;
5. COINTELPRO -- New Left;
6. COINTELPRO -- Special Operations (except as targeted against hostile foreign intelligence services);
7. COINTELPRO -- Puerto Rican Independence Groups;
8. COINTELPRO -- Operation Hoodwink
9. Any other activities of the FBI which have or have had the purpose and effect of disrupting domestic groups or discrediting U.S. citizens, whether or not carried out under a COINTELPRO program.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. Under what circumstances, through what procedures, and by whom were these programs initiated, authorized, and terminated?
2. Under what circumstances and through what procedures did the FBI discover and report to the Attorney General the existence of items 7 and 8 identified above and similar disruptive activities not included in the original review of COINTELPRO activities conducted by the Department of Justice in 1974?

3. What were the purposes of each program?
4. In each case, by what means was it intended the purpose would be accomplished?
5. What internal FBI procedures were adopted for the consideration and approval of specific disruptive activities and for determining the results of such activities?
6. As to each operation listed above, and any others of a fundamentally similar kind, identify by type the sources of the information used against individuals and groups for disruptive purposes.
7. As to each instance in which such information was obtained through electronic surveillance
 - (a) What or who was the target of the surveillance?
 - (b) Was the surveillance legal?
 - (c) Was the surveillance conducted pursuant to warrant?
 - (d) What were the dates of the surveillance?
 - (e) What were the precise means of surveillance?
 - (f) Who authorized the surveillance (both within and without the FBI)?
 - (g) What was the purpose of the surveillance?
8. As to each case listed above and all fundamentally similar cases, what was the legality and propriety of the disruptive activities? Should any of the activities referred to in the above sentence be forbidden by statute, considered for future use, or otherwise subject to statutory or administrative regulation?

9. In what activities has the FBI engaged since April 28, 1971, the purpose or effect of which has been to disrupt domestic groups or discredit U.S. citizens or which bear any other similarity to the purposes or effects of COINTELPRO activities?
10. What restrictions, directives, or other measures have been adopted by the FBI and the Justice Department to limit or regulate the use of such disruptive techniques?

The Committee will investigate all COINTELPRO and disruptive activities identified above. On the basis of a review of the summaries of COINTELPRO cases prepared for the so-called Petersen Committee, as well as other sources of information, the Committee will develop further requests for information and documents.

Responsible Staff: Senior Staff
Task Force Leader
Les Seidel
Mike Epstein
Walter Ricks

F. Clandestine Informant Activities

The Committee is examining all aspects of the FBI's use of informants, sources, and undercover personnel and the techniques employed by such persons. Although informants are the single most productive source of intelligence information, the difficulties of controlling their activities may increase the possibility of improper conduct. The use of informants to infiltrate organizations also may pose dangers to the right of associational privacy. Consequently, proposals have been made for the imposition of a judicial warrant requirement or other safeguards for the use of informants. The Committee seeks to evaluate such proposals as well as the contributions of informants to the accomplishment of legitimate objectives.

In addition, the Committee is examining informant activities with respect to several particular situations and cases. This investigation may involve specific allegations of abuse or controversial matters where there is reason to believe improprieties may have occurred. The Committee's inquiry covers the general circumstances surrounding the following incidents or cases:

- a. Wounded Knee;
- b. Kent State;
- c. New York v. Stroble (Attica);
- d. United States v. Buckalew (Gainesville);
- e. United States v. Briggs (Camden);
- f. New York v. Dillon (Hobart College);
- g. United States v. Marshall (Seattle).

Additional cases may also be examined.

In addition to the above cases, the Committee is examining the role of FBI informants in providing information to the FBI concerning members of the following organizations:

- a. Ku Klux Klan;
- b. Students for a Democratic Society;
- c. Weathermen;
- d. Black Panther Party;
- e. Communist Party USA;
- f. W.E.B. DuBois Clubs.

Additional studies of informant activities with respect to members of other organizations may be formulated.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. With respect to both categories of cases listed above, what allegations, whether unfounded or not, of improper, illegal, unethical, or provocative conduct by FBI informants have been made in connection with these situations or groups?
2. What measures has the FBI taken to investigate such allegations of misconduct and to prevent such alleged misconduct from taking place in the future?
3. What instructions has the FBI given to its informants with respect to possible improper, illegal, unethical, or provocative conduct?
4. What has been the largest number of informants, sources, and undercover personnel in use at any one time during each year from 1960 until the present in connection with security, intelligence, and counterintelligence matters, cases, and programs?
5. What has been the annual total amount of funds (including reimbursement for expenses) paid to informants and sources for each year from 1960 until the present?

6. What limits, if any, have been placed on the type of information which informants have been intrusted to report back to the FBI?
7. What have been the annual percentage of potential informants who became paid informants in connection with security, intelligence, and counterintelligence matters, cases, and programs from 1960 until the present?

Documents

Please provide a summary of ten cases (for each of the following categories) where the FBI's use of informants, sources, or undercover personnel resulted in:

1. the conviction of an espionage agent of a foreign government.
2. the prevention of the theft of national security information.
3. the prevention of sabotage.
4. the prevention of an act of violence.
5. the prevention of the carrying out of a conspiracy to overthrow the government.
6. any other successful preventive actions in furtherance of the FBI's national security responsibilities.

Responsible staff: Senior staff
Task Force leader
Mike Epstein
Jack Smith
Walter Ricks
Pat Shea

G. "Notional" Organizations

The Committee is examining the FBI's alleged creation of the support for "notional" organizations for intelligence or counterintelligence purposes. Although it may rely upon informants and other clandestine operatives, this alleged practice is sufficiently novel to require separate attention.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. What groups, organizations, movements, or other associations has the FBI caused directly or indirectly to be formed or created for intelligence or counterintelligence purposes? Please provide a complete list from January 1, 1960, to the present.
2. What groups, organizations, movements, or other associations has the FBI supported financially or materially? Please provide a complete list from January 1, 1960, to the present.
3. In which cases has the FBI supported or created such organizations in coordination or cooperation with other agencies?
4. How have the presence of such "notional" organizations affected the public's perception of the movements of which they form a part?
5. How have any FBI programs for the creation and support of such groups been coordinated with any similar programs undertaken by the CIA or other U.S. intelligence agencies?

Responsible staff: Senior staff
Task Force leader
Mike Epstein

H. Joint FBI-Police Operations

The purpose of this inquiry is to examine certain allegations that joint FBI-police operations resulted in misconduct or abuse. These cases are complex and involve a variety of techniques. Nevertheless, they may indicate some of the most serious problems which may arise in attempting to deal with potentially violent situations.

1. The White Knights of the Ku Klux Klan, Mississippi

The Committee is inquiring into the relationships between the FBI and other law enforcement agencies and private organizations in Mississippi in connection with the White Knights of the Ku Klux Klan. The purpose of the inquiry is to determine what effect, if any, FBI activities had on the actions of other law enforcement agencies and private individuals with respect to the White Knights of the Ku Klux Klan in Mississippi. This investigation may involve allegations of abuses or other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. Was this organization a target of FBI COINTELPRO operations?
- b. If so, how and by whom was it selected as a target?
- c. What were the purposes of any disruptive operations directed at it?
- d. To what extent were the purposes achieved?
- e. What disruptive techniques, if any, were employed?

- f. Over what period of time did the disruptive activities occur?
- g. What evaluations were made of their effects?
- h. By whom were they made?
- i. What were the results of the evaluations?
- j. Were FBI informants used to infiltrate the organization?
- k. If so, what kinds of information did the informants gather?
- l. What activities did the informants engage in other than information gathering?
- m. Identify by date and names the persons involved in all contacts the FBI had with other law enforcement agencies and private groups and individuals with respect to alleged Klan bombings of Jewish synagogues and the homes of Jewish leaders in Meridian, Mississippi, during May - August 1968.

Responsible staff: Senior staff
Task Force leader
Jack Smith
Les Seidel

2. The Black Panther Party, Chicago

The Committee is inquiring into the relationships between the FBI and other law enforcement agencies in the Chicago area in connection with the Chicago chapter of the Black Panther Party. The purpose of the inquiry is to determine what effect, if any, FBI activities had on the actions of other law enforcement and intelligence agencies with respect to the Black Panther Party in the Chicago area. This investigation may involve allegations of abuses or other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. Was the Chicago chapter of the Black Panther Party a target of FBI COINTELPRO operations?
- b. If so, how and by whom was it selected as a target?
- c. What were the purposes of any disruptive operations directed at it?
- d. To what extent were the purposes achieved?
- e. What disruptive techniques, if any, were employed?
- f. Over what period of time did the disruptive activities occur?
- g. What evaluations were made of their effects?
- h. By whom were they made?
- i. If FBI informants were used to infiltrate the organization, what kinds of information did the informants gather?

- j. What techniques did the informants employ to gather the information?
- k. Were the techniques used by the informants all approved and monitored by the FBI? If not, which were not so approved?
- l. What activities did the informants engage in other than information gathering?
- m. What other methods and sources did the FBI use to gather intelligence on the organization?
- n. If electronic surveillance was used, how did the use of such surveillance relate to each of the general questions?
- o. To what extent was information on persons and groups not members of or affiliated with the Black Panther Party gathered, stored, or disseminated by the FBI as a result of its investigations of the organization?

Responsible staff: Senior staff
Task Force leader
Walter Ricks
Chris Pyle

I. The "Huston Plan"

The Committee is examining the FBI's role in the disposition of the report of the Interagency Committee on Intelligence (Ad Hoc) in 1970. This report as submitted to the President included certain options which were specifically identified as "illegal". It purported to represent the joint recommendations of all members of the U. S. intelligence community, but FBI Director J. Edgar Hoover disagreed in a series of footnotes.

The serious consideration given to such allegedly illegal proposals gives this case the utmost significance for the Committee's understanding of the risks of uncontrolled intelligence activity. This case may involve specific allegations of abuse and controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. What contacts occurred between Tom Charles Huston and personnel of the FBI and the Department of Justice during 1969 and 1970? Identify by date and names of persons involved.
2. What was the purpose of each such contact?
3. With respect to any assistance provided to the Interdepartmental Committee on Intelligence (Ad Hoc) by personnel of the FBI:
 - a. Who were the FBI participants?
 - b. What kind of assistance was provided?
 - c. What was the role of the FBI in preparing the various drafts of the special report of the Committee?

4. What were the specific arguments advanced for the inclusion of the allegedly illegal options in the special report submitted for the President's consideration? Were other allegedly illegal options considered and rejected?
5. Were any measures taken by the FBI to implement specific elements of the Huston Plan? This includes both the allegedly "illegal" aspects and other provisions such as the expanded recruitment of 18-21 year old informants.
6. What are the present views of the FBI and the Department of Justice as to the legality and propriety of the various options included in the special report?

Responsible staff: Senior staff
Task Force leader
Barbara Banoff
Loch Johnson

J. Alleged Political Misuse of the FBI

The Committee is investigating allegations that the intelligence and investigative resources of the FBI have been misused by various Presidents, Attorneys General, Members of Congress, and FBI executives themselves. This subject may involve specific allegations of abuse and other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. Have persons outside the FBI sought the FBI's assistance for partisan political purposes or personal advantage? Please identify each instance by the name of the person seeking to so use the FBI, the date, and the nature of the assistance sought.
2. In each such case, what has been the response of the FBI?
3. Have persons inside or outside the FBI sought to employ the resources of the FBI for purposes outside the FBI's authority? Please identify each instance by the name of the person seeking to so use the FBI, the date, and the purpose for which the person sought to use the FBI.
4. In each such case, what has been the response of the FBI?
5. What measures has the FBI employed to
 - a. Respond to critics.
 - b. Affect the reputation or credibility of or otherwise discredit critics.
6. What were the nature, purpose, duration, and results of Project INLET involving preparation of an intelligence letter for the President and other Executive officials?

7. With respect to any so-called "secret files" maintained within the FBI, including the "official and confidential" and "personal and confidential" files maintained by the executive assistant to the FBI Director J. Edgar Hoover on his behalf until the time of his death, the Committee seeks to establish the contents of such files, the circumstances surrounding the transfer of a portion of such files within the Bureau at the time of Director Hoover's death, the transfer of a portion of such files to Mr. Hoover's residence, the destruction of any such files, the transfer of any such files from Mr. Hoover's residence, the use of information within such files, and their relationship to the official investigative files of the FBI. The Committee desires all information bearing on these matters, including the results of any inquiries conducted within the FBI and the Department of Justice.
8. What measures have been taken to ensure that the intelligence and investigative resources of the FBI are not misused for political purposes or personal advantage.
9. What additional measures should be taken?

Responsible Staff: Senior Staff
Task Force Leader
Mark Gitenstein

IV. Department of Justice

The Committee is examining activities of divisions of the Justice Department other than the FBI which perform internal security and intelligence functions. The purpose of these inquiries is to determine whether these functions have been carried out in conformity with the rule of law.

A. The Attorney General

The Committee is studying the functions of the Attorney General with respect to the supervision of and policy-making for internal security and intelligence activities. The Committee seeks to determine whether his duties are properly defined and his office properly organized to perform these functions effectively.

Questions

The Committee requests that the Justice Department address the following specific questions:

1. To what extent has the Attorney General been involved in the consideration or approval of the policies and activities of U. S. foreign and military intelligence agencies?
2. Has the Justice Department made any agreements with the CIA or any other U. S. intelligence agency with regard to the investigation or prosecution of agency personnel?
3. Under what circumstances and for what purposes has the Office of Legal Counsel provided legal advice to the Attorney General on matters pertaining to foreign and domestic intelligence activities?
4. To what extent has the Attorney General authorized cooperation, including the exchange of information and the conduct of joint operations, between the Drug Enforcement Administration or its predecessors and the CIA or other

intelligence agencies with respect to narcotics intelligence?

5. What standards and procedures has the Attorney General adopted for:
 - a. The collection, analysis, use, and dissemination of narcotics intelligence.
 - b. The collection, analysis, use, and dissemination of organized crime intelligence.
 - c. The use of intelligence information by the Immigration and Naturalization Service.
 - d. Law Enforcement Assistance Administration grants for the support of state or local police intelligence activities and intelligence data systems.
6. To what extent have communications between the White House and the FBI or other agencies under the jurisdiction of the Attorney General bypassed the Attorney General? To what extent should such communications be channeled through the Attorney General?
7. What have been the policies and procedures of the Justice Department for evaluating the budget requests of the FBI for intelligence and counterintelligence activities?

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein
Barbara Banoff

B. The Internal Security Section (formerly Division)

The Committee is examining the activities of the Internal Security Section of the Justice Department and its predecessor, the Internal Security Division. These entities have supervised the Department's internal security law enforcement activities, coordinated certain interdepartmental internal security policies, and engaged in the collection, analysis, and dissemination of intelligence.

Questions

The Committee requests that the Justice Department address the following specific questions:

1. Under what circumstances, if any, has the Justice Department seriously considered prosecutions under the Smith Act and laws pertaining to seditious conspiracy, rebellion, or insurrection, or "subversive activities", since January 1, 1960?
2. To what extent has FBI intelligence activity provided valuable evidence for use in the prosecution of specific federal crimes?
3. What have been the practices and procedures for coordination of policy through the Interdepartmental Committee on Internal Security?
4. What have been the practices and procedures for the interdepartmental and interagency evaluation of domestic intelligence and domestic collection of foreign intelligence through the Intelligence Evaluation Committee and its predecessors?
5. With respect to the Interdivisional Intelligence Unit and the Analysis and Evaluation Section of the Internal Security Division,
 - a. What have been the practices and procedures of the Unit and Section for the gathering of intelligence?

- b. What type of information has been stored in readily retrievable form by the Unit and Section?
 - c. To whom and for what reasons has intelligence information been disseminated by the Unit and Section?
 - d. What were the reasons for the submission of IDIU computer printouts to the CIA, as reportedly occurred in 1969?
 - e. To what extent did the Unit and Section make specific requests to other agencies within and outside the Justice Department for intelligence information?
6. With respect to the use of grand juries by the Special Litigation Section of the Internal Security Division,
- a. Have any allegations of misuse of the grand jury process in cases handled by Special Litigation Section attorneys come to the attention of the Department? If so, briefly describe each such allegation and what, if any, action was taken by the Department in response to such allegation.
 - b. To what extent, if any, did the use of grand juries in cases handled by the Special Litigation Section attorneys differ from the use of grand juries in cases handled by other sections of the Justice Department?
 - c. To what extent, if any, was information obtained through the use of grand juries included in the intelligence files of the Interdivisional Intelligence Unit or the Analysis and Evaluation Section?

7. What have been the practices and procedures of the Internal Security Division and the Departmental Security Office for advising the Attorney General and other executive agencies with regard to the Federal Employee Security Program?

Responsible staff: Senior staff
Task Force leader
Barbara Banoff

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United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

June 27, 1975

ALL INFORMATION CONTAINED
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#MDR-16

The Honorable Edward H. Levi
Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mr. Attorney General:

Enclosed with this letter are notifications concerning certain matters currently under investigation by the Select Committee which relate to government entities under your jurisdiction.

These notifications are submitted pursuant to an agreement between the Committee, the various intelligence entities, and the White House. Pursuant to that agreement, the various entities in the Executive Branch have agreed not only to make available the pertinent witnesses, but also to submit in response all information and material which they possess that is relevant to the areas and cases which the Committee wishes to investigate. The response should include all relevant underlying documentation and other information, including documents which may not have come to the Committee's attention and which the Committee has not specifically requested, and all material relating to any prior Executive Branch inquiry into the matter. In addition, we would welcome a current analysis of the particular questions raised by the Committee and any other observations on the subject that you believe would be helpful.

We welcome the promise of cooperation and full disclosure that underlies that agreement. Success in fulfilling the full disclosure policy contained in the agreement is indispensable to the Committee's analysis and to the formulation of our ultimate findings, conclusions, and recommendations.

OFFICE OF LEGISLATIVE AFFAIRS

FEDERAL BUREAU OF INVESTIGATION

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OFFICE OF LEGISLATIVE AFFAIRS

FEDERAL BUREAU OF INVESTIGATION

June 27, 1975

Within the Committee mandate, contained in S. Res. 21, there are four broad subjects relating to the intelligence community which we are required to investigate and study in order to determine the facts and ultimately to decide whether to make recommendations for legislative or other changes. They are:

1. The structure, performance, and utility of government operations with respect to intelligence activities.
2. Whether certain policies or practices are or are not illegal, unethical, or otherwise improper.
3. Whether there has or has not been excessive duplication or inadequate coordination between and among intelligence agencies and, more generally, the efficiency of intelligence activities.
4. Whether there has or has not been adequate internal and external control and oversight over the policies and practices of intelligence agencies.

In attempting to find the answers to these fundamental questions, the Committee is proceeding in two ways. First, we are examining intelligence functions broadly as instruments of government policy, giving attention to the authority for particular functions, the problems which intelligence activities are designed to solve, the procedures by which intelligence activities are and have been proposed, approved, executed, evaluated, and terminated, the range and scope of the activities utilized to achieve intelligence objectives, and the propriety and utility of the activities undertaken. Second, we will examine in depth certain subjects within the broad topics of investigation. (We would, of course, welcome your suggestion of other cases that would give added insight into intelligence matters under your jurisdiction.) These specific subjects for investigation are not intended to limit the scope contained in the more general questions.

The Honorable Edward H. Levi
Page Three

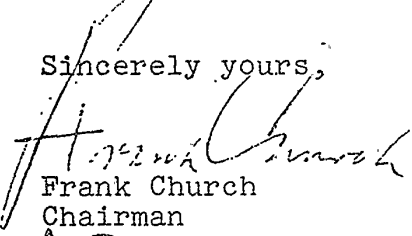
June 27, 1975

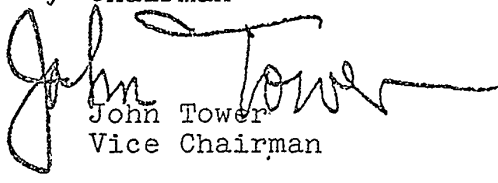
The annexed notifications spell these matters out in greater detail. In addition, they ask certain specific questions, set forth certain previously requested documents not yet received, request additional documents,* and, in some cases, ask for the names and present addresses of persons who have held certain positions. Where appropriate, the subject's description indicates that, pursuant to the agreed Outline for Inquiry Procedures, the matter primarily concerns allegations of abuse or other controversial specific matters where there is reason to believe improprieties may have occurred. Finally, the notifications indicate the name(s) of the staff member(s) who, in addition to the Committee's senior staff, will be responsible for the particular matters.

The Committee, in the course of the next few months, will undertake other subjects for investigation as its work proceeds and will notify you as appropriate.

We look forward to your cooperation in these matters.

Sincerely yours,


Frank Church
Chairman


John Tower
Vice Chairman

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* These specific requests are not, of course, intended to limit the agreement to come forward with all relevant information and material, including documents, whether or not they have been brought to the Committee's attention or have been specifically requested by the Committee.

FEDERAL BUREAU OF INVESTIGATION
(Including DEPARTMENT OF JUSTICE)

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FEDERAL BUREAU OF INVESTIGATION
(INCLUDING DEPARTMENT OF JUSTICE)

I. Issues

The Committee's inquiry into the intelligence and counterintelligence activities of the Federal Bureau of Investigation is examining fundamental issues which bear directly on the adequacy of current legislation and administrative organization and procedure. The Committee seeks to determine whether FBI intelligence and counterintelligence activities achieve legitimate objectives in conformity with the rule of law. Among the basic issues to be addressed are the following:

- A. What is the legal authority for FBI intelligence and counterintelligence activities? Should the FBI's authority be clarified or revised or incorporated in a comprehensive statutory charter?
- B. What limitations are placed on FBI intelligence and counterintelligence activities by the Constitution and laws of the United States? Should these limitations be clarified or revised?
- C. What have been the purposes and aims of FBI intelligence and counterintelligence activities? Should these objectives be modified?
- D. How have the intelligence and counterintelligence activities of the FBI been organized and coordinated with other agencies of government? Should these procedures and practices be revised?
- E. What have been the procedures for and techniques of intelligence gathering and dissemination and counterintelligence operations used by the FBI? Under what conditions and through what procedures should these methods and techniques be used in the future?
- F. What have been and should be the mechanisms for internal and external policy-making, control, and supervision of FBI intelligence and counterintelligence activities?

As a means of examining the above issues in the context of actual FBI intelligence operations, the Committee intends to study certain specific topics, some of which are general in nature, and others of which involve specific cases, programs or techniques. Part II, below, contains descriptions of the general areas into which the Committee intends to inquire. Part III contains descriptions of the specific cases mentioned above. The descriptions specifically indicate whether the investigation may concentrate on specific allegations of possible abuses or other controversial matters where there is reason to believe improprieties may have occurred. In addition to the topics described below, additional areas of inquiry may develop during the course of the Committee's work.

II. Areas of General Inquiry

A. Legal Authority for FBI Intelligence and Counter-intelligence Activities

The Committee is examining the legal basis for FBI intelligence and counterintelligence activities. There may be serious question as to the adequacy of the present legislative framework for the FBI's functions in these fields. Current statutes authorize the FBI to perform investigative and law enforcement functions, but they do not specifically authorize intelligence or counterintelligence activities. Therefore, the Committee seeks to determine whether the FBI's authority should be clarified, revised, or incorporated in a comprehensive statutory charter.

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein

B. Organization and Operation of the FBI Intelligence Division

The Committee is investigating the structure and operating practices of the FBI Intelligence Division. Proposals have been made that the national security intelligence and counterintelligence functions of the FBI should be lodged in a separate agency or otherwise separated from the FBI's criminal investigative activities. Further recommendations have been advanced for improved coordination between the FBI and other intelligence agencies, for strengthened supervision of FBI intelligence and counterintelligence activities by the Attorney General or an independent board, and for clearer standards and procedures for FBI activities in this area. Therefore, the Committee desires complete information on the operating practices and procedures of the FBI Intelligence Division and of the field office activities supervised by the Intelligence Division.

The Committee's inquiry focuses on the following specific areas:

1. FBI Internal Security Intelligence Operations

The Committee seeks to determine the nature and purpose of FBI intelligence operations directed at foreign intelligence activities and subversive or extremist activities within the United States. It has been alleged that the scope of FBI intelligence investigations is too broad and has extended to legitimate political activities. Consequently, the Committee must examine how the FBI's responsibilities have been defined.

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein

2. The FBI and the U. S. Intelligence Community

The Committee seeks to determine what have been the policies and procedures for coordination between the FBI and other agencies in the U. S. intelligence community. There have been occasions in the past where friction between the FBI and other agencies has produced serious dissatisfaction within the U. S. intelligence community. The purpose of this inquiry is to evaluate the adequacy of past and present coordinating mechanisms.

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein

3. FBI Foreign Counterintelligence Operations

The Committee seeks to determine the nature of FBI counterintelligence operations directed at foreign intelligence activities within the United States or at any other hostile foreign-related activities within the United States. Since FBI operations to "counter" these activities go beyond intelligence collection, the Committee must consider whether such practices require statutory authorization. The impact of counterintelligence operations on United States foreign relations will also be considered..

Responsible staff: Senior staff
Task Force leader
Loch Johnson
Barbara Banoff

4. Inspection Division Investigations

The Committee is examining the relationship of the FBI Inspection Division to FBI intelligence and counterintelligence activities. This includes both regular Inspection Division reviews of Intelligence Division and field office functions and specific investigations of allegations of improper conduct in connection with FBI intelligence activities.

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein

5. FBI Intelligence Activities and State or Local
Law Enforcement Agencies

The Committee seeks to determine the nature of the relationships between FBI intelligence activities and state and local law enforcement agencies. This subject involves the delicate balance between the necessary centralization of certain law enforcement activities and the Constitutionally-mandated decentralization of general law enforcement responsibility. It is necessary for the Committee to evaluate the centralizing influence of the FBI, as well as the FBI's role as a check on local law enforcement abuses.

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein
Walter Ricks

III. Case Studies

General Questions

The descriptions which follow of the specific cases the Committee intends to study are intended to serve the dual purpose of notifying the FBI of the issues the Committee will explore in connection with each case and eliciting from the FBI all information and material in its possession relating to the questions the Committee wishes to explore in each case. In order to avoid unnecessary repetition of certain questions which will be basic to the Committee's investigations of each case, certain fundamental questions are set forth below. As to each case described, the Committee intends to explore these fundamental questions, and expects that the FBI will, as to each case, provide all information and material it has relating to these basic questions even though they are not repeated in the discussion of each particular area.

1. What is or has been the legal authority for the activity?
2. What have been the purposes of the activity?
3. What techniques have been employed in the activity?
4. What kinds of information have been gathered in the activity?
5. How have specific uses of the activity been initiated and approved?
6. How have the targets for the activity been selected?
7. What have been the criteria for target selection?
8. How has the intelligence which is collected been used?
9. To whom has the intelligence collected been disseminated?
10. What has been the basis for any dissemination with respect to each recipient?
11. How has the activity been coordinated with other intelligence agencies?

12. What have been the effects of this coordination?
13. To what extent has each of the foregoing been compatible with the legal authority for and the purposes of the activity?
14. By what means has the activity been monitored, controlled and administered?
15. What are the potential abuses to which the activity may lead?
16. To what abuses has the activity led?
17. What steps have been taken to investigate such abuses?
18. What steps have been taken to avoid such abuses?
19. What have been the costs and utility of the activity?

In some instances, the specific questions set forth below may appear to repeat some of the general questions. The purpose in such cases is simply to clarify the application of the general question to the specific case. Except where inapplicable by their terms, all general questions relate to each specific case.

A. Electronic Surveillance

The Committee is examining all forms of electronic interception of communications including wiretapping, electronic eavesdropping, consensual electronic surveillance interception of video and data communications, local monitoring devices, and all other forms of electronic or technical monitoring. The Committee's general questions apply to each of the techniques listed above, as well as to the matters set forth in the following specific cases.

1. Warrantless Electronic Surveillance

The Committee seeks to determine whether the Attorney General should have the authority to authorize electronic surveillance for certain purposes without a prior judicial warrant. This power has been exercised by succeeding Attorneys General since 1940, upon the explicit directive of the President. The Supreme Court has ruled that this power does not extend to purely domestic matters, but the remaining scope of the Attorney General's authority remains undefined by the Supreme Court.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. What is the scope and basis of the claim of Executive authority to conduct warrantless electronic surveillance?
- b. What have been the procedures for consideration and approval of requests for warrantless electronic surveillance authorized by the Attorney General?
- c. What are the specific disadvantages of the judicial warrant requirement for those electronic surveillances which have been authorized by the Attorney General?

- d. Does the Fourth Amendment permit the issuance of judicial warrants for electronic surveillance on grounds other than ordinary probable cause where national security intelligence purposes are advanced to justify the surveillance?
- e. To what extent are the specific procedures of Title III of the Omnibus Crime Control Act of 1968 inappropriate for electronic surveillance conducted for national security intelligence purposes?

Documents

The Committee requests the following additional documents bearing on the questions stated above:

- a. All written justifications for the specific authorizations by the Attorney General for warrantless electronic surveillance from January 1, 1960, until the present.
- b. All documents reflecting the denial by the Attorney General of specific requests for warrantless electronic surveillance from January 1, 1960, until the present.
- c. Committee staff access to information contained in the impounded documents, depositions, and other materials in all pending civil suits which involve warrantless electronic surveillance and in which the Committee has received the consent of the plaintiffs for such access.

Responsible staff: Senior staff
Task Force leader
Mike Epstein

2. Warrantless Electronic Surveillance and "Leaks"

The Committee is examining several instances of the use of warrantless electronic surveillance and other investigative techniques in connection with "leaks" of classified information. These cases may involve specific allegations of abuse or other controversial matters where there is reason to believe improprieties may have occurred. These instances include:

- a. The investigation of alleged "leaks" by or to 17 Executive officials and newsmen between May 1969 and February 1971.
- b. The investigation of alleged "leaks" from a military staff member assigned to the National Security Council in 1971-72.
- c. The reported investigation of columnist Joseph Kraft in 1969.
- d. The reported investigation of the activities of Mrs. Anna Chennault and Vice Presidential candidate Spiro Agnew in 1968.
- e. Any other instances of warrantless electronic surveillance in connection with the investigation of "leaks" to the press.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. Through what procedures and by whom were each of these electronic surveillances authorized and approved, continued, and terminated?
- b. As to each person to whom information was disseminated, please state:
 - (1) The nature of the information.
 - (2) The basis for the dissemination.

(3) The date of each dissemination.

(4) The use which was in fact made of the information by the recipient.

- c. What evaluations were made of the original grounds for the surveillance as it progressed?
- d. What were the results of the evaluations?
- e. Who made them?
- f. What are the reasons for use of electronic surveillance without judicial warrant to investigate "leaks" of classified information to the press?
- g. How does each of the above instances relate to these reasons?
- h. To what extent would requirement of a warrant interfere with the ability to detect such leaks?

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein

3. Surveillance of Dr. Martin Luther King

This investigation examines the authorization for, conduct and termination of, and deliberations regarding the surveillance of Dr. King. This case may involve specific allegations of abuses and other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. Through what procedures and by whom were wiretaps and electronic bugs of Dr. King initiated, approved, continued, and terminated?
- b. What were the locations, extent, and duration of the electronic surveillances of Dr. King?
- c. What were the grounds of national security, if any, for the introduction of the electronic surveillances of Dr. King?
- d. What was the relationship between the information collected and each of the purposes of the surveillance?
- e. What evaluations were made of the original grounds for the surveillance as it progressed?
- f. What were the results of those evaluations?
- g. Who made them?
- h. What periodic evaluations were made of the relationship between the information being collected and the original objectives of the surveillance?
- i. What were the results of the evaluations?
- j. Who made them?

- k. To whom were any results of the surveillance disseminated?
- 1. As to each person to whom information was disseminated, please state
 - (1) The nature of the information.
 - (2) The basis for the dissemination.
 - (3) The date of each dissemination.
 - (4) The use which was in fact made of the information.

Responsible staff: Senior staff
Task Force Leader
Mike Epstein

4. Surveillance at the Democratic National Convention, Atlantic City, 1964

The Committee is examining the use of surveillance and other intelligence operations in Atlantic City, New Jersey, on or about the time of the Democratic National Convention in 1964. This case may involve specific allegations of abuses and other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. Did the FBI conduct electronic surveillance and other intelligence operations at this time and place?
- b. Who were the targets?
- c. Through what procedures and by whom were the decisions made to engage in electronic surveillance and intelligence operations at this time and place?
- d. What were the nature, extent, and duration of the electronic surveillance and other intelligence operations at this time and place?
- e. What was the relationship between each target selected and the purpose of the surveillance?
- f. Was the FBI requested to conduct such surveillance by any person or organization outside the FBI?
- g. If so, by whom, when, and for what stated reason?
- h. To whom were the results of the surveillance disseminated?
- i. As to each person whom information was disseminated, please state

- (1) The nature of the information.
- (2) The basis for the dissemination.
- (3) The date of each dissemination.
- (4) The use which was in fact made of the information.

Responsible staff: Senior Staff
Task Force Leader
Mike Epstein

B. Surreptitious Entry

The purpose of this inquiry is to determine the extent to which the FBI has used surreptitious entry as an intelligence technique, either through its own operations or through operations by other agencies and individuals. This case may involve allegations of abuse and controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. What are the scope and basis of the claim of Executive authority to conduct warrantless surreptitious entry as asserted by the Department of Justice in United States v. Ehrlichman?
2. What surreptitious entries have been carried out by the FBI or by another government agency with the knowledge of the FBI from January 1, 1960, to the present? Please list by date, place, and target.
3. As to any instance in which the FBI has refused to comply with another agency's request for surreptitious entry, what was
 - a. The basis for the refusal?
 - b. The reason given for the request?
4. What procedures were employed to authorize any surreptitious entry identified under 2, and who authorized each such entry?
5. To the extent applicable by their terms, each of the above questions and the General Questions will be explored specifically with reference to any entry or proposed entry at an embassy in May 1972.

Responsible Staff: Senior Staff
Task Force Leader
Mike Epstein
Paul Wallach

C: Mail Covers and Mail Openings

The Committee is examining the conduct of mail covers and mail openings by or on behalf of the FBI and any instances of mail openings or intercepts which may have been conducted by or on behalf of the FBI. This inquiry may involve allegations of abuse or other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. The specific purposes of all mail covers conducted in connection with FBI intelligence and counter-intelligence activities. This includes all documents pertaining to FBI decisions to request Postal Service mail covers and lists of all subjects upon whom mail covers have been placed as a result of FBI requests since January 1, 1960.
2. The procedures and practices for the dissemination of information from mail covers requested by the FBI. This includes a list of all entities to whom mail cover information has been disseminated since January 1, 1960.
3. Whether or not FBI personnel may have conducted mail covers in violation of existing Postal Service regulations. For any mail covers which may have been conducted by FBI personnel or for the FBI by persons other than Postal Service employees, from January 1, 1960, to the present: identify the physical location where the mail cover was conducted, the names of all persons who participated in and authorized the mail cover, and a brief explanation of the purpose of the mail cover and why it was initiated.
4. Whether or not the FBI has opened mail or caused mail to be opened, either with or without the permission of the Postal Service. For all incidents of mail opening which may have been conducted by FBI employees or by other persons in cooperation with the FBI, from January 1, 1960, until the present: identify the physical location where the mail was opened or intercepted, the names of the individuals who participated in the opening or intercept, and the purpose of the opening or intercept.

Documents

The Committee requests the following additional documents bearing on the questions stated above:

1. All documents which discuss, refer to, or relate to the origins, authorizations, conduct, and termination of and procedures for the mail covers, intercepts, and openings identified in 3 and 4 above.

Responsible Staff: Senior Staff
Task Force Leader
Paul Wallach

D. Other Specific Techniques

As to the following techniques, the Committee's inquiry will initially be confined to the General Questions. As the inquiry proceeds, areas of potential abuse and thus of specific inquiry beyond the General Questions may develop:

1. Incommunicado detention and interrogation.
2. Photographic and television surveillance.
3. Polygraphs.
4. The obtaining of bank, credit, school, and other personal records and information, including the obtaining of information under false pretext.

E. COINTELPRO and Disruptive Activities

The Committee is investigating the circumstances surrounding the origins of, authorization for, and implementation of the FBI program known as COINTELPRO and any similar programs. This inquiry may involve allegations of abuse and controversial matters where there is reason to believe improprieties may have occurred. The scope of this investigation covers:

1. COINTELPRO -- Communist Party USA;
2. COINTELPRO -- Socialist Workers Party;
3. COINTELPRO -- White Hate Groups;
4. COINTELPRO -- Black Extremists;
5. COINTELPRO -- New Left;
6. COINTELPRO -- Special Operations (except as targeted against hostile foreign intelligence services);
7. COINTELPRO -- Puerto Rican Independence Groups;
8. COINTELPRO -- Operation Hoodwink
9. Any other activities of the FBI which have or have had the purpose and effect of disrupting domestic groups or discrediting U.S. citizens, whether or not carried out under a COINTELPRO program.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. Under what circumstances, through what procedures, and by whom were these programs initiated, authorized, and terminated?
2. Under what circumstances and through what procedures did the FBI discover and report to the Attorney General the existence of items 7 and 8 identified above and similar disruptive activities not included in the original review of COINTELPRO activities conducted by the Department of Justice in 1974?

3. What were the purposes of each program?
4. In each case, by what means was it intended the purpose would be accomplished?
5. What internal FBI procedures were adopted for the consideration and approval of specific disruptive activities and for determining the results of such activities?
6. As to each operation listed above, and any others of a fundamentally similar kind, identify by type the sources of the information used against individuals and groups for disruptive purposes.
7. As to each instance in which such information was obtained through electronic surveillance
 - (a) What or who was the target of the surveillance?
 - (b) Was the surveillance legal?
 - (c) Was the surveillance conducted pursuant to warrant?
 - (d) What were the dates of the surveillance?
 - (e) What were the precise means of surveillance?
 - (f) Who authorized the surveillance (both within and without the FBI)?
 - (g) What was the purpose of the surveillance?
8. As to each case listed above and all fundamentally similar cases, what was the legality and propriety of the disruptive activities? Should any of the activities referred to in the above sentence be forbidden by statute, considered for future use, or otherwise subject to statutory or administrative regulation?

9. In what activities has the FBI engaged since April 28, 1971, the purpose or effect of which has been to disrupt domestic groups or discredit U.S. citizens or which bear any other similarity to the purposes or effects of COINTELPRO activities?
10. What restrictions, directives, or other measures have been adopted by the FBI and the Justice Department to limit or regulate the use of such disruptive techniques?

The Committee will investigate all COINTELPRO and disruptive activities identified above. On the basis of a review of the summaries of COINTELPRO cases prepared for the so-called Petersen Committee, as well as other sources of information, the Committee will develop further requests for information and documents.

Responsible Staff: Senior Staff
Task Force Leader
Les Seidel
Mike Epstein
Walter Ricks

F. Clandestine Informant Activities

The Committee is examining all aspects of the FBI's use of informants, sources, and undercover personnel and the techniques employed by such persons. Although informants are the single most productive source of intelligence information, the difficulties of controlling their activities may increase the possibility of improper conduct. The use of informants to infiltrate organizations also may pose dangers to the right of associational privacy. Consequently, proposals have been made for the imposition of a judicial warrant requirement or other safeguards for the use of informants. The Committee seeks to evaluate such proposals as well as the contributions of informants to the accomplishment of legitimate objectives.

In addition, the Committee is examining informant activities with respect to several particular situations and cases. This investigation may involve specific allegations of abuse or controversial matters where there is reason to believe improprieties may have occurred. The Committee's inquiry covers the general circumstances surrounding the following incidents or cases:

- a. Wounded Knee;
- b. Kent State;
- c. New York v. Stroble (Attica);
- d. United States v. Buckalew (Gainesville);
- e. United States v. Briggs (Camden);
- f. New York v. Dillon (Hobart College);
- g. United States v. Marshall (Seattle).

Additional cases may also be examined.

In addition to the above cases, the Committee is examining the role of FBI informants in providing information to the FBI concerning members of the following organizations:

- a. Ku Klux Klan;
- b. Students for a Democratic Society;
- c. Weathermen;
- d. Black Panther Party;
- e. Communist Party USA;
- f. W.E.B. DuBois Clubs.

Additional studies of informant activities with respect to members of other organizations may be formulated.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. With respect to both categories of cases listed above, what allegations, whether unfounded or not, of improper, illegal, unethical, or provocative conduct by FBI informants have been made in connection with these situations or groups?
2. What measures has the FBI taken to investigate such allegations of misconduct and to prevent such alleged misconduct from taking place in the future?
3. What instructions has the FBI given to its informants with respect to possible improper, illegal, unethical, or provocative conduct?
4. What has been the largest number of informants, sources, and undercover personnel in use at any one time during each year from 1960 until the present in connection with security, intelligence, and counterintelligence matters, cases, and programs?
5. What has been the annual total amount of funds (including reimbursement for expenses) paid to informants and sources for each year from 1960 until the present?

6. What limits, if any, have been placed on the type of information which informants have been intrusted to report back to the FBI?
7. What have been the annual percentage of potential informants who became paid informants in connection with security, intelligence, and counterintelligence-matters, cases, and programs from 1960 until the present?

Documents

Please provide a summary of ten cases (for each of the following categories) where the FBI's use of informants, sources, or undercover personnel resulted in:

1. the conviction of an espionage agent of a foreign government.
2. the prevention of the theft of national security information.
3. the prevention of sabotage.
4. the prevention of an act of violence.
5. the prevention of the carrying out of a conspiracy to overthrow the government.
6. any other successful preventive actions in furtherance of the FBI's national security responsibilities.

Responsible staff: Senior staff
Task Force leader
Mike Epstein
Jack Smith
Walter Ricks
Pat Shea

G. "Notional" Organizations

The Committee is examining the FBI's alleged creation of the support for "notional" organizations for intelligence or counterintelligence purposes. Although it may rely upon informants and other clandestine operatives, this alleged practice is sufficiently novel to require separate attention.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. What groups, organizations, movements, or other associations has the FBI caused directly or indirectly to be formed or created for intelligence or counterintelligence purposes? Please provide a complete list from January 1, 1960, to the present.
2. What groups, organizations, movements, or other associations has the FBI supported financially or materially? Please provide a complete list from January 1, 1960, to the present.
3. In which cases has the FBI supported or created such organizations in coordination or cooperation with other agencies?
4. How have the presence of such "notional" organizations affected the public's perception of the movements of which they form a part?
5. How have any FBI programs for the creation and support of such groups been coordinated with any similar programs undertaken by the CIA or other U.S. intelligence agencies?

Responsible staff: Senior staff
Task Force leader
Mike Epstein

H. Joint FBI-Police Operations

The purpose of this inquiry is to examine certain allegations that joint FBI-police operations resulted in misconduct or abuse. These cases are complex and involve a variety of techniques. Nevertheless, they may indicate some of the most serious problems which may arise in attempting to deal with potentially violent situations.

1. The White Knights of the Ku Klux Klan, Mississippi

The Committee is inquiring into the relationships between the FBI and other law enforcement agencies and private organizations in Mississippi in connection with the White Knights of the Ku Klux Klan. The purpose of the inquiry is to determine what effect, if any, FBI activities had on the actions of other law enforcement agencies and private individuals with respect to the White Knights of the Ku Klux Klan in Mississippi. This investigation may involve allegations of abuses or other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. Was this organization a target of FBI COINTELPRO operations?
- b. If so, how and by whom was it selected as a target?
- c. What were the purposes of any disruptive operations directed at it?
- d. To what extent were the purposes achieved?
- e. What disruptive techniques, if any, were employed?

- f. Over what period of time did the disruptive activities occur?
- g. What evaluations were made of their effects?
- h. By whom were they made?
- i. What were the results of the evaluations?
- j. Were FBI informants used to infiltrate the organization?
- k. If so, what kinds of information did the informants gather?
- l. What activities did the informants engage in other than information gathering?
- m. Identify by date and names the persons involved in all contacts the FBI had with other law enforcement agencies and private groups and individuals with respect to alleged Klan bombings of Jewish synagogues and the homes of Jewish leaders in Meridian, Mississippi, during May - August 1968.

Responsible staff: Senior staff
Task Force leader
Jack Smith
Les Seidel

2. The Black Panther Party, Chicago

The Committee is inquiring into the relationships between the FBI and other law enforcement agencies in the Chicago area in connection with the Chicago chapter of the Black Panther Party. The purpose of the inquiry is to determine what effect, if any, FBI activities had on the actions of other law enforcement and intelligence agencies with respect to the Black Panther Party in the Chicago area. This investigation may involve allegations of abuses or other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

- a. Was the Chicago chapter of the Black Panther Party a target of FBI COINTELPRO operations?
- b. If so, how and by whom was it selected as a target?
- c. What were the purposes of any disruptive operations directed at it?
- d. To what extent were the purposes achieved?
- e. What disruptive techniques, if any, were employed?
- f. Over what period of time did the disruptive activities occur?
- g. What evaluations were made of their effects?
- h. By whom were they made?
- i. If FBI informants were used to infiltrate the organization, what kinds of information did the informants gather?

- j. What techniques did the informants employ to gather the information?
- k. Were the techniques used by the informants all approved and monitored by the FBI? If not, which were not so approved?
- l. What activities did the informants engage in other than information gathering?
- m. What other methods and sources did the FBI use to gather intelligence on the organization?
- n. If electronic surveillance was used, how did the use of such surveillance relate to each of the general questions?
- o. To what extent was information on persons and groups not members of or affiliated with the Black Panther Party gathered, stored, or disseminated by the FBI as a result of its investigations of the organization?

Responsible staff: Senior staff
Task Force leader
Walter Ricks
Chris Pyle

I. The "Huston Plan"

The Committee is examining the FBI's role in the disposition of the report of the Interagency Committee on Intelligence (Ad Hoc) in 1970. This report as submitted to the President included certain options which were specifically identified as "illegal". It purported to represent the joint recommendations of all members of the U. S. intelligence community, but FBI Director J. Edgar Hoover disagreed in a series of footnotes.

The serious consideration given to such allegedly illegal proposals gives this case the utmost significance for the Committee's understanding of the risks of uncontrolled intelligence activity. This case may involve specific allegations of abuse and controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. What contacts occurred between Tom Charles Huston and personnel of the FBI and the Department of Justice during 1969 and 1970? Identify by date and names of persons involved.
2. What was the purpose of each such contact?
3. With respect to any assistance provided to the Interdepartmental Committee on Intelligence (Ad Hoc) by personnel of the FBI:
 - a. Who were the FBI participants?
 - b. What kind of assistance was provided?
 - c. What was the role of the FBI in preparing the various drafts of the special report of the Committee?

4. What were the specific arguments advanced for the inclusion of the allegedly illegal options in the special report submitted for the President's consideration? Were other allegedly illegal options considered and rejected?
5. Were any measures taken by the FBI to implement specific elements of the Huston Plan? This includes both the allegedly "illegal" aspects and other provisions such as the expanded recruitment of 18-21 year old informants.
6. What are the present views of the FBI and the Department of Justice as to the legality and propriety of the various options included in the special report?

Responsible staff: Senior staff
Task Force leader
Barbara Banoff
Loch Johnson

J. Alleged Political Misuse of the FBI

The Committee is investigating allegations that the intelligence and investigative resources of the FBI have been misused by various Presidents, Attorneys General, Members of Congress, and FBI executives themselves. This subject may involve specific allegations of abuse and other controversial matters where there is reason to believe improprieties may have occurred.

Questions

The Committee requests that the FBI and the Justice Department address the following specific questions:

1. Have persons outside the FBI sought the FBI's assistance for partisan political purposes or personal advantage? Please identify each instance by the name of the person seeking to so use the FBI, the date, and the nature of the assistance sought.
2. In each such case, what has been the response of the FBI?
3. Have persons inside or outside the FBI sought to employ the resources of the FBI for purposes outside the FBI's authority? Please identify each instance by the name of the person seeking to so use the FBI, the date, and the purpose for which the person sought to use the FBI.
4. In each such case, what has been the response of the FBI?
5. What measures has the FBI employed to
 - a. Respond to critics.
 - b. Affect the reputation or credibility of or otherwise discredit critics.
6. What were the nature, purpose, duration, and results of Project INLET involving preparation of an intelligence letter for the President and other Executive officials?

7. With respect to any so-called "secret files" maintained within the FBI, including the "official and confidential" and "personal and confidential" files maintained by the executive assistant to the FBI Director J. Edgar Hoover on his behalf until the time of his death, the Committee seeks to establish the contents of such files, the circumstances surrounding the transfer of a portion of such files within the Bureau at the time of Director Hoover's death, the transfer of a portion of such files to Mr. Hoover's residence, the destruction of any such files, the transfer of any such files from Mr. Hoover's residence, the use of information within such files, and their relationship to the official investigative files of the FBI. The Committee desires all information bearing on these matters, including the results of any inquiries conducted within the FBI and the Department of Justice.
8. What measures have been taken to ensure that the intelligence and investigative resources of the FBI are not misused for political purposes or personal advantage.
9. What additional measures should be taken?

Responsible Staff: Senior Staff
Task Force Leader
Mark Gitenstein

IV. Department of Justice

The Committee is examining activities of divisions of the Justice Department other than the FBI which perform internal security and intelligence functions. The purpose of these inquiries is to determine whether these functions have been carried out in conformity with the rule of law.

A. The Attorney General

The Committee is studying the functions of the Attorney General with respect to the supervision of and policy-making for internal security and intelligence activities. The Committee seeks to determine whether his duties are properly defined and his office properly organized to perform these functions effectively.

Questions

The Committee requests that the Justice Department address the following specific questions:

1. To what extent has the Attorney General been involved in the consideration or approval of the policies and activities of U. S. foreign and military intelligence agencies?
2. Has the Justice Department made any agreements with the CIA or any other U. S. intelligence agency with regard to the investigation or prosecution of agency personnel?
3. Under what circumstances and for what purposes has the Office of Legal Counsel provided legal advice to the Attorney General on matters pertaining to foreign and domestic intelligence activities?
4. To what extent has the Attorney General authorized cooperation, including the exchange of information and the conduct of joint operations, between the Drug Enforcement Administration or its predecessors and the CIA or other

intelligence agencies with respect to narcotics intelligence?

5. What standards and procedures has the Attorney General adopted for:
 - a. The collection, analysis, use, and dissemination of narcotics intelligence.
 - b. The collection, analysis, use, and dissemination of organized crime intelligence.
 - c. The use of intelligence information by the Immigration and Naturalization Service.
 - d. Law Enforcement Assistance Administration grants for the support of state or local police intelligence activities and intelligence data systems.
6. To what extent have communications between the White House and the FBI or other agencies under the jurisdiction of the Attorney General bypassed the Attorney General? To what extent should such communications be channeled through the Attorney General?
7. What have been the policies and procedures of the Justice Department for evaluating the budget requests of the FBI for intelligence and counterintelligence activities?

Responsible staff: Senior staff
Task Force leader
Mark Gitenstein
Barbara Banoff

B. The Internal Security Section (formerly Division)

The Committee is examining the activities of the Internal Security Section of the Justice Department and its predecessor, the Internal Security Division. These entities have supervised the Department's internal security law enforcement activities, coordinated certain interdepartmental internal security policies, and engaged in the collection, analysis, and dissemination of intelligence.

Questions

The Committee requests that the Justice Department address the following specific questions:

1. Under what circumstances, if any, has the Justice Department seriously considered prosecutions under the Smith Act and laws pertaining to seditious conspiracy, rebellion, or insurrection, or "subversive activities", since January 1, 1960?
2. To what extent has FBI intelligence activity provided valuable evidence for use in the prosecution of specific federal crimes?
3. What have been the practices and procedures for coordination of policy through the Interdepartmental Committee on Internal Security?
4. What have been the practices and procedures for the interdepartmental and interagency evaluation of domestic intelligence and domestic collection of foreign intelligence through the Intelligence Evaluation Committee and its predecessors?
5. With respect to the Interdivisional Intelligence Unit and the Analysis and Evaluation Section of the Internal Security Division,
 - a. What have been the practices and procedures of the Unit and Section for the gathering of intelligence?

- b. What type of information has been stored in readily retrievable form by the Unit and Section?
 - c. To whom and for what reasons has intelligence information been disseminated by the Unit and Section?
 - d. What were the reasons for the submission of IDIU computer printouts to the CIA, as reportedly occurred in 1969?
 - e. To what extent did the Unit and Section make specific requests to other agencies within and outside the Justice Department for intelligence information?
6. With respect to the use of grand juries by the Special Litigation Section of the Internal Security Division,
- a. Have any allegations of misuse of the grand jury process in cases handled by Special Litigation Section attorneys come to the attention of the Department? If so, briefly describe each such allegation and what, if any, action was taken by the Department in response to such allegation.
 - b. To what extent, if any, did the use of grand juries in cases handled by the Special Litigation Section attorneys differ from the use of grand juries in cases handled by other sections of the Justice Department?
 - c. To what extent, if any, was information obtained through the use of grand juries included in the intelligence files of the Interdivisional Intelligence Unit or the Analysis and Evaluation Section?

7. What have been the practices and procedures of the Internal Security Division and the Departmental Security Office for advising the Attorney General and other executive agencies with regard to the Federal Employee Security Program?

Responsible staff: Senior staff
Task Force leader
Barbara Banoff