

File #:

62-HQ-116395

Serial Scope:

1226, 1226X, 1227, 1227x1, 1228, 1229, 1230


1st NR 1230, 1231X, 1232, 1st NR 1233 thru 1st NR 1234

1236

H 3564

62- HQ-116395

Serial 1026 BULKY



62-HQ-116395-E1026

Serial 1026


FBI - CENTRAL RECORDS CENTER

HQ - HEADQUARTERS BOX 3564

Class / Case #	Sub	Vol.	Serial #
0062 116395		1	1026

ONLY

2/13/85771



RRP004Z417



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

12-28-75

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

FROM: Steven K. Blackhurst
Asst. Special Counsel for Intelligence
Coordination

SUBJECT: Senate Select Committee letter dated December 16, 1975

Attached is a letter from the Senate Select Committee requesting delivery of certain materials concerning electronic surveillance and surreptitious entries. Please arrange for an appropriate response.

My initial view is that the Senate Select Committee should be given the same excised versions of the authorizing documents that the House Select Committee was given in response to its request. I would oppose giving the Senate Select Committee access to the unexcised version of these documents for security reasons.

With regard to the November 21 letter referenced in John Elliff's letter, we propose to give John Elliff access to the unexcised versions of the documents but would prefer that the Senate Select Committee be given delivery of excised versions only. Elliff's letter appears to accept this arrangement.

With regard to the request for materials concerning any surreptitious entries, the Senate Select Committee is referring to what was described as a surreptitious entry not related to a microphone surveillance in 1972 against an "Arab Terrorist Activist". This surreptitious entry was listed on an FBI memorandum dated November 5, 1975 which was in response to a request from the House Select Committee. This memorandum was delivered initially to the Senate Select Committee by mistake. Because I have not

cc: Paul Daly

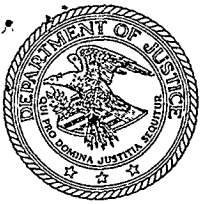
REC-57

62-116355-1236

5 JAN 7 1976

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/100 BY SP2A/MCP





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

-2-

seen the materials requested I do not know what an appropriate response to this request would be.





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

12-28-75

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

FROM: Steven K. Blackhurst
SB Asst. Special Counsel for Intelligence
Coordination

SUBJECT: Senate Select Committee letter dated December 16, 1975

Attached is a letter from the Senate Select Committee requesting delivery of certain materials concerning electronic surveillance and surreptitious entries. Please arrange for an appropriate response.

My initial view is that the Senate Select Committee should be given the same excised versions of the authorizing documents that the House Select Committee was given in response to its request. I would oppose giving the Senate Select Committee access to the unexcised version of these documents for security reasons.

With regard to the November 21 letter referenced in John Elliff's letter, we propose to give John Elliff access to the unexcised versions of the documents but would prefer that the Senate Select Committee be given delivery of excised versions only. Elliff's letter appears to accept this arrangement.

With regard to the request for materials concerning any surreptitious entries, the Senate Select Committee is referring to what was described as a surreptitious entry not related to a microphone surveillance in 1972 against an "Arab Terrorist Activist". This surreptitious entry was listed on an FBI memorandum dated November 5, 1975 which was in response to a request from the House Select Committee. This memorandum was delivered initially to the Senate Select Committee by mistake. Because I have not

cc: Paul Daly

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/100 BY SP2ALM/KP



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

-2-

seen the materials requested I do not know what an appropriate response to this request would be.



FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWLER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONROE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.
HOWARD H. BAKER, JR., TENN.
HARRY GOLDWATER, ARIZ.
CHARLES MCC. 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

December 16, 1975

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mike:

The Select Committee requests delivery of the materials in the attached list pertaining to the authorization for and purpose of non-consensual telephone and microphone surveillances directed at American citizens or resident aliens during the period 1973-1975.

In the case of surveillances directed at groups or meetings which included both non-resident aliens in the service of a foreign power and American citizens or resident aliens, delivery of the materials is also requested.

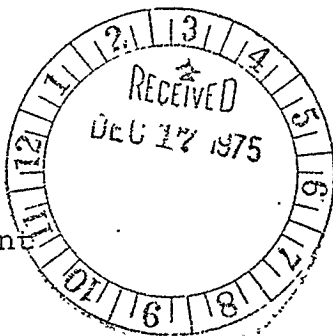
In addition to the materials listed in the attachment, the Committee requests all materials pertaining to any surreptitious entry conducted by the FBI over the past five years which was not directed at a non-resident alien in the service of a foreign power.

With respect to this request and the request for similar materials made in my letter of November 21, 1975, the names of the targets may be excised. Unexcised versions of the documents should be made available for access.

Sincerely,

John T. Elliff

John T. Elliff, Director
Domestic Intelligence Task Force



Attachment

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP8ALMXP

ENCLOSURE

62-111395-1236

British States Senate

(PURSUANT TO S. RES. 21, 54TH CONGRESS)

December 16, 1975

Dear Mike:

In the case of surveillances directed at groups or meetings which included both non-resident aliens in the service of a foreign power and American citizens or resident aliens, delivery of the materials is also requested.

With respect to this request and the request for similar materials made in my letter of November 21, 1975, the names of the targets may be excised. Unexcised versions of the documents should be made available for access.

nt

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

Attachment

~~SECRET~~

Request for Access to FBI Materials

1. For the period 1973-1975, materials pertaining to the authorization for and purpose of non-consensual telephone and microphone surveillances directed at American citizens or resident aliens falling in the following categories:
 - a. foreign intelligence agents;
 - b. foreign intelligence contacts;*
 - c. foreign intelligence agent suspects;
 - d. foreign diplomatic officials contact;
 - e. foreign intelligence agent's business office.
2. For the year 1973, materials pertaining to the authorization for and purpose of non-consensual telephone and microphone surveillances directed at American citizens or resident aliens falling in the following categories:
 - a. headquarters basic revolutionary group;*
 - b. pro-Palestine group;
 - c. Arab terrorist activist;
 - d. propaganda outlet League of Arab States;
 - e. West Coast fund-raising for Arab terrorist groups.
3. For the year 1974, materials pertaining to the authorization for and purpose of non-consensual telephone and microphone surveillances directed at American citizens or resident aliens falling in the following categories:
 - a. headquarters basic revolutionary group;*
 - b. Arab terrorist affiliate;
 - c. pro-Palestine group;

#ND2-16
DECLASSIFIED BY SP2ALM/KP
ON 11/11/00

~~SECRET~~

62-116395-1236

- d. Arab terrorist activist;*
 - e. propaganda outlet League of Arab States;*
 - f. Arab terrorist activist affiliate.**
4. For the year 1975, materials pertaining to the authorization for and purpose of non-consensual telephone and microphone surveillances directed at American citizens or resident aliens falling in the following categories:
- a. Arab terrorist affiliate;*
 - b. pro-Palestine group;
 - c. Arab terrorist activist;
 - d. propaganda outlet League of Arab States;*
 - e. coverage of Arab terrorist activist meeting;**
 - f. pro-Chicom propaganda outlet.*

* Summary chart reveals telephone surveillance only.

** Summary chart reveals microphone surveillance only.

~~SECRET~~

~~SECRET~~

Request for Access to FBI Materials

1. For the period 1973-1975, materials pertaining to the authorization for and purpose of non-consensual telephone and microphone surveillances directed at American citizens or resident aliens falling in the following categories:
 - a. foreign intelligence agents;
 - b. foreign intelligence contacts;*
 - c. foreign intelligence agent suspects;
 - d. foreign diplomatic officials contact;
 - e. foreign intelligence agent's business office.
2. For the year 1973, materials pertaining to the authorization for and purpose of non-consensual telephone and microphone surveillances directed at American citizens or resident aliens falling in the following categories:
 - a. headquarters basic revolutionary group;*
 - b. pro-Palestine group;
 - c. Arab terrorist activist;
 - d. propaganda outlet League of Arab States;
 - e. West Coast fund-raising for Arab terrorist groups.
3. For the year 1974, materials pertaining to the authorization for and purpose of non-consensual telephone and microphone surveillances directed at American citizens or resident aliens falling in the following categories:
 - a. headquarters basic revolutionary group;*
 - b. Arab terrorist affiliate;
 - c. pro-Palestine group;

~~SECRET~~

- d. Arab terrorist activist;*
 - e. propaganda outlet League of Arab States;*
 - f. Arab terrorist activist affiliate.**
4. For the year 1975; materials pertaining to the authorization for and purpose of non-consensual telephone and microphone surveillances directed at American citizens or resident aliens falling in the following categories:
- a. Arab terrorist affiliate;*
 - b. pro-Palestine group;
 - c. Arab terrorist activist;
 - d. propaganda outlet League of Arab States;*
 - e. coverage of Arab terrorist activist meeting;**
 - f. pro-Chicom propaganda outlet.*

* Summary chart reveals telephone surveillance only.

** Summary chart reveals microphone surveillance only.

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. Cleveland *Wexler*

FROM : R. J. McCarthy *R. J. McCarthy*

SUBJECT: TESTIMONY BY THE ATTORNEY GENERAL
BEFORE THE SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES

DATE: November 28, 1975

Rememo Legal Counsel to Mr. Adams, November 24, 1975,
requesting the three investigative divisions to prepare materials dealing
with major investigative techniques for use in connection with the above-
referenced testimony.

Enclosed herewith are write-ups prepared by the Special
Investigative Division, dealing with electronic surveillances, car-
tracking devices, consensual monitoring, polygraph examinations,
closed-circuit television, confidential informants, mail covers,
trash covers, pen registers, and toll call records. *JAM*

RECOMMENDATION:

That, upon approval, this memorandum be routed to the Office
of Congressional Affairs which is coordinating the Bureau's response
in captioned matter.

Enclosures (9)

ENCLOSURE

- 1 - Mr. Mintz
- 1 - Mr. Hotis
- 1 - Mr. Gallagher
- 1 - Mr. Cleveland
- 1 - Mr. Hurst
- 1 - Mr. Steel
- 1 - Mr. McCarthy
- 1 - Mr. McHale

JEM:rar
(9)

EX-112

*Included in
memo to AG 12/3/75
P/D/lead
WFC-116398-1234*

5 DEC 31 1975

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP8ALM/KP

BY JANE

NTIC

ELECTRONIC SURVEILLANCES

All electronic surveillances employed by the FBI in the field of organized crime are authorized in advance by the Department of Justice and by a United States District Judge in the form of a Federal court order, as provided for in Title III of the Omnibus Crime Control and Safe Streets Act of 1968.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2AUM/KP

ENCLOSURE

62 - 116395 - 1234

CAR-TRACKING DEVICES

These devices, also known in the law enforcement profession as "beepers," are miniature transmitting devices attached surreptitiously to the bumper, fender, or some other part of an automobile so that surveillance vehicles may more easily follow the travels of an individual using such an automobile.

Authorization for the use of these tracking devices by Bureau Agents must be obtained from FBI Headquarters on a case-by-case basis, but no requirement exists that the Department be notified regarding such authorization. As the result of two recent Federal court decisions, offices covered by the State of Oregon and the Fifth Circuit Court of Appeals (including Alabama, Florida, Georgia, Louisiana, Mississippi, Texas, and the Canal Zone) must obtain a warrant before using car-tracking devices.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SPALMKP

ENCLOSURE

62-116375-1234

CONSENSUAL MONITORING DEVICES

Special Agents in Charge of FBI field offices may authorize the monitoring of telephonic conversations in nonsensitive cases where one of the participants has given written consent and the appropriate United States Attorney concurs. In cases of extreme sensitivity, authority must be obtained from Bureau Headquarters. No notification is made to the Department.

With respect to on-the-body recorders or recording devices installed on a premises with the permission of one of the participants, Departmental policy requires that the FBI receive Departmental permission before attempting such coverage. In certain instances, when the event to be covered does not give sufficient time for the Bureau to obtain Departmental permission, the Director or someone designated by him may authorize the desired on-the-body or premises coverage immediately, provided that the Department is notified of the full facts in writing promptly thereafter.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

ENCLOSURE

62-116395-1234

POLYGRAPH EXAMINATIONS

The polygraph (or so-called "lie detector") technique involves the use of instrumentation with an individual to record psychophysiological responses during a carefully controlled interrogation in an effort to determine whether or not deception is indicated. Over the years it has generally been held to be inadmissible in court although, properly administered, it can be an invaluable investigative tool.

Because of the continuing controversy in the public media, courts, and the scientific community regarding use of the polygraph, the FBI has adopted a conservative policy and rationale, utilizing it to implement an interrogation and provide investigative direction without relying on it solely as a substitute for logical investigation.

In each instance, authority must first be obtained from FBI Headquarters and a written waiver be signed by the person to be interviewed. No Departmental permission is required to employ this technique.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

ENCLOSURE

62-116390-1234

CLOSED-CIRCUIT TELEVISION

In addition to its use as a training aid by law enforcement, closed-circuit television has proved to be an invaluable investigative tool, particularly in connection with physical surveillances.

Bureau policy regarding this technique varies with the individual circumstances. Where the units are being installed without trespass (such as those covering bank entrances, phone booths, and the like), the only requirement is that permission be obtained in advance from FBI Headquarters. In these instances, no authorization is obtained from the Department.

Where there is trespass, however, some sort of court permission is required. In the case of visual observation alone, court authorization under Rule 41 of the Federal Rules of Criminal Procedure will generally suffice at the present time. If oral interceptions are desired along with the visual coverage, permission must be obtained under Title III of the Omnibus Crime Control and Safe Streets Act of 1968 (which means obtaining a court order and permission from the Attorney General).

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

ENCLOSURE

62-116375-1234

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SPALM/KP

CONFIDENTIAL INFORMANTS

In the field of criminal investigations--and particularly those dealing with the subject of organized crime--no investigative technique is more valuable than that dealing with the use of confidential informants.

These sources, at the risk of their lives, furnish information relating to law violations, the whereabouts of desperately wanted fugitives, the structure and activities of organized criminal groups, the identities of racket bosses and their spheres of influence, and the sources of hoodlum funds. In most cases, the probable cause utilized in affidavits requesting court-authorized electronic surveillances comes from confidential informants.

Bureau policy with respect to the development and control of confidential informants is generally aimed at the need for exercising great care and judgment in the selection, operation, and evaluation of these sources. Safeguards provide for a preliminary analysis of an individual's potential for development, a probationary period of observation before he is declared a full-fledged informant, continuing corroboration of his information as compared with that furnished by other sources and investigations, regular certifications as to his reliability and mental stability by the Agent handling him, and the utilization of an alternate Agent to assist the primary Agent in handling and evaluating the informant.

In addition to on-the-scene supervision provided by the office operating him, each informant is also evaluated continually at FBI Headquarters based upon the payment requests and progress letters detailing his accomplishments and by the inspection teams which visit each office annually.

Close supervision is also necessary to insure that the Bureau never gets into a position where it can be accused, either rightly or wrongly, of financing illicit operations, condoning criminal violations, entrapping persons into committing offenses, or having its representatives serve as agents provocateur.

In order to protect the lives of its informants, the FBI closely restricts the number of persons having access to the files dealing with these sources. For this reason, no authorization is sought from the Department for the operation of individual informants.

ENCLOSURE 62-116395-1234

MAIL COVERS

The FBI's "Manual of Rules and Regulations" (II-8-B-10) states that requests for mail covers must be held to an absolute minimum, being utilized only in important investigations and when it is anticipated that information of value will be obtained. This technique does not involve the opening of mail but merely the listing of external data on the outside of the envelope, such as postmarks and return addresses.

Postal regulations stipulate that mail covers may be requested in fugitive or criminal cases in order to locate fugitives or to obtain evidence of a commission or attempted commission of a crime punishable by more than a year in prison. In recommending a mail cover in such a case, the field has been instructed to notify FBI Headquarters that, unless advised to the contrary within 10 days, it intends to request a mail cover from the Postal Inspector in Charge of the local area. Such requests to the Postal Inspector must be in writing and specify reasonable grounds for the need of a mail cover, the statute and penalty involved, whether the subject has been indicted and, if so, the identity of his attorney (providing he has one and the identity is available). In fugitive cases, this same information must be supplied regarding the fugitives as well as the person to be covered.

In fugitive and criminal cases, mail covers may be placed for 30 days' duration and subsequently renewed for additional 30-day periods, up to a total of 120 days.

Special Agents in Charge of field offices are responsible for regularly checking the productivity of mail covers being utilized by their offices.

Departmental authority is not required for use of this investigative technique.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SPALM/KP

ENCLOSURE

62-116395-1234

TRASH COVERS

Because the subjects of security, as well as criminal, cases often dispose of highly incriminating material in garbage recepticals, the recovery of this material by law enforcement agencies can be important from both investigative and evidentiary standpoints.

On September 17, 1964--following a complaint in the press by the American Civil Liberties Union--the Bureau sent a radiogram to all offices instructing that the use of trash covers be discontinued immediately. From then until 1971, with the exception of one security case approved by Mr. Hoover in 1965, the FBI made no use of this investigative technique. Then, on July 27, 1971, a letter was sent to the Attorney General requesting general permission to use trash covers on a "selective and judicious" basis. By return letter, dated September 3, 1971, Assistant Attorney General Will Wilson, of the Criminal Division, replied that permission was granted to utilize these covers on the basis requested. There is no notification of the Department, however, regarding the operation of individual trash covers.

The major issue raised with respect to the use of this investigative technique hinges on the question of whether or not trash covers constitute unreasonable search and seizure.

In 1963, the United States Supreme Court denied certiorari in a Federal gambling case (involving Internal Revenue Service agents) on the grounds that, by the time the agents had taken the defendant's trash containing incriminating gambling documents, it had been abandoned by the defendant. The taking of things abandoned was not deemed an unreasonable search and seizure. General guidelines drawn from this case (U S. v. Minker, 312 F2d 632, cert. den., 83 S. Ct. 952) indicate that the trash in question must be outside the defendant's house and yard before it can be held to have been abandoned. In the case of a person living in a hotel or an apartment house, the general rule of law is that his constitutionally protected area does not extend beyond his room or apartment, although the safest course to follow is to wait until the trash has left the building. If the trash is that of a

ENCLOSURE

62-116375-1234

company or organization which controls the entire building, it would not be abandoned until it had moved into the hands of the public trash collector or the private contract trash collector hired to haul it away.

Other principal decisions upholding the legality of trash covers, if properly operated, are: Abel v. U. S., 362 U. S. 217 (1960); U. S. v. Stroble, 431 F2d 1273 (1970); and U. S. v. Dzialak, 441 F2d 212 (1971).

It should be noted, however, that there is one discordant note in the trash cover situation. In a series of three decisions, the Supreme Court of California has outlawed the use of trash covers in that state: People v. Edwards, 71 Cal. 2d 1906 (1969); People v. Bradley, 1 Cal. 3d 80 (1970); and People v. Judith Krivda and Roger T. Miner, decided July 12, 1971. The last case was a 4-3 decision which held that a trash cover was illegal even when the officers had obtained the evidence from the trash collectors without trespassing on the subjects' premises.

~~ENCLOSURE~~

PEN REGISTERS AND
TOLL CALL RECORDS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/60 BY SP2 ALM/KP

By way of background, "pen register" is the generic title for a set of instruments known as dial-pulse recorders (when employed in connection with dial telephones) and touch-tone decoders (for use with push-button telephones). Unlike electronic surveillance installations, pen registers do not intercept conversations but merely record on a printout tape the various numbers called by the telephone in question. The connection between the telephone and the register is made either through a cable near the subject's place of operation or at the telephone company's central office. The printouts, in turn, are received on a machine located either in the local FBI field office or at some other space under Bureau control. As investigative material, these tapes are invaluable in leading from one organized crime contact to another; as evidentiary material, they sometimes constitute part of the probable cause for obtaining Title III coverage in certain cases.

Inasmuch as pen registers do not involve the interception of communications, the Department of Justice has advised in its "Manual for Conduct of Electronic Surveillance under Title III of Public Law 90-351" that court authorization for use of the registers should be sought under Rule 41 of the Federal Rules of Criminal Procedure rather than Title III. A Rule 41 order is analogous to a search warrant and may be issued by either a United States Magistrate or District Judge, whereas a Title III order can only be issued by a District Judge. With respect to the probable cause affidavits, those prepared in connection with a pen register request are not reviewed by the Department or FBI Headquarters personnel, unlike Title III affidavits which must be approved by the Attorney General before being presented to the court. In both instances, however, the affidavits are prepared after close consultation with the local United States Attorney or appropriate Strike Force representative. For practical purposes, it should be noted that, in a number of instances, the Federal judge issuing a Title III court order authorizing the interception of communications will also issue a separate Rule 41 order authorizing the utilization of a pen register.

ENCLOSURE

62-116375-1234

Achieving somewhat the same purpose as the pen register-- that is, helping identify the recipients of telephone calls from the subject under investigation--is a review of toll calls maintained by the telephone company. No Departmental approval is necessary for the use of this technique, but the FBI's "Manual of Rules and Regulations" (II-8-B-1) states that, "Wherever possible, it is desirable that a subpoena be utilized. " As a matter of fact, the American Telephone and Telegraph (AT&T) Company and its affiliated members have adopted regulations requiring the production of a civil or criminal subpoena before making available toll records and will notify a subscriber within 24 hours of the receipt of the subpoena unless the Special Agent in Charge of the local FBI office certifies that such notification could prejudice an investigation.

With respect to pen registers, it should be noted that some telephone companies, such as the Bell Telephone Company of Pennsylvania, have been ignoring Rule 41 orders for the production of printouts (except in Title III cases) on the grounds that the company may incur liabilities from which it is protected by the provisions of Title III.

Mr. W. R. Wannall

J. G. Deegan

MARTIN LUTHER KING, JR.

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
12/18/75
1 - Mr. D. Ryan
1 - Mr. W. O. Cregar
1 - Mr. S. F. Phillips

Mr. Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, Office of the Deputy Attorney General, recently requested of S. F. Phillips of INTD that he furnish to him a list of the reported 25 COINTELPRO-type activities the FBI engaged in against Martin Luther King, Jr. He said that the request for this list was channeled to him from the Attorney General through Mr. Philip White of the Criminal Division. We prepared a resume paper on this subject matter (original attached) and on 12/18/75, Phillips personally delivered a copy to Shaheen. It should be noted that with little exception, all this material had previously been given to the Senate Select Committee on Intelligence Activities through the Department and that the Department has practically all the raw material from which the resume was prepared.

RECOMMENDATION:

None. For information and record purposes

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

100-106670-

Enclosure

1)- 62-116395 (Senstudy 75)

SFP:mjg
(8)

/ENCLOSURE

62-116395-
NOT RECORDED
191 DEC 31 1975

84 JAN 8 1976

ORIGINAL FILED IN 100-106670-1045

MARTIN LUTHER KING, JR.

The purpose of the below is to set forth a brief summary of actions carried out by the FBI to discredit and neutralize King. These actions include those taken in the investigative file of King and those included in our "COINTELPRO" files.

It is noted that in testimony before the Senate Intelligence Committee on 11/19/75, Mr. J. B. Adams of the FBI stated there were approximately 25 incidents of actions taken against King and that Mr. Schwarz of the Senate Select Committee (SSC) had those available. It is believed that the actions Mr. Adams referred to are included in the following:

- A. Mailing of a tape and anonymous letter to King (note that this incident was never established as an official FBI action)

A copy of the letter which may have been used in mailing of the tape to King was discovered in the papers of former Assistant to the Director W. C. Sullivan when he left the Bureau. This letter was made available to the SSC and the Department by FBI memorandum dated 9/18/75, in response to SSC request dated 8/20/75, Part VII, Item 16c.

- B. FBI plan to replace King with another black leader of our choice

The only information available concerning this action was a memorandum by W. C. Sullivan which was furnished the SSC and Department by FBI memorandum 10/16/75 in response to SSC request dated 9/29/75, Item 19.

- C. Proposals under our COINTELPRO (previously reviewed by Dept.)
- D. Dissemination of information outside the Executive Branch of Government which could be considered efforts by the FBI to discredit or neutralize King

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

ENCLOSURE 62-116395-

Information in this regard was furnished the SSC and Department in FBI memorandum dated 9/22/75, in response to SSC request 7/8/75, Items 1 a and b. These items requested all materials relative to FBI contacts and dissemination of information about King outside the Executive Branch. The material furnished the SSC and Department has been reviewed and the following were determined to be instances wherein efforts were undertaken to discredit or neutralize King:

	<u>DATE</u>	<u>RECIPIENT</u>	<u>DESCRIPTION</u>
1.	3/64	Father Edward J. O'Donnell, Marquette University	to prevent King from receiving honorary degree from Marquette University
2.	4/7/64	Sen. Saltonstall	to prevent King from receiving honorary degree from
	4/8/64	Dr. Glen Olds, Springfield College	Springfield College
3.	6/12/64	Dr. Edwin Espy, National Council of Churches	to discredit King with National Council of Churches
4.	7/27/64	Cong. Roman C. Pucinski	info regarding King's presence at "communist training school"
5.	9/22/64	Saturday Evening Post	to discourage publishing an article by King
6.	9/8/64	Cardinal Francis Spellman	discourage King's audience with Pope
7.	11/12/64	Chicago "Sun Times"	to try to expose King's probable entertaining of girls in his Chicago hotel room
8.	11/13/64	Friendly foreign intelligence agency	info on background of King and Bayard Rustin given to foreign government because King planned to see Prime Minister en route to accept Nobel Prize

	<u>DATE</u>	<u>RECIPIENT</u>	<u>DESCRIPTION</u>
9.	12/7/64	Officials of Baptist World Alliance	to discourage King's appearance at Baptist convention
10.	12/15/64	Dr. R.H.E. Espy, National Council of Churches	to discredit King with clergy and to remove King from his social position
11.	12/21/64	National Science Foundation (NSF)	to discourage NSF from using King's organization to recruit black students on scholarship for NSF project
12.	12/8/64	Arthur Cornelius, New York State Police, who was to brief Gov. Rockefeller, New York	to discourage any donation by Rockefeller to King
13.	1/21/65	Ralph McGill, Publisher, "Atlanta Constitution"	urge nonattendance at banquet in Atlanta honoring King
14.	3/5/65	Gov. John Volpe, Massachusetts	influence Volpe against a "King Day" scheduled 4/23/65 in Boston
15.	3/31/65	Assist. to Cong. George W. Andrews	info re King's association with Hunter O'Dell, no other info provided
16.	5/4/65	Legislative assistant to Cong. John J. Gilligan	info regard photograph of King at "communist training school"
17.	5/21/65.	UPI	public source info to help UPI writer prepare article on King.
18.	7/6/65	UPI	info re CPUSA connections to discredit King because of his stand on Vietnam

	<u>DATE</u>	<u>RECIPIENT</u>	<u>DESCRIPTION</u>
19.	8/14/65	Speaker of the House John McCormick	background info re King immorality and CPUSA connections
20.	2/24/66	John P. Cody, Archbishop of Chicago	communist connections of King outlined to lessen King's influence in Chicago
21.	5/9/66	Martin Sargent, Pastor, American Church, Paris, France	info to embarrass King who had addressed church during Paris visits
22.	10/25,26/66	John Bugas, VP, Ford Motor Co.	prevent Ford Foundation money to SCLC
23.	11/6/66	Friendly news media	info criticized King for neutral stand on black power issue - discredit King with civil rights leaders
24.	11/7/66	Friendly news media	info on King-Hoffa meeting to expose meeting and prevent teamster funds for King
25.	1/11/67	Speaker of the House McCormick	info that CPUSA member had urged King support election of Adam Powell
26.	3/8/67	Friendly news media	list of questions to be used in interview of King to cause him embarrassment
27.	8/30/67	Friendly foreign intel- ligence agency	to warn of King's CPUSA con- nections in advance of his lecture series in that countr
28.	10/18/67	Friendly news service	to discourage attendance in Houston, Texas, of an SCLC fund raising event
29.	3/28/68	Cooperative news media	King unable to control his marchers in Memphis
30.	12/11/70	Jim Bishop, Author	public source information

E. Memoranda which specifically mention discrediting or neutralizing King

By request of 10/15/75, the SSC desired all materials and memoranda concerning FBI efforts to discredit or neutralize King. A review of King and related files was conducted to identify memoranda which specifically used the terminology "discredit" or "neutralize." Results were furnished to the SSC and the Department by FBI memorandum dated 11/6/75. A summary of this memorandum is as follows.

1. In June, 1966, Bureau authority was denied for Atlanta to conduct background investigation regarding Zernona Clayton, "Office Hostess" at SCLC Headquarters, Atlanta, with view towards possible use of information developed to discredit Martin Luther King, Jr., and/or SCLC.

2. In December, 1965, Bureau received information indicating King allegedly had a numbered bank account in a Nassau bank. A bank officer in a position to have information concerning this was approached with negative results. No further attempt was made to develop information regarding a numbered account.

3. Proposal in February, 1964, that letter be written regarding King's new book which would incorporate all communist influence upon him; for example, the counsel which Stanley David Levison gave relative to the book. No indication this was accomplished.

F. The remaining instances regarding FBI efforts to discredit or neutralize King, as outlined below, were obtained through a review of a work paper prepared in 1974 by former SA C. E. Glass. These items were apparently not previously furnished the SSC or Department.

1. On 1/15/64, an SA of the Atlanta Office telephoned W. C. Sullivan and told him that Eugene Patterson, editor of the "Atlanta Constitution" newspaper, was a close personal friend of the Agent. The Agent and Patterson had theorized about men of

questionable character in public life and Patterson had said these people should be exposed. According to the Agent, no mention was made of King but the Agent thought that if the Bureau would in the future want to use Patterson and his paper as a friendly source it could do so securely. Mr. Sullivan told the Agent that this type of thing should be handled out of Headquarters and the Agent should take no action without being advised. There is no record that anything was ever done as a result of this suggestion. However, "The New York Times" of 5/21/73 quoted Eugene Patterson as recalling that an FBI Agent attempted in the Spring of 1964 to have Patterson expose King's running around with women while posing as a moral leader. According to the article, Patterson said he refused to engage in this type of activity (serial 3949 and 100-3-116-784).

2. On 9/18/64, James Hagerty of ABC was briefed regarding the communist influences on King. The ABC was planning a special TV show on King. The results of this action are not known (serial 455).

3. On 2/11/71, a State Representative from Texas who had voted against a resolution memorializing King in the Texas State Legislature wrote to the Director requesting information to justify and substantiate his position in his efforts to maintain responsible Government. On 2/22/71, he was furnished a copy of the Congressional Record of 5/16/68 containing derogatory information regarding King and a copy of an article in "The Evening Star" dated 6/19/69 concerning the initiation of a wiretap on King. This was public source material but furnishing it to this State Representative was possibly outside the normal scope of the Bureau's jurisdiction. However, no nonpublic information from our files was furnished to the State Representative nor was information regarding King's personal conduct (serial 3904).

It is noted that in addition to the above, a review of King and related files revealed that in numerous instances throughout our investigation of King, information was provided local law enforcement agencies. This action is not deemed as efforts to discredit or neutralize King, but merely as part of our responsibilities, since at that time, demonstrations resulting in violence often occurred where King appeared. In most instances, these local agencies had requested the FBI to furnish them advance information regarding King's travel plans and itinerary.

It should also be pointed out that as a highly controversial figure, King was widely loved and hated. Many letters were received at FBIHQ, both from supporters and enemies of King, asking for information to verify or disprove rumors and reports concerning him. Many furnished information containing allegations of communist influence on King. The only information furnished by the FBI in response to these inquiries was verification that Mr. Hoover did call King the most notorious liar in the country because of his gross distortion of the facts concerning our handling of civil rights investigations in the South. We refused to substantiate information about King's communist connections.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall

FROM : J. G. Deegan

SUBJECT: U. S. SENATE SELECT
COMMITTEE TO STUDY
GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE
ACTIVITIES (SSC)

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
DATE: 12/16/75

1 - Mr. D. W. Moore
1 - Mr. H. E. Helgeson
1 - Mr. W. O. Cregar
1 - Mr. J. G. Deegan
1 - Mr. T. J. Seabaugh
1 - Mr. J. D. Powell

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2AM/KP

Purpose:

To advise of disclosure of the identity of former Bureau Klan informant George F. Dorsett, allegedly by an unidentified source on the SSC in an article appearing in the 12/10/75 issue of "Greensboro Daily News," Greensboro, North Carolina, and to recommend approval of attached letter to the Attorney General pointing out this disclosure and enclosing for the Attorney General's delivery to Senator Frank Church, Chairman of the SSC enclosed LHM which requests SSC to advise if they did, in fact, publicly disclose the identity of former FBI informant George F. Dorsett as alleged and if so, the basis for such disclosure.

Synopsis:

12/10/75 issue of "Greensboro Daily News," Greensboro, North Carolina, identified George F. Dorsett as a paid FBI informant who had disrupted the United Klans of America (UKA) by forming the Confederate Knights of the Ku Klux Klan (CKKKK) in 1967. This information is attributed to "a Senate Intelligence Committee source" who reportedly furnished the information Tuesday (apparently 12/9/75). The article specifically refers to this information's having been obtained from documents turned over to the SSC by the FBI. Dorsett was an FBI Klan informant from 1/59 to 10/70 when he ceased to be active in Klan matters.

Enclosures *Sent 12-22-75*

62-116395
1 - 137-4853

CONTINUED - OVER

84 FEB 18 1976

Memorandum to Mr. W. R. Wannall
Re: U. S. Senate Select
Committee to Study
Governmental Operations
With Respect to Intelligence
Activities (SSC)
62-116395

He has not been previously identified publicly as an FBI informant. Documents were delivered to SSC from which Dorsett's identity could be deduced and the facts in the news article are contained therein. Senator Robert Morgan of North Carolina, member of the SSC, has referred to the formation of the CKKKK as an FBI operation. Dorsett was interviewed by Charlotte Agents 12/12/75 and expressed his sense of betrayal upon having his identity disclosed. Dorsett was assured his disclosure was not by the FBI which he recognizes. It is being recommended that attached letter be sent to the Attorney General pointing out this disclosure and enclosing for the Attorney General's delivery to Senator Frank Church, Chairman of the SSC enclosed LHM which requests SSC to advise if they did, in fact, publicly disclose the identity of former FBI informant George F. Dorsett as alleged and if so, the basis for such disclosure.

Recommendation:

That attached letter to the Attorney General enclosing an LHM for delivery to SSC Chairman Senator Frank Church be approved.

JAM *JSA/jan*

OK *JBA* *per.*

W. R. Wannall
12/12/75

delivered to
Chairman's office
12/12/75
JAM

Memorandum to Mr. W. R. Wannall
Re: U. S. Senate Select
Committee to Study
Governmental Operations
With Respect to Intelligence
Activities (SSC)
62-116395

Details:

By teletype 12/10/75 Charlotte Office advised that the 12/10/75 issue of the "Greensboro Daily News," Greensboro, North Carolina, contained an article by Jack Betts captioned "Greensboro Man Named as FBI Klan Informant." This article states in part:

"Washington - A Greensboro man long active in the Ku Klux Klan has been identified as an informant for the Federal Bureau of Investigation's campaign to disrupt the KKK in North Carolina during the latter 1960's.

"A Senate Intelligence Committee source said Tuesday that George F. Dorsett, former Imperial Kludd (National Chaplain) of the United Klans of America, was a paid FBI informant who, with the FBI's assistance, broke away from the Klan in 1967 to form a rival group.

"The source said Dorsett was named in FBI documents obtained by the committee as the man whom the bureau had recruited to spy on the United Klan.

"FBI documents obtained by the committee indicate that Dorsett, who was disenchanted with KKK Grand Dragon J. Robert Jones of Granite Quarry and with Imperial Wizard Robert Shelton of Tuscaloosa, Ala., was encouraged by the FBI to leave the Klan in the summer of 1967 and form the Confederate Knights of the Ku Klux Klan. The FBI helped Dorsett draft letters recruiting for the new group, according to the committee source.

Memorandum to Mr. W. R. Wannall
Re: U. S. Senate Select
Committee to Study
Governmental Operations
With Respect to Intelligence
Activities (SSC)
62-116395

"According to the documents, the FBI's plan was to harass the KKK and to dilute the influence of the United Klans and to keep closer tabs on the new group.

"Sen. Robert Morgan, D. N.C., a member of the committee said last week that charters for some 41 new Klaverns or chapters of the Confederate Klan were issued, but that not all charters resulted in active new Klan groups."

George F. Dorsett was an FBI Klan informant from January, 1959, to October, 1970. He was discontinued as an informant when his activity in the Klan ceased. His relationship with the Bureau at the time of his being terminated as an informant continued to be excellent at that time. He has not been disclosed publicly as an FBI informant. Dorsett did in fact separate from the UKA and form the CKKKK. He formed the CKKKK on his own initiative; however, we utilized this opposing Klan organization through Dorsett as a means of disrupting and causing confusion and dissension within the Klan. (137-4853)

Memorandum to Mr. W. R. Wannall
Re: U. S. Senate Select
Committee to Study
Governmental Operations
With Respect to Intelligence
Activities (SSC)
62-116395

On 8/28/75 SSC Staff Member Barbara Banoff accepted copies of 212 excised serials relating to White Hate matters of the SSC COINTELPRO requests. Among the material provided was a series of communications captioned "Counterintelligence Program, Internal Security, Disruption of Hate Groups (United Klans of America, Inc., North Carolina," dated from 5/9/67 to 9/13/67 and one communication with the same caption except that it related to the Confederate Knights of the Ku Klux Klan, and one captioned "Counterintelligence Program, Disruption of Hate Groups, Internal Security, Racial Matters (Klan)," dated 9/25/67. (157-9-8, Serials 100, 102, 107, 110, 115, 113, 114, 126, 127, 128, 151, 129)

These documents detail dissension within the UKA in North Carolina in 1967. Dorsett who was the Imperial Kludd (National Chaplain) for the UKA at that time, was directly involved in the dissension. He separated from the UKA and formed the CKKKK. The handling agent assisted Dorsett in preparing a letter announcing his resignation from the UKA and his formation of the CKKKK. This letter invited Dorsett's friends in the Klan to join him in the CKKKK. A total of 41 chapters of the CKKKK were chartered, however, all of them did not become effective operating chapters.

The documents delivered to the SSC were excised to delete Dorsett's name as an informant. Charlotte airtel dated 8/22/67 and C. D. Brennan memorandum to W. C. Sullivan dated 8/24/67 set forth the recommendation and approval for the mailing of a letter from Dorsett to all Klan units in North Carolina announcing his resignation from the UKA and the

Memorandum to Mr. W. R. Wannall
Re: U. S. Senate Select
Committee to Study
Governmental Operations
With Respect to Intelligence
Activities (SSC)
62-116395

formation of the CKKKK. Dorsett's name is deleted from these documents; however, it is clear that the informant is preparing the letter. Charlotte airtel to the Director 9/13/67 refers to the 8/22/67 Charlotte airtel and states that the referenced airtel recommended Bureau approval for letter to be mailed over the signature of Reverend George F. Dorsett under the above conditions. Dorsett's name is not deleted from this serial. (157-9-8, Serials 126, 127, 128) From the above documents Dorsett's identity can readily be established as the FBI informant.

In the December 6, 1975, issue of the "Charlotte Observer" a daily Charlotte, North Carolina, morning newspaper there is a front page article captioned "FBI Started 41 North Carolina Klan Units, Morgan Says." In this article, North Carolina Senator Robert Morgan, member of the Select Senate Intelligence Subcommittee, said Friday, the FBI organized 41 KKK units in North Carolina during the 1960's as part of its campaign against the white supremacist group. Morgan was also quoted as saying, "The vast majority of people in the Klan in North Carolina were law-abiding citizens. They may have had different political views, but the organization was legitimate. There may have been some violence, but we're not even sure about that now." Morgan is further quoted as saying, "There is nothing basically wrong with having an informer in any organization but when these informers do more than just listen, when they instigate trouble, that's wrong." Morgan also said the FBI financed the operations of the Federally-organized Klaverns.

Memorandum to Mr. W. R. Wannall
Re: U. S. Senate Select
Committee to Study
Governmental Operations
With Respect to Intelligence
Activities (SSC)
62-116395

The same information attributed to Morgan as set forth above, was also received by radio station WBT at Charlotte on December 5, 1975, and story received widespread media coverage.

By teletype 12/12/75 Charlotte advised Dorsett was interviewed by Charlotte Agents at which time he advised he feels "betrayed" by his government in view of the public disclosure in the news media of his identity as an FBI source. In view of this disclosure he has experienced great consternation among his close friends and also with his son who was previously unaware of his relationship with the Bureau. He stated difficult personal relationships have developed between friends and family as a result of this disclosure. He has received some phone calls during one of which the caller stated, "Tell that pimp to get his casket ready." He expressed his concern for his personal safety and for his family as well, as well as concern for the safety of his personal property.

Dorsett was assured that the Bureau was not responsible for his identity being disclosed and he acknowledged that he knew the Bureau would not do so. He stated that he feels what he did for the FBI was right and that it constituted a service he could render to his country.

Attached hereto is a letter to the Attorney General pointing out this disclosure and recommending that the Attorney General have delivered personally to SSC Chairman Senator Frank Church the LHM being enclosed with the letter to the Attorney General which sets forth this incident and requests the SSC to advise if they did, in fact, publicly disclose the identity of former FBI informant George F. Dorsett as alleged and if so, the basis for such disclosure.

Memorandum to Mr. W. R. Wannall
Re: U. S. Senate Select
Committee to Study
Governmental Operations
With Respect to Intelligence
Activities (SSC)
62-116395

This matter has been coordinated with Assistant
Director J. A. Mintz, Legal Counsel Division and SA William
Earl Whaley, External Affairs Division.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall *WRW*
FROM : J. G. Deegan *JGD*
SUBJECT: LESLEY E. ROGERS
FORMER EXTREMIST INFORMANT

1 - Mr. J. A. Mintz
1 - Mr. D. W. Moore, Jr.

DATE: 12/15/75

1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan
1 - Mr. T. J. Seabaugh

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SPAN/KP

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

Sen Study - 75

Purpose of this memorandum is to inform you that captioned individual, who has repeatedly complained about his activities as a former FBI informant, telephonically advised our Atlanta Office on December 9, 1975, that he was filing a brief before the "Church Committee" (U. S. Senate Select Committee on Intelligence Activities). Rogers stated that although he holds the FBI in high esteem, he still feels he was treated improperly by the Bureau, and upon request of the "Church Committee" a brief is being submitted providing details of his allegations against the FBI.

Rogers was operated as a Klan informant (former AT 1366-E) of our Atlanta Office from December, 1957, to November, 1958, and was compensated for his services and expenses. In December, 1958, he testified at a State trial concerning the bombing of a Jewish Temple in Atlanta, and provided significant evidence. During the trial Rogers was vigorously cross-examined and even accused by the defense attorneys of having participated in the bombing. Since the trial, Rogers appears to have developed a persecution complex, directing letters of complaint to our Atlanta Office and FBI Headquarters. Basically, he believes that we should publicly acknowledge that he was an undercover agent rather than an informant for the FBI. He alleged being classified as an informant, placed a stigma on him, and as a result he was held up to ridicule and persecution by the community.

Rogers' complaint has been discussed with him on numerous occasions, and our position has been clearly outlined.

TJS:kim
(6)

INITIALS ON ORIGINAL

NOT RECORDED

191 JAN 8 1976

CONTINUED - OVER

ROUTE IN ENVELOPE

INITIALS ON ORIGINAL

84 JAN 26 1976

ORIGINAL FILED IN 134-6502-63

Memorandum to Mr. J. G. Deegan
Re: Lesley E. Rogers
Former Extremist Informant

Rogers wrote to our Atlanta Office in February, 1973, requesting that the FBI publicly acknowledge him as an undercover agent. He was subsequently interviewed by Agents of the Atlanta Office and was informed his family would be made aware of his valuable service performed in the past for the FBI, but Rogers did not indicate he desired this be done. Rogers said he was not being harassed or intimidated at that time in connection with his testimony at the aforementioned State trial, and indicated he wanted a statement from the FBI concerning his activities for his own personal satisfaction.

In a letter dated March 1, 1973, Rogers requested a three man board of arbitration to consider his complaint. Inasmuch as the Bureau's position in this matter had been made quite clear to Rogers, the Atlanta Office did not acknowledge receipt of Rogers' letter, and Headquarters concurred with the action taken. We advised the Atlanta Office by airtel dated March 14, 1973, that in the event Rogers contacts them again, he should be courteously informed of our position which has been fully explained to him, and we consider the matter closed.

On the evening of December 9, 1975, Rogers telephonically contacted our Atlanta Office and advised he was filing a brief before the "Church Committee" (U. S. Senate Select Committee on Intelligence Activities). Rogers stated that while he holds the FBI in high esteem, he still feels he was treated improperly by the Bureau following his testimony at the State trial. Rogers stated he recently telephonically contacted the "Church Committee" regarding his complaint, and the Committee requested that he submit a brief providing details of his allegations against the FBI.

ACTION:

For information. You will be kept advised of further developments.

TJR

11/1/75

- 2 -

201 PM

W.R.M.
H.R.

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

SAC, Charlotte (157-230)

12/19/75

Director, FBI (157-370)

UNITED KLANS OF AMERICA, INC.,
KNIGHTS OF THE KU KLUX KLAN
(UKA), (NORTH CAROLINA REALM)
EM - KLAN

- 1 - Mr. D. W. Moore
- 1 - Mr. H. E. Helgeson
- 1 - Mr. W. O. Gregar
- 1 - Mr. J. G. Deegan
- 1 - Mr. T. J. Seabaugh
- 1 - Mr. J. D. Powell

ReCETels to Bureau 12/10/75 and 12/12/75.

Referenced teletypes advised of the disclosure in the "Greensboro Daily News," Greensboro, North Carolina, of the identity of former FBI Klan informant George F. Dorsett, based on information attributed to an unidentified source on the "Senate Intelligence Committee" (U. S. Senate Select Committee on Intelligence Activities (SSC)).

Enclosed for your information is one copy each of letter to the Attorney General captioned "U. S. Senate Select Committee on Intelligence Activities (SSC)" dated 12/19/75, and an LHM captioned "U. S. Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (SSC)" dated 12/19/75. These communications are self-explanatory and are in response to this incident.

1 - Charlotte (170-90)

Enclosures (2)

① - 62-116395
1 - 137-4853

JDP:lek (16)

NOTE:

See Memorandum J. G. Deegan to Mr. W. R. Wannall, prepared by JDP:lek, dated 12/16/75, bearing SSC caption.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/80 BY SP3ALM/KP

62-116395
DUPLICATE YELLOW NOT RECORDED
JAN 5 1976

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

December 12, 1975

The attached material, postmarked California, was sent to the Director by an anonymous source.

gms

MR. CALLAHAN _____
MR. JENKINS _____
MR. ADAMS _____
MR. ASH _____
MR. BASSETT _____
MR. CLEVELAND _____
MR. COCHRAN _____
MR. DECKER _____
MR. GALLAGHER _____
MR. HOXIE _____
MR. MC DERMOTT _____
MR. MINTZ _____
MR. MOONEY _____
MR. MOORE _____
MR. WALSH _____
MR. WANNALL _____
MR. COLEMAN _____
MR. REED _____
TELE. ROOM _____
MRS. METCALF _____

ering

Card
g

ding

ining

Penetration

Mr. Kelley:

The attached is to indicate how serious the detractors of the FBI are becoming. Can you imagine the press department of the largest community college district in the U.S. sending out such scurrilous material to all media in the Los Angeles area? You people are going to have to bite the bullet and come out fighting this evil which is permeating our society. Someone should require that Gwen Moore prove her statements before she uses her position to force the press department to send this garbage out to the press.

A very concerned citizen who would be fired for mailing you this material.

ANONYMOUS COMMUNICATION
KEEP ENVELOPE ATTACHED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

62-118375-
NOT RECORDED
141 DEC 31 1975

DEC 30 1975

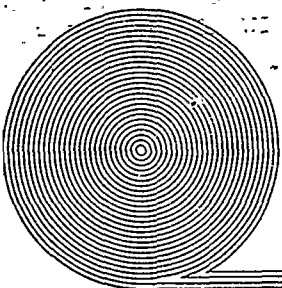
ENCLOSURE

57 JAN 6 1976

100-10660-4646

5-8

302



LOS ANGELES COMMUNITY COLLEGE DISTRICT
Office of Public Information
2140 West Olympic Blvd. Los Angeles, Ca. 90006
380-6000 Ext. 291 or 380-6014



CITY - EAST - HARBOR - MISSION - PIERCE - SOUTHWEST - TRADE-TECHNICAL - VALLEY - WEST

Contact: Martha Berkett
380-6000, Ext. 291

No. 182
Dec. 5, 1975

LACCD BOARD OF TRUSTEES RECONFIRMS

COMMITMENT TO OBSERVE DR. KING DAY

The Board of Trustees of the Los Angeles Community College District adopted a resolution on Wednesday (Dec. 3) reconfirming their commitment to observe Jan. 15, 1976, in honor of Dr. Martin Luther King and deploring the activities of the F.B.I. to discredit Dr. King.

"It has been revealed in recent hearings by the United States Intelligence Committee that the Federal Bureau of Investigation was found to have been involved in certain activities to discredit the late Dr. King," stated the resolution.

"The F.B.I. leadership who were responsible at that time showed complete disrespect for the work and personal life of a great man who contributed tremendously by his work to alleviate human suffering and racism in this country."

The resolution was presented by Trustee Gwen Moore.

Last year the Board voted to declare Jan. 15, 1976, a memorial day in honor of Dr. Martin Luther King.

#####

REPORT

OFFICE OF PUBLIC INFORMATION ■ 2140 W. Olympic Blvd. ■ Los Angeles, Ca. 90006 ■ (213) 380-6000

No. 11

December 8, 1975

ENROLLMENT IN LACCD REACHES RECORD SETTING 137,031 STUDENTS

A record-setting 137,031 students are enrolled in classes at the nine campuses of the LACCD, according to official census week figures released at the Board of Trustees meeting Wednesday (Dec. 3) by Chancellor Leslie Koltai. Representing a 9.8% increase over last fall and a 6.8% increase over spring, 1975, the percentage increase in total enrollment is the second largest yearly increase since 1956. It is exceeded only by last fall's 14.6% increase. Following is a breakdown of District-wide enrollment and growth percentages: City, 23,904 (+1.7%); East, 18,544 (+10.2%); Harbor, 11,037 (+2.8%); Mission, 2,000 (0%); Pierce, 23,798 (+12.2%); Southwest, 5,301 (+13.9%); Trade-Tech, 17,828 (-1.8%); Valley, 24,167 (+13.3%); West, 7,893 (+9%); Instructional Television, 2,559 (+117.4%).

BOARD ADOPTS MOTION CALLING FOR PURCHASE BUILDING FOR DISTRICT HEADQUARTERS

After a Committee of the Whole meeting Nov. 19 on the relocation, the Board of Trustees voted on Wednesday (Dec. 3) to adopt a motion declaring the Board's intention to purchase a building for use as District office headquarters. The motion does not negate the previous resolution adopted by the Board, whereby the staff was instructed to negotiate an extension of our present lease on the most favorable terms possible. An ad hoc committee of Trustees Gwen Moore, Ira Reiner and Ralph Richardson presented the motion.

LACCD BOARD OF TRUSTEES RECONFIRMS COMMITMENT TO OBSERVE DR. KING DAY

The Board of Trustees adopted a resolution on Wednesday (Dec. 3) reconfirming their commitment to observe Jan. 15, 1976, in honor of Dr. Martin Luther King and deploring the activities of the F.B.I. to discredit Dr. King. "It has been revealed in recent hearings by the United States Intelligence Committee that the Federal Bureau of Investigation was found to have been involved in certain activities to discredit the late Dr. King," stated the resolution. "The F.B.I. leadership who were responsible at that time showed complete disrespect for the work and personal life of a great man who contributed tremendously by his work to alleviate human suffering and racism in this country." The resolution was presented by Trustee Gwen Moore. Last year the Board voted to declare Jan. 15, 1976, a memorial day in honor of Dr. King.

APPROVED BY THE BOARD OF TRUSTEES

DEC. 3, 1975

REGULAR MEETING

Matters presented to the Board of Trustees for action were passed as published.

There will be a Committee of the Whole meeting to discuss the Mission College site selection on Dec. 17, 1975, at 10 a.m., Olympic-Lake Building, Room 304.

A. VALLEY COLLEGE FOOTBALL TEAM
CONGRATULATED ON WINNING CHAMPIONSHIP

The Board of Trustees presented a resolution on Wednesday (Dec. 3) extending congratulations to the Los Angeles Valley College football team, the staff and their loyal supporters on winning the 1975 Community College Division I Football Championship. The resolution stated that "the 1975 football season exemplified discipline, dedication and desire beyond the ordinary, demonstrated by every player and every staff member" and that "the team's success is testimony to the leadership and direction of the athletic department."

D. CROUCH REAPPOINTED TO
PERSONNEL COMMISSION

Dr. Winston W. Crouch was reappointed to the Personnel Commission for his 4th term. The Oath of Office was administered by Chancellor Leslie Koltai at the Personnel Commission meeting on Thursday (Dec. 4). Dr. Koltai paid tribute to Dr. Crouch for his "wise counsel and leadership." "We want you to know that we recognize the very difficult assignment of this Commission," said Dr. Koltai. "On behalf of the Board of Trustees and the administrative staff, we pledge our cooperation to the Commission." Dr. Crouch responded that he pledges "to continue to work cooperatively with the staff for the furtherance of our common goals."

PROFESSIONAL
OPPORTUNITIES

Dean, \$27,692-\$34,491/year, continuous filing.

Assistant Dean, \$24,808-\$30,915/year, continuous filing.

Instructor, Counselor, Librarian, Nurse, continuous filing.

JOBS AVAILABLE
OPEN EXAMINATION

Operating & Maintenance Engineer and Stationary Engineer, \$1148-\$1282/month, continuous filing, daily testing.

Kitchen worker, \$614-\$763/month, deadline for filing Dec. 19.

JOBS AVAILABLE
OPEN & PROMOTIONAL

Secretaries, Stenographers and Typists, continuous filing, daily testing.

College Safety and Police Services Officer, \$1147-\$1353/month, continuous filing, daily testing.

Data Processing Equipment Operator, \$828-\$1,031/month, deadline for filing Dec. 19.

JOBS AVAILABLE
PROMOTIONAL ONLY

Cook-Manager, \$805-\$1,002/month, deadline for filing Dec. 19.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 11/19/75

FROM : Legal Counsel *[Signature]*

SUBJECT: SENATE SELECT COMMITTEE;
DIRECTOR'S TESTIMONY
DECEMBER 9, 1975

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SPALMB

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

On the morning of November 19, 1975, we were advised by John Elliff, of the Senate Select Committee staff, that the Committee desired to have the Director appear with the Attorney General on December 8th or 9th to discuss the future of the FBI. This request was referred to Mr. Adams who subsequently advised that Mr. Kelley would be available for testimony on December 9th. He said that the Director requested a briefing concerning such testimony on December 8th.

The Attorney General is out of the city today, however, we are discussing this request with Douglas Marvin his Assistant in order to determine the acceptability of December 9th for the Attorney General's appearance with the Director. John Elliff will be advised when it can be confirmed that the date is acceptable to the Attorney General. *[Signature]*

RECOMMENDATIONS:

1. That Legal Counsel Division determine from John Elliff and others of the Senate Select Committee as precisely as possible the subject matter of the hearing and the general questions that will likely be asked by the members and provide such information for the development of briefing materials.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Jenkins
- 1 - Each Assistant Director
- 1 - Mr. Hotis
- 1 - Mr. Cregar
- 1 - Mr. Mintz

REC-41

62-116395-1232

JAM:mfd

LEGAL COUNSEL *[Signature]*

CONTINUED - OVER



56 JAN 8 1976

Memorandum to Mr. Adams
Senate Select Committee;
Director's Testimony
December 9, 1975

RECOMMENDATIONS (CONT'D):

2. That the Senstudy Group in the Intelligence Division coordinate a briefing* for the Director concerning captioned testimony which will include suggestions submitted by all other divisions as appropriate.

* 12/8/75

3. That the Director indicate any specific areas he desires to be developed in the briefing on December 8th.

*Covered in
at conf.
JMA*

PLM

WRL

JMA

*(Summary re Rec. #3 prepared and
sent to Hatis 11/20/75. JMA)*

port

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

The Attorney General

December 22, 1975

Director, FBI

1 - Mr. R. D. Hampton

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

Reference is made to SSC letter dated December 4, 1975, containing four requests for delivery of certain FBI materials.

Enclosed for your approval and forwarding to the SSC is the original of a memorandum which is responsive to two of these requests. Also enclosed for your records is a copy of this memorandum.

Enclosures (2)

62-116395

ST 115
REC-51

62-116395-1231X

JAN 22 1976

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

RDH:mjg/eks
(9)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/11/00 BY SP2AMK/PT

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 _____

6-ENCLOSURE

CONFIDENTIAL MATERIAL ATTACHED

Director Sec'y _____ MAIL ROOM ☐ TELETYPE UNIT ☐

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

December 22, 1975

62-116395

U. S. SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

Reference is made to SSC letter dated December 4, 1975, containing four requests for delivery of certain FBI materials.

This memorandum effects delivery of materials responsive to Items 1 and 3. Items 2 and 4 will be delivered as soon as they are available. Item 1 refers to certain material regarding electronic surveillances delivered to the SSC on December 1, 1975. Item 3 refers to material concerning Mrs. Anna Chennault.

1 - The Attorney General

RDH:mjg/eks *eks*
(8)

NOTE:

NY This is a partial response and when Items 2 and 4 are completed, the SSC will be appropriately advised. A copy of referenced request is attached to the file copy of this memorandum.

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2AUM/KP

ORIGINAL AND ONE COPY TO AG

CONFIDENTIAL MATERIAL ATTACHED

62-116395-12381X

ENCLOSURE

MAIL ROOM ☐

TELETYPE UNIT ☐

GPO : 1975 O - 569-920



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

December 8, 1975

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

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

SUBJECT: Senate Select Committee Request

Attached is a Senate Select Committee request seeking delivery of certain Bureau materials. Please prepare an appropriate response.

I invite your attention to paragraph numbered 4 which amends an earlier request of the Committee (Elliff letter of November 25, 1975, Item 6c) which request was the subject of a telephone conversation on December 3, with Mr. Seymour Phillips of the Bureau.

cc: Paul Daly

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP



1-Ad Hoc
12-10-75

62-116395-1231X

ENCLOSURE

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

WILLIAM J. MILLER, STAFF DIRECTOR
F. DERICK 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

December 4, 1975

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence
Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D.C. 20530

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

Dear Mike:

The Senate Select Committee requests the following materials for delivery.

1. Delivery of all materials pertaining to the circumstances surrounding the recommendation for, authorization of, and duration and termination of the electronic surveillance referred to in Items 1 and 22 of my letter of November 21, 1975 and in materials delivered to the Committee on December 1, 1975.
2. Delivery of a copy of the letter to Mr. Bill Moyers, Special Assistant to the President, dated October 27, 1964, and materials reflecting that this letter was hand delivered by Mr. Cartha DeLoach on October 28, 1964.
3. Delivery of all materials pertaining to the surveillances of Mrs. Anna Chennault in October and November, 1968.

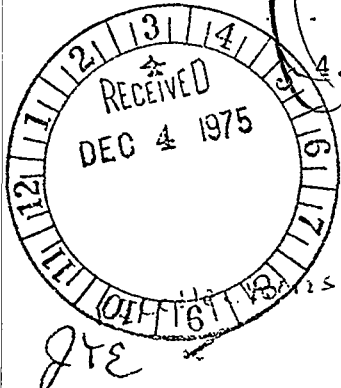
The Committee's request in my letter of November 27, 1975, item 6c should be revised to read as follows: "All memoranda and any other materials which pertain to, bear upon, or indicate any actions taken pursuant to or in connection with the recommendation contained in this memornadum, including a summary of the recommendations of relevant Bureau personnel pertaining thereto."

Sincerely,

John F. Elliott

ENCLOSURE

62-116395-12518



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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 12/22/75

U.S. SENATE SELECT COMMITTEE

Caption of Document:

12/4/75 request, items 1 and 3

Originating Office:

FBI

Delivered by:

D. J. Conlin Date: 12/30/75

Received by:

Michael Murphy

Title:

Clerk

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/1/00 BY SP2ALM/KP

ENCLOSURE

63-111375-1231X

TO: Intelligence Community Staff
ATTN: Central Index

FROM:

FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

<input checked="" type="checkbox"/>	DOCUMENT	<input type="checkbox"/>	BRIEFING	<input type="checkbox"/>	INTERVIEW	<input type="checkbox"/>	TESTIMONY	<input type="checkbox"/>	OTHER
-------------------------------------	----------	--------------------------	----------	--------------------------	-----------	--------------------------	-----------	--------------------------	-------

12/22/75

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

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

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer,
interviewee, testifier and subject)**Memorandum and enclosures**5. IN RESPONSE TO (list date and item number if in response to formal request, other-
wise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 12/4/75, items 1 and 3

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

C

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
Intelligence collection**

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

Materials pertaining to the circumstances surrounding the recom-
mendation for, authorization of, and duration and termination of
electronic surveillance utilized to determine lead of classified
information for the years 1961-63 and 1965. Materials
pertaining to surveillance of Mrs. Anna Chennault in October
and November, 1968.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/1/00 BY SP2AMK/P

62-116395

FMK:fmk

(4)

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

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.

SSC 12/4/75 request

Item 1

Item 3 which pertains to Anna Chennault also delivered
SSC had access under 8/4/75 request, item now being
delivered, no item attached herewith

RETAIN

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

62-116395-12318

ENCLOSURE

5:40

June 27, 1961

MEMORANDUM FOR MR. TOLSON
MR. BELMONT
MR. SULLIVAN
MR. DELOACH

leak of Classified Information appearing in
7-3-61 issue of

The Attorney General called to advise that there had appeared in this week's issue of Newsweek Magazine an article setting forth the contingency planning we have with Berlin and indicated this was set forth very accurately. He stated it was bad that anyone would give this information out and the President had called him to see if it would be possible to find out who put this information out. I stated this magazine was owned by the Washington Post and we would get on this right away to see what we could find out.

5:48 The Attorney General called again to ask that the Agent who would be handling the above matter get in touch with the office of Sylvester at the Pentagon. He commented that the information was probably taken from a memorandum written last week by the Joint Chiefs of Staff. He also stated that he felt that this matter should be taken before the Grand Jury as this was something that went to the heart of our whole defense policy. The Attorney General also indicated that the Agent handling this matter should get in touch with Pierre Salinger.

Very truly yours,
MCT - 5

J. E. H.

John Edgar Hoover
Director

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

EX-116

REC-6

10 JUN 29 1961

Tolson _____
Belmont _____ cc - Mr. Ingram
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Ingram _____
Gandy _____

SENT FROM D. O.
TIME 9:25 A.M.
DATE 6/28/61
BY [Signature]

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.

MAIL ROOM ☐ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : MR. W. C. SULLIVAN

DATE: June 28, 1961

FROM : MR. D. E. MOORE

SUBJECT: UNKNOWN SUBJECT
LEAK OF CLASSIFIED INFORMATION
APPEARING IN 7-3-61 "NEWS WEEK"
MAGAZINE ARTICLE CAPTIONED
"PENTAGON PLAN"
ESPIONAGE - X

cc Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Sullivan
Mr. D. E. Moore
Mr. Donahoe
Mr. Wacks (2)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2AMK/DS

Tolson ✓
Belmont ✓
Mohr ✓
Callahan ✓
Conrad ✓
DeLoach ✓
Evans ✓
Malone ✓
Rosen ✓
Sullivan ✓
Tavel ✓
Trotter ✓
Tele. Room ✓
Ingram ✓
Gandy ✓

In accordance with the telephonic arrangements made by Mr. Belmont, Liaison Agent Bernard Wells, Supervisor William Atkinson of the Washington Field Office, and I interviewed Mr. Arthur Sylvester, Assistant Secretary of Defense (Public Affairs) at the Pentagon on the evening of 6-27-61 concerning captioned matter. Mr. Sylvester advised that the Department of Defense had first learned of the leak when Fred Hoffman of the Associated Press called to inquire concerning the article. Subsequently, Pierre Salinger called, said the President was deeply disturbed and asked that this be looked into.

Mr. Sylvester was unable to furnish any information to pinpoint the leak, but stated from an analysis prepared by the Joint Chiefs of Staff (JCS) it appeared that at least portions of the News Week article had been obtained from JCS documents dated 6-21 and 6-26. Mr. Sylvester advised that he understood there was also a document dated 6-24 which might be involved. He said he was not familiar with the documents and that details concerning their contents and distribution should be obtained from JCS.

Mr. Sylvester advised he did not know who obtained the information utilized in News Week or who wrote the story for News Week but stated that Mr. Lloyd H. Norman, 5420 31st Street, N. W., Washington, D. C., (telephone EM 3-6268) is the only News Week reporter covering the Pentagon and Mr. Sylvester assumes that Norman obtained the information, or at least part of the information, and at least assisted in preparing the story. He said there is always a possibility that News Week reporters covering the White House and the Department of State might have obtained bits of information and by piecing their information together with information obtained by Norman could have come up with this story. He said he had no factual information as to who leaked the information or that Norman was actually the person who obtained the information.

DEM:td (9)

EX 105

REC-18

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.

MR. MOORE - MR. SULLIVAN
LEAK OF CLASSIFIED INFORMATION
7-3-61 "NEWS WEEK"

Subsequent to our discussion with Mr. Sylvester, General L. L. Lemnitzer, Chairman JCS, was interviewed on the evening of 6-27 and again on the morning of 6-28. General Lemnitzer was unwilling to definitely conclude that the News Week article came from recent JCS papers and stated that similar planning has occurred in previous crises, including the Berlin crisis in November, 1958, when the Soviets threatened our position in Berlin. He said, however, that there were certain points in the News Week article which appeared closely related to recent JCS documents and he would want to give further study to the article and documents before making any conclusion.

General Lemnitzer on the morning of 6-28 made available Lt. General E. G. Wheeler, Director of the Joint Staff, and Rear Admiral F. J. Blouin, Secretary, JCS. Both General Wheeler and Admiral Blouin indicated the belief that the News Week article had to have been obtained at least in part from recent JCS documents and both disclaimed any knowledge as to the possible source of the leak.

A subsequent review of various related documents indicates quite probably that the News Week article was obtained from a JCS memorandum dated 6-21-61. A brief history of this memorandum is as follows: On 6-14-61, Mr. Dean Acheson, Special Advisor to the President, met with JCS and indicated that in his view the credibility of the U. S. nuclear deterrent is no longer sufficient for restraining the Soviets as Premier Khrushchev and some U. S. allies in Europe doubt the U.S. would be willing to use nuclear weapons in the event of a crisis over Berlin. Accordingly a study was undertaken to determine what action should be taken in order to preclude the development of such a crisis, which study was to include the urgent need to re-establish the credibility of the U.S. nuclear deterrent.

On 6-21 JCS met and recommended certain immediate political decisions be made in order that actions could be initiated to convince the Soviets of the U.S. determination to maintain its own rights and those of its allies. JCS recommended in view of the urgency of the current situation and in order to preclude the development of a Berlin crisis that after the necessary political decisions have been made, certain preparatory military measures be

MR. MOORE - MR. SULLIVAN
LEAK OF CLASSIFIED INFORMATION
7-3-61 "NEWS WEEK"

implemented. JCS recommended to the Secretary of Defense by memorandum of 6-21 that the Secretary of Defense and JCS discuss this with the President at the earliest opportunity. Attached to the JCS memorandum to the Secretary of Defense on 6-21 were two appendices - a (on political matters) and b (on military requirements). This memorandum of 6-21 with the two appendices contains all of the information needed for someone to write the News Week article although certain wording is obviously changed and certain information, such as the number of U. S. dependents and the number of U.S. troops to be used as reinforcements have apparently been obtained elsewhere. From an analysis of the article and an analysis of the 6-21 memorandum, it appears to us that someone had access to the information and thereafter wrote the News Week article.

In this connection (and this was noted by General Lemnitzer) there is additional startling information in the 6-21 JCS paper which does not appear in the News Week article and this might indicate that whoever furnished the information to the News Week representative deliberately furnished only certain information. An example of startling information not included in News Week is the fact that the 6-21 paper recommended that the U.S. resume U-2 reconnaissance flights over the Sino-Soviet bloc.

INTERVIEWS CURRENTLY BEING CONDUCTED

We have completed or are completing early this afternoon interviews with JCS representatives familiar with the documents prepared and the dissemination of these documents. We will also have completed the review of the documents to determine those possibly involved in this leak. We will also have determined today the identities of recipients of the documents and be prepared to start with detailed interviews of those receiving the pertinent document of 6-21 to determine who had access to it and whether the recipients have disclosed the information to anyone or have any possible information as to the News Week story. In this connection it is known that the document was furnished to such prominent people as the Secretary of Defense, Dean Acheson, Special Advisor to the President, Admiral Arleigh Burke, and the very top military men. We plan on interviewing all of the people who received this document, but will not interview anyone at the White House or Mr. Dean Acheson until this is specifically referred to the Director for his approval.

MR. MOORE - MR. SULLIVAN

General Lemnitzer and all concerned have stressed the extremely confidential nature of the JCS papers which are classified "Top Secret". General Lemnitzer has been completely cooperative, but has indicated he does not desire to furnish any documents to be taken from JCS. In this connection I believe it is necessary for us to have copies of the actual JCS memorandum dated 6-21 for us to properly conduct this investigation and prepare a report and, therefore, I have officially requested three copies of this "Top Secret" document.

ACTION:

For information. This is being given top priority and you will be kept advised of developments.

[Handwritten signature]

ADDENDUM:

Arrangements are being made to interview Lloyd Norman of News Week at his home tonight. The Director will be advised of the results of this interview together with any contacts Norman may make right after the interview.

OK.
A.
[Handwritten initials]

✓

[Handwritten signature]

A. H. Belmont 6/28/61

UNITED STATES GOVERNMENT

Memorandum

TO : W. C. Sullivan

DATE: 6/29/61

FROM : S. B. Donahoe

SUBJECT: UNKNOWN SUBJECT: LEAK OF CLASSIFIED
 INFORMATION APPEARING IN 7/3/61
 "NEWSWEEK" MAGAZINE ARTICLE, CAPTIONED
 "PENTAGON PLAN"
 ESPIONAGE - X

Tolson ☒
 Belmont ☒
 Mohr ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
 Malone ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele. Room ☒
 Ingram ☒
 Gandy ☒

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/1/00 BY SP2AMK/P

The document prepared by The Joint Chiefs of Staff (JCS) dated 6/21/61 contains proposals to be discussed with the President which, if adopted, would result in the United States assuming a general war posture.

For use in our investigation in this case, we obtained three copies of the 6/21/61 memorandum prepared by JCS for the Secretary of Defense. We believe this is the document from which the classified data appearing in "Newsweek" was obtained. JCS requested that these copies of the document be returned when the purpose for which it was requested has been served.

The "Newsweek" article contained information included in this document relating to proposals to evacuate U. S. dependents from West Germany and France; to reinforce the American troops in West Germany; to declare a limited emergency in the U. S.; to commandeer commercial airlines to transport U. S. troops to Germany; to indicate U. S. intent to employ nuclear weapons; and to deploy other European forces into combat-ready positions. A perusal of the document as a whole indicates wide-sweeping proposals which could, if put into effect, embroil the U. S. in a world-wide war, probably nuclear in nature. If the full contents of this document were made public, it probably would cause a great deal of consternation not only in the U. S. but throughout the world.

The document is keyed to the Berlin issue but recognizes that the Berlin problem cannot be treated separately but must be joined to the full German problem, Europe as a whole, the North Atlantic Alliance, "as well as the United States system arrangements worldwide." Behind these proposals is the view that the Soviets

JFW:paf
 (6)

REC-23

17 JUL 8 1961

- 1 - Belmont
- 1 - Sullivan
- 1 - D. E. Moore
- 1 - Donahoe
- 1 - Wacks

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.

Memorandum to Mr. Sullivan

Re: UNKNOWN SUBJECT: LEAK OF CLASSIFIED
INFORMATION APPEARING IN 7/3/61
"NEWSWEEK" MAGAZINE ARTICLE, CAPTIONED
"PENTAGON PLAN"

no longer can be restrained by belief in the U. S. nuclear deterrent and that Premier Khrushchev will force a crisis on Berlin requiring important political decisions during 1961. The document recommends that, to convince the Soviets of U. S. determination to maintain its own rights and those of its allies, political and military decisions must be made.

Some of the political decisions included in the document, in addition to those which appeared in "Newsweek," which should be considered include:

- 1) Take the decision now to wage general war if other non-military and military measures fail to retain Allied access to Berlin.
- 2) Seek Allied cooperation but inform them that the U. S. is prepared to take unilateral military action of the highest intensity if necessary.
- 3) Resume U-2 reconnaissance over the Sino-Soviet bloc.
- 4) Prepare for and resume nuclear testing.
- 5) Take offensive action in Laos, South Vietnam and Cuba (to the extent of taking direct military action to overthrow Castro if punitive measures are not sufficient).

ACTION:

None. For your information. This is ~~Top~~ Secret data.

F B I

Date: 6/29/61

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Malone	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Mr. Ingram	_____
Miss Gandy	_____

TO: DIRECTOR, FBI

FROM: SAC, WFO (65-8324)

UNSUB; Leak of Classified
Information Appearing in
July 3, 1961, "Newsweek"
Magazine Article Captioned
"Pentagon Plan"
ESPIONAGE - X
(OO: WFO)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2-28-94 BY 9803 RDD/KSL
(JFIC)

Enclosed are five copies of a letterhead memorandum
dated and captioned as above, containing information from
(WF 1298-S*)

The enclosed memorandum is classified "Confidential"
due to the sensitive nature of the subject matter, the
disclosure of which could be detrimental to the best
interests of the United States.

③ Bureau (Enc. 5) 4-2
1- WFO

WJL:rps
(4)

AIRTEL

ENCLOSURE

EX 101

REC-20

17 JUL 3 1961

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.

99
Approved: _____

Sent _____ M Per _____

Special Agent in Charge



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

~~CONFIDENTIAL~~

In Reply, Please Refer to
File No.

WASHINGTON 25, D. C.

June 29, 1961

UNKNOWN SUBJECT; LEAK OF CLASSIFIED INFORMATION
APPEARING IN JULY 3, 1961, "NEWSWEEK" MAGAZINE
ARTICLE CAPTIONED "PENTAGON PLAN"

On June 29, 1961, a confidential informant, who has furnished reliable information in the past, learned that Dorothy Norman, wife of Lloyd H. Norman, Correspondent for "Newsweek" magazine, with residence at 5420 31st Street, N. W., Washington, D. C., had advised an unidentified woman that at about 6:30 p.m. that evening Federal Bureau of Investigation (FBI) Agents were at her home to talk to her husband about an article that Lloyd Norman had written and were trying to discover his source of the information.

On this same date, this informant also learned from Mrs. Norman that the FBI Agents were at her residence concerning Lloyd Norman's story on Berlin. Mrs. Norman did not know what was going to happen, but she hoped they would not start an investigation and the Normans would not have to postpone their trip.

AKA LARRY
This informant also learned on June 29, 1961, that Lloyd Norman was in contact with Larry (possibly Lawrence H. Burd, Washington Correspondent, Chicago Tribune Press Service) of the "Chicago Tribune." According to the informant, Norman advised Larry that he had just had a visit from the FBI. The informant stated that this did not surprise Larry.

The informant stated that Larry advised Norman that "we" got a call back and the "Sun Times" has written a story on this "thing." According to Larry, the magazine "Newsweek" was not mentioned by name, but was referred to as a national publication.

NATIONAL SECURITY INFORMATION

Unauthorized Disclosure

Subject to Criminal Sanctions

CLASSIFIED BY

9803 RDD/KSR
2-28-94 (JFK)

DECLASSIFIED

65-6111-4

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

UNKNOWN SUBJECT; LEAK OF CLASSIFIED INFORMATION
APPEARING IN JULY 3, 1961, "NEWSWEEK" MAGAZINE
ARTICLE CAPTIONED "PENTAGON PLAN"

According to the informant, Larry advised Norman that apparently Norman's story has "them" upset. Norman did not know what they were worried about, but guessed that they were upset about it and added that unfortunately he had nothing he could say. The informant stated that Norman continued that they (FBI) are trying to find out where he got the story, and he was trying to explain that no one gave it to him on a platter, by which he meant it did not come from one source. Norman continued that they are going to have to get educated in the techniques of the newspaper business, whereby you develop surmises and deductions, pick up a few ideas, put it together, and then you say that this is what these people must be working on. The informant also learned that Norman was to see the Agents again during the morning of June 30, 1961, and that he is trying to take a trip this week, leaving Saturday, July 1, 1961, in the early morning.

The informant stated that Larry advised Norman that Tom Ross (phonetic) (possibly Thomas B. Ross, Washington Correspondent, Chicago "Sun Times") talks about the White House being ready to press criminal prosecution. The informant stated that it was Norman's opinion that Salinger (possibly Pierre Salinger, Presidential Press Secretary) knows about that, and he (Salinger) said that there is an investigation under way, but did not say much else.

The informant learned that it is Norman's belief that they are wasting their time and that to his knowledge it was not a secret at the time, and people were writing about the Berlin crisis. Norman just happened to put the right things together, unfortunately.

The informant further learned on June 29, 1961, that Norman had contacted a Mrs. Bradley in an attempt to locate Ben (possibly Benjamin C. Bradley, Chief, Washington

END OF

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

UNKNOWN SUBJECT; LEAK OF CLASSIFIED INFORMATION
APPEARING IN JULY 3, 1961, "NEWSWEEK" MAGAZINE
ARTICLE CAPTIONED "PENTAGON PLAN"

Bureau, "Newsweek" magazine). In the absence of Ben, Norman advised Mrs. Bradlee that Ben should be told that the FBI has made their visit to Norman, and they are going to be talking to him tomorrow. The informant stated that Mrs. Bradlee asked if "he" is going to carry out this idle threat.

It was Norman's opinion that "they" are crazy, and he stated he has lost his faith in the New Frontier.

The informant learned from Mrs. Bradlee that "he" is terribly upset about it. Norman advised her that "he" should be told that Norman discussed the normal routine of working the story through the office and that there is nothing he has to or wants to conceal except the identity of the sources. Norman does not believe "they" have any reason to believe any secret material was given away.

The informant stated that Norman planned to talk to Ben during the morning of June 30, 1961, and has an appointment to see "them" (FBI) at 9 o'clock in the morning to continue their conversation.

The informant stated that Norman advised Mrs. Bradlee that he would be home for about ten minutes, as he was just changing clothes, and inquired as to the advisability of attempting to contact Ben at the office. The informant stated that Mrs. Bradlee suggested that he try this.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

UNKNOWN SUBJECT; LEAK OF CLASSIFIED
INFORMATION APPEARING IN JULY 3, 1961,
"NEWSWEEK" MAGAZINE ARTICLE CAPTIONED
"PENTAGON PLAN"

Subsequently, on June 29, 1961, the informant stated he learned Ben Bradlee discussed with Lloyd Norman the interview Norman had with FBI Agents earlier on June 29, 1961. Bradlee asked Norman what did you do, get "us" in trouble. Norman laughed and commented that the FBI would probably be questioning Bradlee also, as they had his name and they obviously knew a great deal. Norman said he told the FBI Agents Bradlee knew Bob Kennedy and President Kennedy; that whatever information he had was already available to them and "we" knew a good deal about this case already.

Informant said that in the discussion which ensued, Norman told Bradlee what the FBI had asked him. Norman said he had been asked how Norman knew that the Joint Chiefs of Staff were doing this and that. Norman stated he tried to explain the business of journalism; how reporters anticipate and assume or conclude by adding two and two together what action might be taken. Norman said he told the FBI he did not know what the Joint Chiefs of Staff were doing, since he did not sit in on their meetings. He said he made it clear to the FBI Agents "we" did not need an official confirmation to assume that the Joint Chiefs of Staff were doing certain things.

Informant advised Norman told Bradlee the FBI Agents asked him if anyone had confirmed the information in his article. Norman said he told them no, however, "Newsweek" felt it was an accurate story. Norman said he also told the FBI he understood no such "reports" (not further identified) were in existence when Norman wrote the article, which fact Norman just discovered on June 20, 1961.

According to the informant, Norman told Bradlee he agreed with the FBI that if there was a leak of information harmful to national security, efforts should be made to plug the leak. Norman said he told the FBI he did not feel the information in his article was classified information, even at this time. Further, he felt that this article was beneficial to the national security and believed there was no reason why it should not be discussed. Norman indicated to the FBI he was not a judge of security, but had a pretty good idea what was security information, since he had been in the reporting business for a long time.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

UNKNOWN SUBJECT; LEAK OF CLASSIFIED
INFORMATION APPEARING IN JULY 3, 1961,
"NEWSWEEK" MAGAZINE ARTICLE CAPTIONED
"PENTAGON PLAN"

Informant said Norman told Bradlee he advised the FBI Agents he would not cooperate with the FBI by naming or giving a list of the individuals he contacted at the Pentagon; that it was an unwritten rule about revealing sources; that it would be unfair to the persons involved and that he did not feel anyone was guilty of a violation in this matter. Norman said he did want to cooperate to any normal extent, but did not want to devote a lot of time to it.

According to the informant, Norman told Bradlee the FBI Agents had advised him he had a right to counsel and so forth, and that anything he said could be held against him. He said he had been interviewed for about one hour.

This informant advised Norman told Bradlee he had an appointment with the FBI Agents at the District Headquarters of the FBI at 9 a.m., June 30, 1961, and intended to keep this appointment. Informant said Bradlee and Norman discussed the advisability of an attorney accompanying Norman to the interview on June 30, 1961, but Norman decided against it. Bradlee told Norman he should talk an absolute minimum and confine the conversation to the esoterics of the journalistic profession. Norman indicated to Bradlee he would spend a little time with the FBI on June 30, 1961, but did not want to waste time since he had other things to do.

According to the informant, Bradlee told Norman he felt Norman had talked enough already. Bradlee also commented "they probably have you bugged" and want Norman to sign a statement or something like that. Bradlee commented later in this discussion he thought Norman could assume his telephone was "tapped." Norman stated he hoped it was, as he had nothing to conceal.

Informant advised Norman stated he felt badly about this situation because it involved a lot of innocent people and wasted time. Bradlee asked Norman if he had not been

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

UNKNOWN SUBJECT; LEAK OF CLASSIFIED
INFORMATION APPEARING IN JULY 3, 1961,
"NEWSWEEK" MAGAZINE ARTICLE CAPTIONED
"PENTAGON PLAN"

in this kind of a situation before. Norman said he had, but nothing quite so serious that the President of the United States cared about it. Norman said he did not like the President's personal interest and Bradlee indicated he did not think his interest was personal.

According to the informant, Norman told Bradlee the (Chicago) "Sun Times" was "running a wire with it." Bradlee said the "Boston Herald," the "Washington Post" and a lot of people were doing the same thing.

According to informant, Norman said he told the FBI Agents he had foreknowledge that an investigation was coming in relation to this article.

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
 Belmont _____
 Mohr _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Sullivan ☒ _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Ingram _____
 Gandy _____

TO : Mr. W. C. Sullivan

DATE: July 3, 1961

J U N E

FROM : Mr. S. B. Donahoe

SUBJECT: UNKNOWN SUBJECT; Leak of Classified Information
 Appearing in July 3, 1961, "Newsweek" Magazine
 Article Captioned "Pentagon Plan"
ESPIONAGE - X

On 6-26-61 a technical surveillance was instituted at the residence address of Lloyd Norman, correspondent for "Newsweek," who wrote the captioned article. On 7-1-61 Norman left Washington, D.C., for the west coast on a month's vacation. WFO has advised that the only person at Norman's residence is his son.

ACTION:

WFO will discontinue the technical surveillance on Norman's residence at the close of business 7-3-61.

65-66811

JFW:fag

(6)

- 1 - Belmont
- 1 - Sullivan
- 1 - J.D. Donohue
- 1 - Donahoe
- 1 - Wacks

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/1/00 BY SP2AUM/KP B

REC-12

JUL 11 1961

EX-105

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.

JUL 13 1961

ROUTE IN ENVELOPE

Mr. W. C. Sullivan

JUNE

R. D. Cotter

1 - Mr. DeLoach
1 - Mr. Wick
1 - Mr. Gale
1 - Mr. Sullivan
12-15-66

1 - Mr. Cotter
1 - Mr. Wacks

FORMER ASSISTANT DIRECTOR
COURTNEY A. EVANS' REFERENCE TO
"THE NEWSWEEK" CASE" IN HIS
MEMORANDUM DATED JULY 6, 1961

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 2-28-94 BY 9803 RDD/KSR
(JFK)

MICROPHONE AND TECHNICAL SURVEILLANCES

Memorandum 12-12-66, Mr. Gale to Mr. DeLoach (attached), referred to Bureau's investigation in captioned case and fact that a telephone tap was installed by Bureau on Washington residence of Lloyd H. Norman, a reporter for "Newsweek" magazine. The Director requested more details pertaining to this matter.

USE OF WIRETAP

Norman wrote an article in the 7-3-61 issue of "Newsweek" which disclosed "Top Secret" information and our file in that case contains a memorandum from A. H. Belmont to the Director, of 6-28-61, in which Mr. Belmont pointed out that a technical surveillance had been placed on Norman's residence as of 10:45 P.M., 6-27-61. The Director, on 6-28-61, advised the then Attorney General Robert F. Kennedy that we had put a wiretap on Norman's telephone without consulting the Attorney General. Kennedy advised that he thought it best to keep the wiretap on Norman, and when the Director told him we intended to interview Norman, Kennedy thought we might say something to him to make him institute a call. By letter, 6-29-61, to Kennedy, we confirmed the installation of the wiretap on Norman's residence. The original of this letter, which bears Kennedy's signature approving the wiretap, dated 6-30-61, is a part of our files. This technical surveillance was discontinued at 6:00 P.M. on 7-3-61. We did not obtain information from this wiretap which assisted us in determining the identity of the person responsible for leaking the classified information to Norman. We did, however, learn of Norman's knowledge of and unconcerned attitude toward FBI investigation of the leak and this information was included in a memorandum to the Attorney General without, of course, divulging the fact we obtained it from our wiretapping.

1 - 65-66811

JFW:mds
(8)

65-14511-
NOT RECORDED
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.

Memorandum to Mr. W. C. Sullivan
RE: FORMER ASSISTANT DIRECTOR
COURTNEY A. EVANS' REFERENCE TO
"THE 'NEWSWEEK' CASE" IN HIS
MEMORANDUM DATED JULY 6, 1961

MICROPHONE AND TECHNICAL SURVEILLANCES

RESUME OF INVESTIGATION

On 6-27-61, the then Attorney General Robert F. Kennedy called the Director to advise that there had appeared in the 7-3-61 issue of "Newsweek" an article pertaining to our military plans in Germany. Kennedy stated the President had called him to see if it would be possible to find out who was responsible for this leak. Investigation showed that the "Newsweek" article contained information from a "Top Secret" document prepared by the Joint Chiefs of Staff dated 6-21-61, which contained proposals to be discussed with the President, which, if adopted, would result in the United States assuming a general war posture. The disclosure of this information undoubtedly would cause a great deal of consternation not only in the United States but throughout the world.

We completed our investigation on 7-5-61 and furnished the Attorney General on 7-6-61 a 361-page memorandum incorporating results of 253 interviews, including individuals at Joint Chiefs of Staff, and the Departments of the Army, Navy, Air Force, and Defense, as well as Lloyd H. Norman, the "Newsweek" reporter who wrote the article.

Norman claimed he based his article on speculation and conjecture and he refused to name his contacts. The majority of those interviewed thought a competent, well-informed reporter familiar with military affairs could have written the article without having reviewed or received classified data. Our investigation did not pinpoint the source of the leak and, as in the usual leak case involving a reporter, we found that Norman had almost unlimited contacts in government.

ACTION:

For the Director's information.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Parsons *RP*

DATE: April 15, 1961

FROM : C. A. Evans *Cap*JUNESUBJECT: DOMINICAN LOBBYING ACTIVITIES
IN THE UNITED STATES
INTERNAL SECURITY - DOMINICAN REPUBLICALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP4UW/KP

Tolson	_____
Belmont	_____
Mohr	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Tavel	_____
Trotter	_____
W.C. Sullivan	_____
Tele. Room	_____
Ingram	_____
Gandy	_____

In talking with the Attorney General on April 15, 1961, I mentioned to him the extensive investigation which had been conducted by the Bureau in line with the Attorney General's request in connection with Dominican Lobbying Activities, particularly with relation to the intensified coverage during the time preceding the passage of the sugar quota law.

The Attorney General stated that he had had this subject in mind and had intended to mention it earlier in the week. It was his feeling that the investigation conducted by the Bureau had been most worthwhile and had been of particular value to the State Department in connection with State Department discussions with Dominican representatives. The Attorney General stated that now the law was passed he did not feel there was justification for continuing this extensive investigation. The Attorney General said he knew the technical coverage which had been instituted was time-consuming and expensive. It was pointed out to him that we still have and will continue to have regular coverage of the Dominican consulates in Washington and New York in addition to our live informant coverage in this field. The Attorney General said he thought this would be most satisfactory; that we could discontinue the additional intensive activities. He was informed that we would, of course, advise him of any pertinent information developed through our regular coverage.

CAE:bjp

(7)

Sup. O'Connell, WFO
was so advised
5pm, 4-18-61

25 APR 25 1961

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.

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. DeLoach
1 - Mr. Gale

✓
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Sandy

TO : W. C. Sullivan JUNE

DATE: December 22, 1966

FROM : W. R. Wannall *Wannall*

1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Wick
1 - Mr. Wannall
1 - Mr. Leavitt

SUBJECT: DOMINICAN LOBBYING ACTIVITIES
IN THE UNITED STATES
INTERNAL SECURITY - DOMINICAN REPUBLIC

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY *SPAIN/UP*
Wannall

This memorandum is prepared to briefly set forth details concerning our 1961 Dominican sugar lobbying investigation and the extent Congressman (Harold D. Cooley (Democrat - North Carolina)) was involved.

This investigation was initiated 2/9/61 at specific request of then Attorney General Robert F. Kennedy to develop intelligence data which would enable him to provide President Kennedy a picture of what was behind pressures exerted on behalf of Dominicans regarding sugar quota deliberations in Congress. This was in connection with pending sugar legislation. It is noted the Dominican Republic, under the rule of infamous dictator Generalissimo Trujillo at the time, was in the throes of an economic crisis and Trujillo intensely desired the passage of a sugar bill by U. S. Congress which would contain quotas favorable to the Dominican Republic. On the other hand, the Kennedy Administration desired a bill which would give the Executive Branch necessary flexibility in establishing country quotas, ostensibly for purpose of denying quotas to countries (such as Dominican Republic under Trujillo) whose foreign policy was at odds with ours.

Our intensive investigation (which at peak consisted of twelve telephone surveillances, three microphone surveillances, and physical surveillances on eleven different individuals) produced voluminous data showing extensive activities by Dominican officials and their agents to secure favorable sugar legislation. Coverage revealed Dominicans to have entree to offices of various senators and congressmen (including (Cooley)) and Agriculture Department officials. It was also determined that they had sources of information in such key spots as House Committee on Agriculture, of which (Cooley was Chairman). Investigation developed plans, strategy, and contemplated contacts of Dominicans in influencing sugar legislation.

REC 46

The sugar bill ultimately passed by Senate on 3/29/61 was substantially as requested by the Administration and contrary

105-95904
GCM/TWL:ams
(8)

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

Memorandum for Mr. Sullivan
Re: DOMINICAN LOBBYING ACTIVITIES
IN THE UNITED STATES

Verbal, To EVANS

to Trujillo's desire. Undoubtedly, data from our coverage contributed heavily to the Administration's success in this regard. On 4/15/61 the Attorney General advised that our investigation had been most worthwhile and since the law had been passed he no longer felt our continuing extensive investigation was further justified. He felt that our regular telephone coverage of the Dominican Consulates in Washington, D. C., and New York City, coupled with our live informant coverage, would suffice.

(Cooley, as Chairman) of the House Committee on Agriculture where the sugar bill originated, was the key target of Dominican lobbyists. He was the controlling voice in matters concerning sugar and has been described by the press as the real power in matters involving sugar legislation. During the critical period, we ascertained that Dominican officials or lobbyists were practically in daily contact with (Cooley, his secretary Christine Gallagher,) or other personnel on the staff of (Cooley's) committee.

One of these contacts was of special note. Our coverage of a clandestine meeting at the Hotel Madison, New York City, on 2/17/61 between Cooley and officials of the Dominican Government disclosed he advised these officials he had not been able to accomplish anything regarding the sugar problem despite a great deal of work. He informed them that he needed sound arguments from them to bolster his position.

During our over-all investigation conflicting allegations in nature of hearsay reports were received concerning alleged "payoffs" from Dominicans to (Cooley.) However, we developed no factual evidence which would indicate (Cooley) was the actual recipient of Dominican monetary payoffs. For example, on 2/14/61 a source reported that Marco de Pena, Dominican Consul General, Washington, D. C., made statements indicating (Cooley) was then receiving money from the Dominican Republic. Earlier, in January, 1961, the same source reported De Pena had indicated (Cooley) was not to receive payments with the "others" but should merely receive a gift.

On 2/13/61 we learned that Mrs. Asuncion Eckert, Administrator, Dominican Sugar Office, Washington, D. C., had reportedly received a letter from (Cooley) thanking her for "the liquor." On 1/31/61 a source reported Eckert told De Pena that (Cooley) had asked her to express his thanks for the gifts which had been given to him and commented he could not express his appreciation in a letter for reasons clearly understandable.

CONTINUED - OVER

Memorandum for Mr. Sullivan
Re: DOMINICAN LOBBYING ACTIVITIES
IN THE UNITED STATES

An article in the 4/13/61 issue of "The Reporter" magazine reported that in an interview with the writers of the article (Cooley) denied ever having received anything from the Dominicans and said he had never been to that country. Our coverage of Oscar Guaroa Ginebra, another key Dominican official, revealed that Ginebra in commenting upon this statement said that (Cooley) had been in the Dominican Republic in the past.

As a matter of additional interest, (Cooley) was defeated in the November, 1966, Congressional elections.

ACTION:

For information.

len
W.E.S.
P
A
W.E.S.

UNITED STATES GOVERNMENT

Memorandum

JUNE

TO : MR. TOLSON

DATE: 10/26/62

FROM : A. H. Belmont

cc Mr. Belmont
Mr. Sullivan
Mr. Evans

SUBJECT: JACK LEVINE

Tolson	<input checked="" type="checkbox"/>
Belmont	<input checked="" type="checkbox"/>
Mohr	<input type="checkbox"/>
Casper	<input type="checkbox"/>
Callahan	<input type="checkbox"/>
Conrad	<input type="checkbox"/>
DeLoach	<input type="checkbox"/>
Evans	<input type="checkbox"/>
Gale	<input type="checkbox"/>
Rosen	<input checked="" type="checkbox"/>
Sullivan	<input checked="" type="checkbox"/>
Tavel	<input type="checkbox"/>
Trotter	<input type="checkbox"/>
Tele. Room	<input type="checkbox"/>
Holmes	<input type="checkbox"/>
Gandy	<input type="checkbox"/>

I called ASAC Schmit in NY on the afternoon of 10/26 and advised him that, inasmuch as there appears to have been no attempt on the part of the Soviets or Gus Hall to consummate a meeting with Levine, the Bureau feels that the technical coverage of Levine should be discontinued. I instructed Schmit to discontinue the coverage at once.

Schmit advised me that this was discontinued as of 5:50 p.m.

AHB:CSH (4)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

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.

REC-9

105-115728-37

EX-115

7 NOV 14 1962

6 SEP 13 1963

55 DEC 12 1962

DEC 10 1962

PERS. REC. UNIT

FBI

Date: 9/9/63

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL _____
(Priority or Method of Mailing)

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	✓

TO: DIRECTOR, FBI

FROM: SAC, NEW YORK (62-12906)

SUBJECT: JACK LEVINE
FORMER SPECIAL AGENT

JUNE

LEVINE was married 9/8/63, and plans to leave for Phoenix, Arizona, on or about 9/10/63, following a short trip to Pennsylvania by auto.

In view of foregoing, (NY 3766-S*) discontinued 3:15 PM, 9/9/63. Additional coverage of LEVINE's activities also discontinued by NYO, 9/9/63.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALNIP

REC-12

NOT RECORDED
170 SEP 26 1963

EX-102

REC-140

67-576244393
Searched _____ Indexed _____
8 SEP 19 1963

③ - Bureau (RM)
1 - New York (62-12906) (414)

DEH:gmm
(4)

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.

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

64 OCT 2

DO NOT

UNITED STATES GOVERNMENT

Memorandum

JUNE

TO : MR. W. C. SULLIVAN

DATE: 4/16/65

FROM : W. R. Wannall

CC Belmont
DeLoach
Sullivan
J.D. Donohue
Wacks

Mohr
Liaison
Branigan
Wannall

SUBJECT: FRANK CAPELL
ESPIONAGE - X

Tolson ☒
Belmont ☒
Mohr ☒
DeLoach ☒
Casper ☒
Callahan ☒
Conrad ☒
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

Capell, editor of extremist anticommunist newsletter "The Herald of Freedom," is involved in three instances of what may be unauthorized possession of classified information. He has printed some of this data which is similar to information which originated with Bureau in his newsletter, and plans to include other classified information in a book now at the publishers. The published information pertains to derogatory data regarding certain State Department employees who were investigated by us under the loyalty program. The other information identifies a Soviet official as a KGB agent. It appears his source is at State, since that agency is the only one which has all the classified data involved. Capell has refused to furnish identity of his source whose action, plus Capell's practice of printing the data, constitutes a danger to the security of the United States.

We should try to eliminate this security threat and dry up his source. We have asked State Department to conduct administrative inquiry to see if the source is a State Department employee. The best way for us to resolve the identity of Capell's source is through a technical surveillance. Newark on 4/15/65 advised full security assured for technical surveillances (tesurs) on subject's residence and place of business. At present we have 56 investigative-type tesurs in operation with four pending. The limit is 75.

ACTION:

(1) Enclosed for approval is letter to Attorney General requesting authority to place tesurs on Capell's residence and place of business.

(2) Enclosed for approval is airtel to New York instructing that Capell be recontacted for additional identifying data pertaining to names he submitted 3/31/65, allegedly Soviet agents working in government, which he plans to publish in a book.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/11/00 BY 522AMK

JFW:AHB:csh (10)

Enclosures

sent 4-16-65

137-2528

EX-116

REC 61

6 APR 22 1965

6 APR 26 1965

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.

UNITED STATES GOVERNMENT

Memorandum

ROUTE IN ENVELOPE

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

TO : Mr. W. C. Sullivan

1 - Mr. Belmont
DATE: November 3, 1965

FROM : Mr. R. D. Cotter

JUNE

1 - Mr. Mohr
1 - Mr. DeLoach
1 - Mr. Sullivan
1 - Mr. Cotter
1 - Mr. Donohue
1 - Mr. Wacks

SUBJECT: FRANK A. CAPELL
ESPIONAGE - X

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALMKP

This memorandum recommends that we close our investigation of Capell, including discontinuance of technical surveillances on Capell and a close associate of the subject, Robert Manuel.

Subject is anticommunist extremist who publishes weekly newsletter and has written various books attacking alleged security risks in U. S. Government. He has in past published classified data, some originating with Bureau, and our investigation has been aimed at identifying his sources in the Government. With the Attorney General's approval, we instituted technical coverage of Capell's residence in Zarephath, New Jersey, on 5/11/65 and also on residence and office of Manuel, Fairfax, Virginia, attorney, on 6/25/65.

We have not developed any data since outset of investigation which would show that Capell or Manuel are currently receiving information from individuals in the Executive Branch of the Government. In fact, we now believe that it is highly unlikely that our technical coverage will develop such information in the future.

REC-16

EX 110

137-2528-303

We have received a volume of information regarding day-to-day contacts of Capell and Manuel, including identities of various sources and associates of their's in the news field, among clergymen, in the Legislative Branch, in the ranks of other right-wing extremist groups and among various local law enforcement agencies. On occasion, our coverage has provided information of some interest with regard to the efforts of Capell and his associates to smear or discredit high-ranking Government officials, such as Supreme Court Justices Goldberg and Fortas, various liberal Senators, et cetera. In addition, our coverage has occasionally provided information which has been of personal interest to the President, such as data regarding an unfavorable book being written. We have furnished information of this type to the White House and the Attorney General but have otherwise not disseminated data from our technical coverage except in a few instances where it could be paraphrased to protect the sensitive source. One such

137-2528

RDC/mea

(8)

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

CONTINUED - over

Memorandum for Mr. Sullivan
RE: FRANK A. CAPELL
137-2528

instance involved advising Chief of Police John Layton of the Metropolitan Police Department, Washington, D. C., on a confidential basis of the improper activities of two local police officers in supplying Manuel and Capell with confidential data from police morals records.

Despite the occasional information of value our technical coverage has developed, the fact remains that these sources have not and evidently will not assist in resolving our primary objective; namely, identification of any person in the Executive Branch of the Government who might be leaking classified data. As a matter of fact, our coverage of Capell and Manuel has failed to indicate that they have been receiving classified information from sources in the Executive Branch.

Under the circumstances, it is believed we can no longer justify the continuance of technical coverage on Manuel and Capell and it is felt we should discontinue our investigation. However, we feel that at this time we should on a confidential basis alert the New York State Police with regard to the activities of a lieutenant in that Department who has also been cooperating with Capell and Manuel and who has been apparently furnishing them information obtained during the course of his official duties; namely, Lieutenant William Lovelock. In this regard it is noted that the superintendent of the New York State Police is the former Special Agent in Charge Arthur Cornelius and he could be furnished the information relating to Lovelock through contact by the Special Agent in Charge of our Albany Office.

ACTION:

If approved:

1) The technical surveillances on Capell and Manuel will be discontinued.

2) Our special coverage on Capell and Manuel has developed information which possibly may be of direct interest to other Government agencies, including Central Intelligence Agency and Department of State, such as alleged immoral activities on the part of employees of these agencies. Newark will be instructed to prepare letterhead memoranda covering these incidents for dissemination to interested agencies. These, of course, will not include the high-level information previously disseminated to the White House and Attorney General.

Memorandum for Mr. Sullivan
RE: FRANK A. CAPELL
137-2528

3) Albany Office will be instructed to contact Superintendent of the New York State Police Cornelius and advise him of Lieutenant Lovelock's association with and assistance to Capell. This information, of course, will be furnished Cornelius in such a manner that our coverage will not be compromised.

*own
wcp*

*G.L.
A*

V. ERE

Jo

Per

Per

SECRET

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON, D.C. 20535

November 16, 1965

JUNE

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: FRANK A. CAPELL
ESPIONAGE - X

For your information, the technical surveillance on the residence of the subject, (no number) School House Road, Zarephath, New Jersey, was discontinued on November 10, 1965.

The technical surveillances on the residence of Robert E. Manuel, 8901 Beauchamp Drive, Alexandria, Virginia, and on Manuel's office, 105 East Holbrook Avenue, Fairfax, Virginia, were discontinued on November 10, 1965, and November 2, 1965, respectively.

Respectfully,

J. Edgar Hoover
John Edgar Hoover
Director

EC-48

137-2527-315

EX-113

6 DEC 8 1965

SECRET

GROUP 1
Excluded from automatic
downgrading and
declassification

NATIONAL SECURITY INFORMATION

Unauthorized Disclosure
Subject to Criminal Sanctions

6 DEC 13 1965

OFFICE OF
THE ATTORNEY GENERAL



12/10/75

TO: DIRECTOR, FBI
FROM: JACK FULLER

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

Here is a draft of the Attorney General's
testimony to be given before the Church
Committee tomorrow.

Do you have any comments?

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/10/00 BY SP2A MKP

REC 8

62-116395-1230

23 DEC 30 1975

EX-110

DEC 15 11 12 AM '75
LEGAL COUNSEL

ENCLOSURE

79 JAN 7 1976

The Committee has asked me to talk with you today about the future of the Federal Bureau of Investigation. I thought it might be helpful if I outline quite briefly some of the points I would like to make, some of the problems I think ought to be considered, and some of the steps we have taken.

The first point is that the statutory base for the operations of the Bureau cannot be said to be fully satisfactory. The basic statutory provision is 28 USCA 533 which provides that the Attorney General may appoint officials "(1) to detect and prosecute crimes against the United States; (2) to assist in the protection of the President; and (3) to conduct such investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General." There are other statutes, such as the Congressional Assassination, Kidnapping and Assault Act, which vest in the Bureau special responsibilities to investigate criminal violations. In addition, there are Executive orders and Presidential statements or directives which place investigatory responsibilities upon the Bureau.

A number of questions are often asked about this statutory base. It has the virtue of simplicity, but the Executive orders which deal with government employee investigations are complicated and confusing, and Presidential

ENCLOSURE

62-116375-1230

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

memoranda, or, perhaps, oral instructions from a President, may be difficult to collate. I think it is important, in any case, to separate out the kinds of questions which are asked about the Bureau's authority base. Some questions are constitutional in nature, relating to the inherent power of the President; others go to the interpretation of the statutes and the relationship between the statutes and Presidential directives; others go to the failure of the statutes to define sufficiently the areas of the Bureau's jurisdiction or to spell out sufficiently--and this is partly constitutional--the means and methods which the Bureau is permitted to use in carrying out its assigned tasks.

The second point, related to the first, is a continuing discussion of the role of the Bureau in intelligence investigations or domestic security investigations. The argument is sometimes made that the Bureau's proper role, at least in purely domestic matters, should be limited to investigations of committed crimes. The basic statute for the Bureau is broader than this, as have been Executive orders and Presidential mandates to the Bureau. The basic statute is broader, since it refers to investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General. A disparity is sometimes seen among the different roles of the Bureau in crime detection, in on-going domestic security matters, and in foreign intelligence or foreign counterintelligence matters. In

recent days a statement by the then Attorney General Harlan Fiske Stone, who established the Bureau and chose J. Edgar Hoover as its director, has been quoted as a relevant warning.

Stone warned "There is always the possibility that a secret police may become a menace to free government and free institutions, because it carries with it the possibility of abuses of power which are not always quickly apprehended or understood It is important that its activities be strictly limited to the performance of those functions for which it was created and that its agents themselves be not above the law or beyond its reach The Bureau of Investigation is not concerned with political or other opinions of individuals. It is concerned only with their conduct and then only with such conduct as is forbidden by the laws of the United States. When a police system passes beyond these limits, it is dangerous to the proper administration of justice and to human liberty, which it should be our first concern to cherish."

I should like to suggest that Stone's warning always must be considered relevant to the proper conduct of the Bureau's duties, but it does not necessarily follow that domestic security investigations are, therefore, outside the Bureau's proper functions. The detection of crime in some areas requires preparation and at least some knowledge of what is likely to be going on. What is at issue, I think,

is the proper scope, the means and methods used, the attention paid to conduct and not views, and the closeness of the relationship of the conduct and that which is forbidden by the laws of the United States.

Third, I realize that some proposals, since I was asked about this when I last appeared before this Committee, might separate out in some fashion domestic and foreign intelligence functions from the FBI or from one another within the FBI. This is, of course, an issue to be looked at. I assume it is recognized that there may be some relationship between that intelligence which is domestic and that intelligence which is involved in foreign counterintelligence work. One may lead to the other. And there may be a relationship between foreign counterintelligence and foreign intelligence. If the work were separated out into different agencies, I do not know if the decision about when an investigation should pass from one agency to another always could be made easily. Moreover, even so, information presumably would pass from one agency to the other. I know that one consideration has been that it might be decided that information collected by some permitted means in intelligence investigations under some circumstances should not be used in criminal prosecutions. But if there is an exchange of information, this must always be a consideration, whether there are separate agencies or not, and the basic question then is one

of use and not organization. The more active concern, I believe, is that there is a risk that conduct proper for one area may be improper for another, and that the combination can work a contamination. My view on this is that in any case we must decide what conduct is appropriate and is inappropriate for each of the areas, and we must take steps to make sure that conduct is lived up to. My hope is that the fact that the FBI has criminal investigative responsibilities, which must be conducted within the confines of constitutional protections strictly enforced by the courts, gives the organization an awareness of the interests of individual liberties that might be missing in an agency devoted solely to intelligence work. I know the argument can be run the other way. I believe the dangers are greater if there is separation.

Fourth, there is a question as to the proper role of the FBI in crime prevention and whether or not it should be considered authorized to take steps under some circumstances to reduce the likelihood that crimes will be committed or that serious injury to persons or property will occur. Preventive action has raised serious questions and these must be dealt with. But I suppose an initial question is whether it should be allowed at all. Yet I believe under special circumstances and with proper controls most would believe this to be a proper function.

Fifth, the problem of proper controls, supervision and accountability is all-embracing. By statute the Federal Bureau of Investigation is in the Department of Justice, and also by statute the Attorney General is the head of the Department of Justice. The history is mixed, of course, and we all have a tendency to over simplify, but it is a fair statement that there have been times in the past when the supervision by Attorneys General, granted that the Bureau must have considerable autonomy, has been sporadic, practically nonexistent, or ineffective. I hope that is not the case now. The responsibility is a heavy one. But in any event the problem of proper controls, supervision and accountability goes beyond the Director of the Bureau and the Attorney General. I have already mentioned that in my view the statutory base for the operations of the Bureau cannot be said to be fully satisfactory. I think that better controls and performance can be achieved through statutory means, executive orders, guidelines, and reporting to appropriate congressional committees.

Sixth, before I come to a resume of some of the steps which have been taken, let me say I know we all realize that in the past there have been grave abuses. I am uncomfortable with a kind of writing of history, however, which sees it only in terms of the abuses and not in terms of past and present strength. It is very difficult to be fair to the past in which many institutions of government carried a share of responsibility. But more than unfairness is involved. If we are not careful, we will turn to solutions of the moment which a better reading of history might indicate are not the best solutions. I know we must seize the moment if I may use such a phrase in this setting. I know also that this Committee realizes that a very important agency with dedicated, highly professional, greatly disciplined government servants is involved. The importance is to the security and domestic tranquility of the United States. Stone's warning was given in an act of creation. He was proud of his creation. In spite of the abuses, there is a proper place for pride. I take it our mutual work should be to nurture that pride and the conditions which justify it.

I turn now to a review of some of the steps which have been taken or are in progress. We have tried most diligently, under safeguards to protect the privacy of individuals and with an awareness of the unfairness of instant history to give a great deal of information to Congressional committees. Attorney General Saxbe, Deputy Attorney General Silberman, and Director Kelley testified about the so-called COINTELPRO. When the FBI discovered evidence of several more COINTELPRO projects after I

became Attorney General, these were revealed. One of my first acts as Attorney General, my third week in office, was to testify before a Congressional committee about possible incidents of political misuse of the FBI by the White House in the past and about the nature of FBI file-keeping systems, particularly the files kept by Director Hoover in his office suite. Director Kelley has spoken publicly and before congressional committees about incidents in the past in which FBI agents engages in break-ins to gather or photograph physical evidence in intelligence investigations. On a number of occasions, most recently in testimony before this Committee, I have described the history of the use of electronic surveillance by the FBI. We have welcomed such opportunities.

On February 26, 1975, I directed Director Kelley to report to me any requests made of the Bureau or practices within the Bureau which he deems improper or which present the appearance of impropriety. On February 28, 1975, Director Kelley ordered FBI personnel to report such requests or practices to him. In July 1975 I reaffirmed my February directive and also asked for a report of all sensitive investigative practices. Director Kelley has regularly provided information on conduct by Bureau agents and programs underway within the Bureau that could raise questions. These matters have been reviewed and discussed within the Department so that a consistent and appropriate policy can be achieved. This is a continuing process. I do not assert that we are aware of everything about the Bureau. Nor do I suggest that we ought to know everything. Appropriate

9
communication, consultation and supervision at this level have to be selective. I make this point, which I think may sound disconcerting, not in any way to minimize the responsibility of the Bureau to keep the Department informed nor to minimize the Department's duty to find out. Rather I want to be realistic about a learning and organization problem which requires realism if it is to be understood and perfected.

With respect to possible legislation, the Department has in preparation various drafts of possible bills which may be of assistance in the area of what is now warrentless electronic surveillance. Although obtaining a judicial warrant does not automatically eradicate the possibility of abuse, it is perceived to be an important safeguard of individual privacy interests, and we are exploring, as we said we would do, various possibilities and alternatives.

Finally, a committee within the Department of Justice--chaired by Mary Lawton, Deputy Assistant Attorney General in the Office of Legal Counsel and composed of representatives of my office (Jack Fuller), the Criminal and Civil Rights Division (Phil White, Walter Barnett), the Office of Policy and Planning (Alan Kornblum) and the FBI (John Hotis)--has been working for eight months reviewing FBI procedures in many areas and drafting guidelines to govern those procedures in the future. The Committee has produced draft guidelines covering White House inquiries, Congressional and Judicial staff appointment investigations, unsolicited mail, and domestic security investigations. It is currently at work on guidelines covering counterespionage investigations and will later consider the use of informants, the employee loyalty program, organized crime intelligence investigations, criminal investigations, and other aspects of FBI practice. The Committee's work has been extensive and time-consuming. It has involved not only questions of proper safeguards but also of efficiency in the proper functioning of the Bureau. It has been an effort to translate into words the complicated and important mechanisms for controlling the FBI. I hope the Committee's efforts at articulation will be of use to this Committee and others as it considers drafting legislation.

You have received copies of the latest drafts of the guidelines that have been substantially completed by the Committee. These guidelines do not yet represent Department policy. There is disagreement within the Department on some aspects of these guidelines. I have disagreed with the Committee recommendations

from time to time, and the FBI has raised substantial questions about other recommendations--particularly with respect to the treatment of unsolicited mail. Some of the proposals in the guidelines could be promulgated as departmental regulation. Congress may feel some ought to be enacted into statutory law. Other provisions would require implementation by executive order.

I would be glad to discuss these draft guidelines with you in detail in response to your questions, but a brief discussion of the guidelines on domestic security may be useful at the outset.

The guidelines begin by attempting to impose some order and definiteness to the domestic security field. To begin with, these guidelines do not deal with FBI efforts to counteract the work of foreign intelligence services operating within the United States. Standards for determining when there is foreign involvement sufficient to place a subject in the category of foreign counterintelligence investigation are now being debated within the guidelines committee. The domestic security guidelines also are not meant to cover security or background investigations of federal appointees or investigations of ordinary crimes. Under the draft guidelines domestic security investigations are only to be authorized when there is a likelihood that the activities of individuals or groups involve or will involve the use of force or violence in violation of federal law. Domestic security investigations are to be limited to activities of individuals or groups intended to accomplish one of five purposes: overthrowing the government of the United States or of a State; interfering with the activities within the United States of foreign governments

or their representatives; influencing government policies by interfering by force or violence with government functions or interstate commerce; depriving individuals of their civil rights; and creating domestic violence or rioting when such violence or rioting would necessitate as a countermeasure the use of federal armed forces. There is also a provision for limited investigation when there is a clear and immediate threat of domestic violence which is likely to result in a request by a state for federal armed assistance.

Currently there is no procedure requiring the review outside the FBI of all domestic intelligence investigations conducted by the FBI. Under the draft guidelines there would be a comprehensive program of reporting to the Attorney General or his designee of all preliminary and full domestic intelligence investigations. The Attorney General would be required under the draft guidelines to put a stop to any full investigation whose justification did not meet an established standard. The standard would be that there must be specific and articulable facts justifying the conclusion that the individual or group under investigation is engaged in the activities I have just listed.

Another feature of the draft guidelines is to place strict controls upon the use of any technique by the FBI which goes beyond the gathering of information. COINTELPRO was the name given the use of some such techniques. As I have said before, some of the activities in COINTELPRO were outrageous and the others were foolish. Nonetheless, there may be circum-

stances involving an immediate risk to human life or to extraordinarily important government functions that could only be countered by some sort of preventive action. The guidelines require that any such preventive action proposal be submitted to the Attorney General. He could authorize the preventive action only when there is probable cause to believe that the violence is imminent and when such measures are necessary to minimize the danger to life or property. The preventive action would in all cases have to be nonviolent. The Attorney General would be required to report to Congress periodically and no less often than once a year on the use of preventive action by the FBI.

I make no claim that during this rather difficult but interesting and--I must trust--promising period, that we have achieved all that might have been possible. In many ways the work has been disappointingly slow. But I do think we have made advances in nurturing and helping to improve a structure which will be supportive of the best efforts of the men and women in the Department of Justice and in the Federal Bureau of Investigation. No procedures are fail-safe against abuse. The best protection remains the quality and professionalism of the member of the Bureau and of the Department.

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

62-116395

December 16, 1975

**U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

Reference is made to the November 7, 1975,
request by the SSC for delivery of FBI materials.

Item 2 of referenced SSC letter requested the
following:

2) All materials pertaining to contacts by
FBI and Department of Justice officials and agents with
Committee members or staff members of the so-called
"Long Committee" (the Subcommittee on Administrative
Practice and Procedure of the Senate Judiciary Committee)
in regard to that Committee's investigation in 1965 into
the use of mail covers and other investigative techniques
by federal agencies.

This memorandum effects delivery of all docu-
ments responsive to the above request that could be
located for the period January 19, 1965, to January 29,
1966.

1 - The Attorney General

ORIGINAL AND ONE COPY TO THE ATTORNEY GENERAL

JWJ:emg (9)

SEE NOTE PAGE TWO

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 _____

MAIL ROOM ☒

TELETYPE UNIT ☐

ENCLOSURE

U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

NOTE:

A copy of SSC request dated 11/7/75 is attached. In order to comply with the SSC request, Bureau file 62-99828 was reviewed for the period 1/19/65 to 1/19/66 for information pertaining to the U. S. Senate Committee on the Judiciary, Subcommittee on Administrative Practice and Procedure, U. S. Senator Edward B. Long, Chairman (the Long Committee). The attached documents set out information pertaining to the contacts of FBI personnel with personnel of the Long Committee.

A review of the file and check of abstracts did not locate a copy of the Director's letter to Senator Long dated 1/20/66, which is referred to in the three attached C. D. DeLoach to Mr. Tolson memoranda dated 1/20/66, 1/20/66 and 1/21/66.

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

Dist
12-19

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 12/16/75
U.S. Senate Select Committee (SSC). (11/7/75
Caption of Document: SSC request, Item 2)

Originating Office: FBI

Delivered by: D. J. Coul

Date: 12/22/75

Received by: Ben Marshall

Title: Wm / Sec

Return this receipt to the Intelligence Division, FBI

TO: Intelligence Community Staff
ATTN: Central IndexFROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

12/16/75

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 enclosures

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 11/7/75, item 2

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

U

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

Information handling

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

All materials pertaining to contacts by FBI and Department of Justice officials and agents with Committee members of staff members of the so-called "Long Committee" (the Subcommittee on Administrative Practice and Procedure of the Senate Judiciary Committee) in regard to that Committee's investigation in 1965 into the use of mail covers and other investigative techniques by federal agencies.

62-116395

FMK:fmk

(4)

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

TREAT AS YELLOW

3791 (6-75)

CLASSIFY AS APPROPRIATE

SENATE SELECT COMMITTEE REQUEST

NOVEMBER 17, 1975

ITEM 2

TO RETAIN

62-116375-1229

BERNARD FENSTERWALD, JR., CHIEF COUNSEL

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: 8-2-65

FROM : M. A. Jones

SUBJECT: SENATOR EDWARD V. LONG (D-MISSOURI)
CHAIRMAN
SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE
AND PROCEDURE

INQUIRY CONCERNING PUBLICATION "ON TARGET"

Wick
5-B183

Tolson	
Belmont	
Mohr	
DeLoach	
Casper	
Callahan	
Conrad	
Felt	
Gale	
Rosen	
Sullivan	
Tavel	
Trotter	
Tele. Room	
Holmes	
Gandy	

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/1/00 BY SP2ALM/KP

By letter dated 7-29-65 Senator Long advised that he had received a letter stating that FBI Agent Leonard Frank called upon a person in Portland, Oregon, to ascertain whether the person subscribed to the right-wing publication "On Target." He commented that the writer of the letter was curious to know how the FBI knew of the subscription and why such subscription could cause a visit and lengthy questioning by the FBI. He stated he was equally curious and asked "Could you help us out?"

Senator Long is Chairman of the Senate Subcommittee on Administrative Practice and Procedure. He has been taking testimony in connection with mail covers, wire tapping and various snooping devices on the part of Federal agencies. He cannot be trusted and although the FBI has not become involved in these hearings our name has been mentioned quite prominently on several occasions. His letter of July 29th is an inquiry as Chairman of the Subcommittee and is not an inquiry from one of his constituents.

"On Target" is a publication of the "Minutemen," a radical right-wing group which has as its main purpose the formation of an underground organization equipped to overthrow our Government should it come under communist control. We have been actively investigating the "Minutemen" to determine whether the activities of the organization and/or its members are in violation of any Federal statutes over which the Bureau has jurisdiction, the present aims and purposes of the organization and any information concerning plans to overthrow the present Government of the United States and whether any of the individual members through their activities pose a threat to the life of the President or other public officials.

On April 16, 1964, the Postmaster at Richmond, Missouri, exhibited to Bureau Agents approximately 200 pieces of third class mail addressed to various

Enclosure

1 - Mr. DeLoach - Enclosure
1 - Mr. Callahan - Enclosure

1 - Mr. Gale - Enclosure

51 AUG 10 1965
TBC:mm (9)

6 AUG 10 1965

1 - Mr. Rosen - Enclosure

1 - Mr. Sullivan - 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.

M. A. Jones to DeLoach Memo
RE: SENATOR EDWARD V. LONG (D - MISSOURI)

individuals and organizations throughout the United States. This mail was copies of "On Target" and was mailed to several individuals, organizations and members of Congress. These mailings indicated that the organization was going underground, that the FBI was investigating them and that they would never surrender. At that time the field offices covering the residences of the individuals to whom this publication was being mailed were instructed to review their indices, conduct credit and criminal checks and contact logical informants concerning them. In the event no reason to the contrary existed, these individuals were to be interviewed. SA Leonard E. Frank, GS-13, assigned to Portland, advised that under this program he interviewed seven individuals. Bufiles indicate that SA Frank did interview certain individuals in the Portland area concerning their possible affiliation with the "Minutemen". It is apparent from the results of these interviews that SA Frank did query them, among other things, concerning their receipt of the publication, "On Target." This was in accordance with instructions given Portland and several other field offices who were instructed to interview the recipients of the publication, "On Target." It appears from the results of the interviews, however, that the interviews were not centered on the publication, "On Target," but were interviews encompassing the entire activities of the "Minutemen."

OBSERVATIONS:

We must be most circumspect in our dealings with Long. We did not interview the person in Portland principally because of his receiving "On Target," but because of his possible affiliation with the "Minutemen." However, we should not advise Long that we received these names from the Postmaster in Richmond, Missouri. It is believed that we should reply to Long merely by stating that we are actively investigating the "Minutemen" in view of their avowed purpose and during the course of this investigation have contacted numerous individuals believed connected with the organization. Long was not polite enough to furnish us either with the identity of the individual who wrote to him or the date of the alleged contact by the Bureau, so we should tactfully ignore his inquiry as to how we knew a certain individual was a subscriber to "On Target."

RECOMMENDATION:

1. That the attached letter go forward to Senator Long.

OK
But I think we should
carefully get ourselves
into a position where
we can make a
mistake and not
give such bang bang instructions to our field
POST 1/10/72
KEE/RC

JAY L. McLELLAN, ARK.
SAM J. EBY, JR., N.C.
THOMAS J. DODD, CONN.
PHILIP A. HART, MICH.
EDWARD V. LONG, MO.
EDWARD M. KENNEDY, MASS.
BIRCH BAYH, IND.
QUENTIN K. BURDICK, N. DAK.
JOSEPH D. TYDINGS, MD.
GEORGE A. SMITHENS, FLA.

EVERETT MCKINLEY
ROMAN L. HRUSKA,
HIRAM L. FONG, MAY
HUGH SCOTT, PA.
JACOB K. JAVITS, N.Y.

PHILIP A. MICH.
BIRCH BATH, I.D.
QUENTIN N. BURDICK, N. DAK.
EVERETT MCKINLEY DIRKSEN, ILL.
JACOB K. JAVITS, N.Y.

BERNARD FENSTERWALD, JR., CHIEF COUNSEL

United States Senate

COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON
ADMINISTRATIVE PRACTICE AND PROCEDURE
(PURSUANT TO S. RES. 39, 89TH CONGRESS)

July 29, 1965

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

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/11/00 BY SP2A

Dear Mr. Hoover:

Have received a letter stating that FBI Agent Leonard Frank called upon a person in Portland, Oregon, to ascertain whether the person subscribed to the right-wing publication On Target. The person in question did so subscribe to that publication, as well as many publications of all kinds. The person in question was curious to know how the FBI knew of the subscription and why such subscription should cause a visit and lengthy questioning by the FBI.

I am equally curious. Could you help us out?

Kind regards.

Sincerely,

Edward V. Long
Chairman

EVL:bfk

NOT RECORDED
191 AUG 11 1965

77 JUL 30 1965

CORRESPONDENCE

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.

your Criminal
and Criminal
SAC used Criminal
address at 5:40 pm
7/30/65 Telephone
6/28C

Draft 8-2
 Jones to Delaney
 Insurance 5-11-65

30 JUL 30 1965

EX-100 PROC. 40

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

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

TO : Mr. DeLoach

DATE: 10-4-65

FROM : M. A. Jones

SUBJECT: THOMAS WILLIAM LA VENIA
INQUIRY FROM THE SENATE SUBCOMMITTEE
ON ADMINISTRATIVE PRACTICES AND PROCEDURES

Raymond C. Cole, Jr., Chief Investigator of the Senate Subcommittee on Administrative Practices and Procedures, Senator Edward V. Long (D - Missouri), Chairman, telephonically contacted SA David W. Bowers on October 1, 1965, inquiring about the possibility of securing information from the FBI on Thomas William LaVenia. Cole explained the Subcommittee, which has been inquiring into the use of wire taps, microphone surveillances, mail covers and the like, was planning some hearings into such activities by private investigators. He said LaVenia has the reputation of being one of the most active private wire tappers in the local area. Bowers gave Cole no indication that we do or do not have information about LaVenia and no indication that any information could be furnished to the Committee.

Bufiles contain more than 75 references to LaVenia and the following has been obtained from a review of main files and summaries only.

LaVenia was born 7-23-11 in Brooklyn, New York. He holds a law degree from St. John's College in Brooklyn and has worked in the past as a lawyer in New York, for the U.S. Secret Service, on active duty with the Navy, for the Office of Price Stabilization and the Senate Subcommittee headed by the late Senator McCarthy.

A special inquiry we conducted in 1954 revealed LaVenia, while employed by the Secret Service and stationed at Hyde Park, New York, was involved in alleged improper activities involving heavy drinking and disclosing the nature of his assignment to a telephone operator he was dating. LaVenia claimed he was on a special assignment to act like "a playboy," and one of his superiors confirmed assigning LaVenia to an Administrative investigation at Hyde Park in 1943 and stated he conducted an excellent investigation and uncovered a "rotten mess" which could have been embarrassing to the Service. Other information developed during this investigation indicated LaVenia was of unsavory moral character and that he had been Vice President of the American Law Students Association in 1936. This group was cited by the House Committee on Un-American Activities in 1946 as a communist front.

1 - Mr. Belmont

1 - Mr. DeLoach

REC-23

NOT RECORDED
191 OCT 15 1965

Mr. Gale

1 - Mr. Rosen

OCT 15 1965

DWB:mm

(8)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized persons.

NW 55107 Del. to Mr. DeLoach 10/15/65 Press Room of the FBI.

CRIMINAL RESEARCH

ORIGINAL FILED IN 77-4

M. A. Jones to DeLoach Memo
RE: THOMAS WILLIAM LA VENIA

LaVenía in 1954 was denied security clearance by the Department of Defense while he was employed as an investigator on the McCarthy Subcommittee and LaVenía subsequently was asked to resign from the Subcommittee. (121-33003 and 77-47707)

LaVenía was associated to some degree with former Agent John Joseph Frank who was sentenced to prison for a violation of the Registration Act for his involvement with the Dominican Republic. LaVenía traveled to the Dominican Republic in October, 1955, with Frank but there was no indication that he was involved in illegal activities and he subsequently testified before the Federal Grand Jury investigating Frank's activities. (97-3293-128)

LaVenía allegedly was involved in 1958 in an effort to identify Government witnesses scheduled to testify against Vito Genovese, leading New York racketeer. He reportedly engaged a former FBI Agent in this effort. (92-2709-33)

In 1962-63 LaVenía was involved in the bribery investigation of C. Louis Knight of the Federal Power Commission, Paul Kayser of the El Paso Natural Gas Company and others. LaVenía, on interview, admitted being hired by Kayser to investigate Knight. He also admitted paying approximately \$12,000 to former Senator Earle C. Clements for Clement's use in locating witnesses to oppose Senate confirmation of Robert Bicks to the Antitrust Division in the Department of Justice. The Department advised in May, 1963, that prosecution in this matter was not warranted. (58-5270)

OBSERVATION:

There would appear to be no harm in our confidentially advising Senator Long of the foregoing information on LaVenía and in doing so this would afford you (Mr. DeLoach) an opportunity to talk with Senator Long and perhaps ascertain future plans of his Subcommittee.

RECOMMENDATION:

That Mr. DeLoach contact Senator Long to confidentially brief him on LaVenía and to determine future plans of Long's Subcommittee.

believe this will be of
ome assistance.

D 10/4

to this will be of some assistance -
OK.
10-11-65 - In
Sen. Long -
abuse -

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SPALING

lll
DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

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

11:54 AM CST URGENT 10-20-65 ESR

TO DIRECTOR

FROM KANSAS CITY 201616

SENATE SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURE,
SENATOR EDWARD V. LONG, DEMOCRAT-MISSOURI, CHAIRMAN.

RE KANSAS CITY PHONE CALL TODAY.

AT 9 AM TODAY, RAY C. COLE, CHIEF INVESTIGATOR, LONG COMMITTEE, PERSONALLY APPEARED AT KANSAS CITY OFFICE AND ADVISED ASAC THAT ARTHUR S. BREWSTER, ASSISTANT CHIEF SPECIAL AGENT IN CHARGE, SOUTHWESTERN BELL TELEPHONE COMPANY, KANSAS CITY, MISSOURI, AND FOUR OTHER TELEPHONE COMPANY EMPLOYEES WOULD APPEAR BEFORE COMMITTEE THIS DATE.

COLE STATED THE COMMITTEE IS STILL ATTEMPTING, IF AT ALL POSSIBLE, TO AVOID ANY TESTIMONY CONCERNING FBI OPERATIONS AND TO RESTRICT HEARING TO INTERNAL REVENUE SERVICE AND OGD OPERATIONS.

BREWSTER HAS BEEN REQUESTED TO FURNISH TO COMMITTEE, PRIOR TO TESTIFYING, A LIST OF TEN "FBI INSTALLATIONS." TELEPHONE COMPANY HAS BEEN REQUESTED BY COMMITTEE NOT TO INCLUDE INSTALLATION CONCERNING NATION OF ISLAM, AS BERNARD FINSTERWALD, JR., COMMITTEE COUNSEL, IS OF OPINION THIS INSTALLATION HAS TO DO WITH INTERNAL SECURITY OF U. S.

COLE STATED IT DOES NOT APPEAR "AT THIS TIME" THAT ANY FBI AGENTS WILL BE CALLED TO TESTIFY DEPENDING ON TESTIMONY OF TELEPHONE COMPANY EMPLOYEES.

BREWSTER TELEPHONICALLY ADVISED ASAC HE WAS IN RECEIPT OF SUBPOENA, WOULD APPEAR AND TESTIFY AS REQUESTED AS TO

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

MR. MOHR FOR THE DIRECTOR

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

DECODED COPY

☐ AIRGRAM ☐ CABLEGRAM ☐ RADIO ☒ TELETYPE

PAGE TWO FROM KANSAS CITY 201616

"WHAT HE KNOWS" AND HE INTENDS TO COOPERATE FULLY WITH
 COMMITTEE AND BE ENTIRELY TRUTHFUL.

BUREAU WILL BE KEPT FULLY ADVISED OF ALL DEVELOPMENTS.

RECEIVED: 2:06 PM RPT

CC: MR. DELOACH

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

OCT 19 1965

FBI WASH DC

TELETYPE

FBI KAN CITY

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/1/00 BY SP2ALM/KP

PLS HOLD FOR TWO MSGS

659 PM CST URGENT 10-19-65 JJ3

TO DIRECTOR AND CHICAGO

FROM KANSAS CITY (62-8353) 4P

SENATE SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURE,
SENATOR EDWARD V. LONG, DEMOCRAT - MISSOURI, CHAIRMAN.

RE KANSAS CITY PHONE CALL TODAY.

MR. RAY C. COLE, CHIEF INVESTIGATOR, LONG COMMITTEE,
PERSONALLY CONTACTED KANSAS CITY OFFICE TWO FORTYFIVE PM TODAY.
HE REQUESTED TO SEE SAC, AND WHEN INFORMED SAC WAS OUT OF TOWN,
REQUESTED TO SEE SA ADAMS, WHO WAS ALSO OUT OF CITY AT THAT TIME.
MR. COLE DEPARTED OFFICE WITHOUT CONTACTING ANY OTHER PERSONNEL.
HE WAS IMMEDIATELY RECONTACTED BY ASAC CHARLES J. HENRY AND FIELD
SUPERVISOR ROBERT E. KENT. MR. COLE INQUIRED AS TO THE AVAIL-
ABILITY FOR INTERVIEW BY HIM OF SAS GEORGE D. ADAMS AND JACOB H.
SCHMIDT. HE STATED HE HAD BEEN INFORMED THROUGH INTERVIEW WITH
TELEPHONE COMPANY PERSONNEL THAT THESE AGENTS HAD HELD LIAISON
ASSIGNMENTS WITH TELEPHONE COMPANY FROM KANSAS CITY FBI OFFICE.
MR. COLE WAS ADVISED SAS ADAMS AND SCHMIDT WERE NO LONGER ASSIGNED

KANSAS CITY. INQUIRY WAS MADE AS TO PURPOSE OF HIS REQUEST

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.

PAGE TWO KC 62-8353

FOR CONTACT WITH THEM. HE STATED HE DESIRED TO HOLD AN OFF THE RECORD, INFORMAL INTERVIEW WITH THESE AGENTS AND ATTEMPT TO DETERMINE WHO MIGHT BE ASSISTING INTERNAL REVENUE SERVICE IN PLACING WIRE TAPS AND MICROPHONES IN KANSAS CITY AREA. MR. COLE INDICATED IN HIS CONVERSATION, WITHOUT SPECIFICALLY SO STATING, THAT HE WAS NOT HAVING TOO MUCH SUCCESS IN DETERMINING THIS PARTICULAR INFORMATION. HE STATED TELEPHONE COMPANY PERSONNEL HAD INFORMED HIM THAT THEY HAD COOPERATED WITH THE FBI UNTIL APPROXIMATELY FEBRUARY SIXTYFIVE. MR. COLE STATED HE DID NOT DESIRE ANY SPECIFIC INFORMATION CONCERNING FBI OPERATIONS.

MR. COLE ALSO INQUIRED AS TO WHETHER THE FBI HAD DISSEMINATED ANY INFORMATION THEY MIGHT HAVE OBTAINED THROUGH TECHNICAL OPERATIONS TO IRS THAT MIGHT BE IN TURN UTILIZED BY IRS IN THEIR PROSECUTIONS.

MR. COLE WAS RESPECTFULLY AND POLITELY INFORMED THAT ALL INQUIRIES CONCERNING FBI OPERATIONS SHOULD BE DIRECTED TO BUREAU HEADQUARTERS IN WASHINGTON, D.C. HE WAS FIRMLY INFORMED THE FBI HAD NOT AT ANY TIME FURNISHED ANY ASSISTANCE TO IRS IN THE

END PAGE TWO

PAGE THREE KC 62-8353

INSTALLATION^{OR} OPERATION OF ANY TECHNICAL OR MICROPHONE SURVEILLANCES. MR. COLE STATED HE WAS AWARE OF THE FBI'S PRACTICE AND POLICY TO REFUSE TO MAKE SUCH INSTALLATIONS FOR ANY OTHER AGENCY AND ALSO THAT ANY SUCH OPERATIONS BY THE FBI HAD PRIOR APPROVAL OF ATTORNEY GENERAL OF UNITED STATES.

MR. COLE STATED THE LONG SUBCOMMITTEE WAS ATTEMPTING TO AVOID ANY TESTIMONY IN ANY WAY CONNECTED WITH FBI OR CIA OPERATIONS.

HE STATED THE COMMITTEE HOPES TO FINISH HEARINGS AT KANSAS CITY, MO. OCTOBER TWENTY NEXT. THE COMMITTEE HAS PLANS FOR ADDITIONAL HEARINGS IN CHICAGO, LAS VEGAS AND SAN FRANCISCO. THROUGHOUT THIS INTERVIEW MR. COLE GAVE EVERY INDICATION THAT THE PRIMARY TARGET OF INTEREST FOR THIS COMMITTEE IS INTERNAL REVENUE SERVICE.

HE MADE A NUMBER OF GENERAL STATEMENTS CRITICAL OF INTERNAL REVENUE SERVICE OPERATIONS. AT ONE POINT HE STATED ADDITIONAL HEARINGS BY THE COMMITTEE WOULD PROVIDE A "FIELD DAY" BUT DID NOT FURTHER ELABORATE ON THIS STATEMENT. COLE APPEARED CORDIAL AND FRIENDLY IN INTERVIEW AND EXPRESSED ADMIRATION FOR FBI.

BUREAU WILL BE FURNISHED A SUMMARY OF DAILY PROCEEDINGS BEFORE THIS COMMITTEE BY SEPARATE COMMUNICATION AND WILL BE KEPT CURRENTLY
END PAGE THREE

PAGE FOUR KC 62-8353

ADVISED OF ALL PERTINENT DEVELOPMENTS.

END

WA HOLD

FBI. WASH DC

cc DeLoach

*Handled well by
Sherry & Kent.
✓*

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Mohr *[Signature]*

FROM : C. D. DeLoach

DATE: December 2, 1965

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

SUBJECT: U. S. SENATE COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE
AND PROCEDURE
SENATOR EDWARD V. LONG, CHAIRMAN

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

Senator Long called from Kansas City Monday afternoon, 11/29/65. (This matter was telephonically reported to the Director that same afternoon.) The Senator stated that United States Attorney Miller in Kansas City was his appointee. He stated, therefore, he was quite shocked when Miller approximately two weeks ago gave a speech in which he severely criticized Senator Long and the activities of his subcommittee. The Senator stated that Miller on 11/27/65 held a press conference, at which time he gave reporters principally the same critical remarks as given during the above-mentioned speech. Miller, however, during the press conference also indicated that the Director was displeased over the activities of Senator Long and his subcommittee.

Senator Long told me that apparently Miller had seen the Director recently and was quoting the conversation of that particular meeting.

Senator Long told me that he rather hesitated to cooperate with the FBI if we planned to attack him, particularly in his home state. He stated he recognized our problems and he planned to specifically lay off any matters of technical installations involving espionage or internal security. At this point I interrupted him and stated that during our last telephonic conversation he had agreed that he would lay off any exposure of FBI activity with respect to organized crime or high ranking criminal operations. The Senator stated that this was correct; however, he would depend upon my approaching him on each occasion when we found out his subcommittee had wandered into the field of organized crime or criminal activity.

REC- 83

62-99828-249

I told the Senator that the Director had seen United States Attorney Miller; however, the Director clearly reflected that he, Mr. Hoover, had not personally attacked the Senator in any manner whatsoever. I told him that the Director had expressed concern over the fact that the Subcommittee had exposed

1 - Mr. Belmont 1 - Mr. Sullivan
1 - Mr. Gale 1 - Mr. Jones
1 - Mr. Rosen

CONTINUED NEXT PAGE

This document is prepared in response to your request and is not to be disseminated 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.

DeLoach to Mohr, Memo, 12/2/65
RE: LONG SUBCOMMITTEE

FBI activity in Kansas City and came close to exposing activities regarding espionage in San Francisco. The Senator stated that this was true; however, he had talked to me since then and had given me a commitment. I stated, nevertheless, the Director had a right to express concern over the activities of Fensterwald and Cole, two of the Senator's assistants.

The Senator stated he felt better after discussing the matter. He asked if the Director would issue a public statement indicating that this entire matter had been discussed with him, Senator Long, and that an agreement had been reached, that Senator Long would definitely not interfere with FBI activities in the internal security or espionage fields. I told the Senator that I didn't think that he had thought this matter out very clearly. He asked why. I then mentioned that once Mr. Hoover issued a statement to the above effect that the "Washington Post," "New York Times" and the Senator's own home state paper, "The St. Louis Post-Dispatch" would most certainly take the FBI to task for intimidating members of Congress. I stated this also would represent a very grave reflection upon the Senator himself. Senator Long stated he had not thought of this angle and he agreed. He once again indicated that he felt better after clearing this matter up and he hoped that we could get together in the near future.

ACTION:

For record purposes.

P V

JAMES O. EASTLAND, MISS., CHAIRMAN
OLIN D. JOHNSTON, S.C.
JOHN L. MCCLELLAN, ARK.
SAM J. ERVIN, JR., N.C.
THOMAS J. DODD, CONN.
PHILIP A. HART, MICH.
EDWARD V. LONG, MO.
EDWARD M. KENNEDY, MASS.
BIRCH BAYH, IND.
QUENTIN N. BURDICK, N.D.

EVERETT MCKINLEY DIRKSEN, ILL.
ROMAN L. HRUSKA, N.
KENNETH B. KEATING
HIRAM L. FONG, HAW.
HUGH SCOTT, PA.

PHILIP
BIRCH
QUENTIN

SUBCOMMITTEE:
EDWARD V. LONG, MO., CHAIRMAN
ST. MICH.
EVERETT MCKINLEY DIRKSEN, ILL.
ID.
BURDICK, N.D.
BERNARD FENSTERWALD, JR., CHIEF COUNSEL

United States Senate

COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON
ADMINISTRATIVE PRACTICE AND PROCEDURE
(PURSUANT TO S. RES. 55, 85TH CONGRESS)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

Dec 20, 1965

Dear Mr. DeLoach,

I hope that you will excuse this hand-written note. My secretary is away for a few days & things are piling up.

I shall impose on your kind offer of help to Sen. Long by asking that you have one of your experts examine the enclosed ^{x-ray} enlarged photos of a miniature listening device with the hope that he might be able to identify the manufacturer. The actual device is built into an A-44 telephone terminal block. It is enclosed in both metal & plastic & measures $\frac{3}{4} \times \frac{1}{2} \times \frac{1}{4}$ inch. Any information on its origin would be most helpful.

With thanks & every best wish for

a happy holiday season,

Sincerely,

Bud Fensterwald

57 JAN 13 1966

JAN 3 1966

3 DEC 30 1965

SEVEN

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.

EXCLUDED COPY FILED IN 62-12114

UNITED STATES GOVERNMENT

Memorandum

Tolson ☒
DeLoach ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

TO : Mr. Tolson *Kyle*

DATE: December 23, 1965

FROM : C. D. DeLoach

SUBJECT: SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURE

Wick

With the approval of the Director, I called Bernard Fensterwald, Chief Counsel, Subcommittee on Administrative Practice and Procedure, late in the afternoon of 12/22/65. He was not in. When he failed to return my call by 12/23/65, I called him at 10:30 a. m.

Fensterwald was advised that we were in receipt of his letter dated December 20, 1965, attaching enlarged X-ray photographs of an alleged miniature listening device. I told Fensterwald that, pursuant to his request, the FBI Laboratory had examined the X-ray photographs and had indicated that this examination revealed nothing which would indicate the manufacturer of the device in question.

Fensterwald indicated appreciation and stated that he felt the X rays did not reveal sufficient clarity in order to identify a source. He stated in the near future it might be possible to find an A-44 telephone terminal block which could be taken apart and the listening device removed. He pointed out that no efforts would be made to do this until after the first of the year. I made no comment in this regard.

REC-13 62-5528-1

ACTION:

I told Fensterwald that his X-ray photographs would be returned. This is being done. For record purposes.

- 1 - Mr. Rosen
- 1 - Mr. Gale
- 1 - Mr. Wick
- 1 - Mr. Sullivan
- 1 - Mr. Conrad

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2AUM/K

CDD:amr
(7)

*photographs returned
Fensterwald 12-27-65
DWB/af*

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

JAN 2 1966
SEVEN

UNCLASSIFIED COPY FILED IN 62-12114

ROUGH DRAFT

Reference is made to your note of December 20, 1965, transmitting certain X-ray photographs with a request as to whether the manufacturer of the object depicted therein can be identified from these photographs.

In accordance with your request, I have had these photographs examined, and I am advised that they reveal nothing which would indicate the manufacturer of the device in question. The material furnished by you is being returned herewith.

1. General
 2. Particular
 3. Conclusion
 4. Summary
 5. Remarks
 6. Signature
 7. Date
 8. Place
 9. Page
 10. Total

(2)

UNITED STATES GOVERNMENT

Memorandum

TO : MR. TOLSON

DATE: January 10, 1966

FROM : C. D. DeLoach

SUBJECT: SENATOR EDWARD LONG
(D. - MISSOURI)
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/80 BY SP2ALM/KP

With the Director's approval, Mr. Gale and I saw Senator Edward Long (D-Missouri) at 2:00 p.m. today in his office. Conference lasted for one hour and a half.

To lay the groundwork, I told the Senator that we approached him with "clean hands" and wanted to be completely honest and aboveboard. I stated that apparently he was concerned about FBI activities in Las Vegas and that we were prepared to use Las Vegas as a perfect example of justification of FBI activities. In general terms, I outlined to the Senator the skimming operation in Las Vegas and told him that these funds, delivered by couriers to various points around the United States, had been used for such reprehensible activities as prostitution, narcotics, financing of hoodlum interest in legitimate businesses and many other enterprises to the detriment of mankind and the internal security of the country.

The Senator expressed confusion in the differences between wire taps and leased line microphones or stationary microphones. The differences were clearly explained to him. He was told that the FBI had no wire tap coverages whatsoever of criminal activities. He was told that we did have at least ten leased line microphones in Las Vegas and that we were in his office for the specific purpose of justifying our activities in that regard.

REC-6 62-99828-231

At this point we told the Senator that apparently the real basis of his invasion of privacy hearings turned on the fact of whether installation of wire taps and microphones was controlled or uncontrolled. I told him that the FBI had never participated in usage of electronic devices, wire taps, microphones or otherwise, in an uncontrolled manner. I stated this was true of Bobby Kennedy's term in office as well as Attorney General Katzenbach's term. The Senator interrupted to state that Katzenbach had implied to him that Kennedy had not known of FBI usage of leased line microphones. I told him that this was absolutely false and Mr. Gale and I were prepared to prove the falsity of this claim. At this point we showed Senator Long the August 17, 1961, memorandum which former Attorney General Kennedy signed.

Enclosure

1 - Mr. DeLoach

1 - Mr. Rosen

1 - Mr. Wick

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 persons without the express approval of the FBI.

1 - Mr. Stanley

DeLoach to Tolson memorandum
Re: Senator Edward Long

We also read to Senator Long certain excerpts from the Director's letter to the Attorney General dated January 5, 1966 (copy attached) in which the Director pointed out numerous instances which proved that both Kennedy and Katzenbach had sanctioned and approved of FBI usage of wire taps and microphones. Senator Long stated there was no doubt in his mind but what the FBI had complete approval for such activities. He stated he was glad to learn this information inasmuch as he dislikes Bobby Kennedy very much. He added that he has no love for Katzenbach because he feels that the entire Department of Justice is still a Kennedy haven.

Senator Long stated that he personally felt that former Attorney General Kennedy was behind the uncontrolled sprees of wire tapping committed by Internal Revenue. He stated that Kennedy obviously used Internal Revenue for political reasons and that actually some of his friends had been hurt. I interrupted the Senator to state that Kennedy nor Katzenbach had ever had the guts to order the Director to do any political wire tapping and that the Director would have resigned his job rather than go along with nefarious tactics. The Senator stated he regarded the Director as an honorable man and had high respect for the Director.

At this point, I turned to Mr. Gale and asked him to show, in rough draft chart form and in pictures, some of the activities of the Cosa Nostra hoodlums on whom we had leased line microphones in Las Vegas. We, of course, at this point were attempting to shock Senator Long both as to the vast amounts of knowledge gathered as a result of microphone coverage and of the importance of gaining intelligence of such coverage.

The amount of money in skimmed funds which made its way into La Cosa Nostra coffers from Las Vegas was outlined in considerable detail to the Senator, including ostensible ownership of record by straw men in Las Vegas, and in a detailed outline of the real owners, i. e., such Cosa Nostra figures and key associates as Vito Genovese, Meyer Lansky, etc. The Senator appeared to be genuinely surprised as to the extent of Cosa Nostra influence and domination in the Las Vegas casinos as well as to the amount of take which was being skimmed off and distributed to key La Cosa Nostra leaders throughout the country.

Pictures of some of the bombings and killings ordered by Cosa Nostra, such as the CAVBOMB case out of Youngstown wherein an 11-year-old boy was killed and another son of Charles Cavalaro was crippled, were shown to the Senator. He was obviously shocked at the savagery of these Cosa Nostra activities.

It was explained to him in detail the kangaroo court tactics utilized by Cosa Nostra in sentencing their victims to death. The lack of judicial safeguards and the fact that a trial of this type takes only several minutes and mere suspicion

DeLoach to Tolson memorandum
Re: Senator Edward Long

instead of evidence is sufficient to convict the victim was set forth for the Senator's information. It was pointed out to him that compared to the extralegal activities of the Cosa Nostra bosses, the "invasion of their privacy" by microphone coverage was indeed dwarfed by their vicious activities. The number and magnitude of gangland killings throughout the country was pointed out to the Senator including the fact that over a thousand of these gangland killings had taken place in Chicago during the past 25 years with only two being solved.

At this point Senator Long stated he could recognize why the FBI had to "fight fire with fire." It was pointed out to Senator Long that as a result of our microphone coverage we had been able to alert potential victims and forestall a considerable number of gangland slayings which had been planned by Cosa Nostra. He quickly added that he had been afraid however that the FBI had used microphones on "peanut gamblers and hoodlums." He mentioned that hearings in Kansas City had convinced him that the FBI was using electronic devices on people not worthy of such attention. I told him that we were glad that he had brought up that point. I stated we were prepared to meet the challenge and wanted to outline to him some of the activities in his own home state. We then used the case of Salvatore Palma. I told him that the FBI had had a leased line microphone on Palma and that he was one of the so-called "peanut hoodlums" to which the Senator had recently referred to in a press release. I told the Senator that unfortunately this "peanut hoodlum" who had committed armed robbery, burglary, and assault and who constantly associated with Cosa Nostra chieftains, had been found murdered just outside Kansas City last week. I mentioned that the leased line microphone we had once had on this individual would probably have told us who murdered this man and why; however, of course we had taken off these microphones once the Senator started squawking about them. Senator Long appeared to be a little shocked at these revelations and he became even more shocked as we gave him a number of other examples in the Kansas City and St. Louis localities.

We also ~~briefed~~ briefed the Senator with respect to certain Cosa Nostra activities in Chicago and New York. In fact, he was briefed to the extent that he eventually halted the conversation by stating, "You've firmly convinced me." He went on to state that he did not want to hurt the FBI in any manner and he felt that what we had been doing was entirely justifiable. He stated he could see no objections to FBI usage of leased line microphones as long as they were restricted to coverage of Cosa Nostra members or top hoodlums and racketeers. I told him that Mr. Hoover would not consider such coverage on unimportant individuals. He was further told that our Agents, unlike those of other agencies, were never allowed to independently operate in installing such devices and the Director would fire a man forthwith if he even pondered ~~on~~ such activity.

Senator Long spoke lengthily about his great difficulty with Internal Revenue and how this agency, unlike the FBI, had attempted to lie to him. He stated in all fairness that Secretary Dillon and Commissioner Cohen probably did not know what

Continued on next page

DeLoach to Tolson memorandum
Re: Senator Edward Long

was going on in their own organization. He stated that if Internal Revenue had approached him with the same honesty and frankness that the FBI had, there would have been no difficulty.

Senator Long reiterated that he could see no objection to the FBI using leased line microphones in coverage of Cosa Nostra or hoodlum activities provided these were considered to be topflight cases. We again impressed upon him the fact that no installations were allowed unless they were fully justified and approved by the Department. We told him of course that we had no microphones on at this particular time. He expressed surprise and stated that he had not meant to hurt us with his hearings. We told him that the hearings had been harmful in this regard and we had lost considerable intelligence as a result.

The Senator spoke briefly of espionage and internal security cases and stated that there had never been any question whatsoever about the FBI handling such activities. I told him that the various Presidents, including Mr. Johnson, and the Attorneys General down through the years had approved such usage.

We told the Senator that his Committee should possibly look into uncontrolled usage of electronic devices in other fields. I handed to him a brief rough draft statement of approximately four or five instances in which "private eyes," such as characters like Bernard Spindel, had involved themselves in usage of electronic devices. This of course is all public source information which is widely known. The Senator immediately grabbed for the memorandum however and stated he was very appreciative. We told him that we possibly could be of assistance from time to time in furnishing him further information in this regard on a completely off-the-record basis.

Senator Long stated he had another problem wherein we might be able to be of assistance. He stated he knew that the FBI was quite close to Dick Amberg, Editor of the St. Louis "Globe-Democrat." He stated that the other Newhouse newspapers were very friendly to him, however, Amberg had cut him to pieces on occasions. I told the Senator that very much off-the-record, if the opportunity presented itself, we might try to put in a good word for him with Amberg, particularly as to how the Senator had been of assistance in connection with not attempting to harm the FBI in his hearings. The Senator stated he thought this was a great idea and he would deeply appreciate it.

Senator Long asked if we could meet with him later on this week at which time he would have his Chief Counsel, Bernard Fensterwald, also present. He stipulated it would be an off-the-record meeting. He further stated that the FBI possibly had the opinion that Fensterwald was anti-FBI. He stated this was not true,

↓ ↓ ↓ ↓
Continued on next page.....

DeLoach to Tolson memorandum
Re: Senator Edward Long

that Fensterwald respected the FBI but actually disliked Internal Revenue because of a personality clash with Commissioner Cohen. We told the Senator that the Director had instructed us to meet with him at any time and that we had no objections to Fensterwald being present as long as the meeting was strictly off-the-record. He mentioned that he would deeply appreciate Fensterwald receiving the same type of briefing that we had given him.

The Senator stated that the next most important thing to discuss was a procedure by which he could "get off the hook." He stated that unfortunately a number of people were bringing pressure on him to look into the FBI's activities in connection with usage of electronic devices. He stated he had to make some statement or take some action which would relieve this pressure. I told him that perhaps he might desire to issue a statement reflecting that he had held lengthy conferences with top FBI officials and was now completely satisfied, after looking into FBI operations, that the FBI had never participated in uncontrolled usage of wire taps or microphones and that FBI usage of such devices had been completely justified in all instances. The Senator immediately seized upon this idea and stated he completely agreed. He stated that he frankly did not know how to word such a release but would struggle with it. I told him that we would be glad to prepare the release for him on a strictly confidential basis. He stated he appreciated this offer and would gladly accept it. He asked that we have the release ready by the time we met later on this week. This of course will be done immediately.

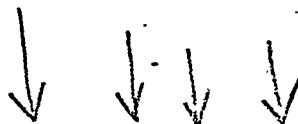
OBSERVATION:

We have not completely resolved this issue yet. There is still the handling of Fensterwald who can be tricky. Both Mr. Gale and I feel that Senator Long is now thoroughly convinced of the complete justification of FBI activities. While we are hopeful of convincing Fensterwald or at least using Senator Long, his boss, to convince Fensterwald, there can be no assurance of this until we have had our meeting later on this week. There is no doubt but what we have won over Senator Long. He thoroughly understands the justification for our activities and feels that we should continue the usage of leased line microphones in either security or criminal work. His statement: "I agree that you must fight fire with fire" was used many times by him throughout the hour and a half conference.

ACTION:

(1) That the Director approve our meeting with Senator Long and Fensterwald on a completely off-the-record basis later on this week.

OK.
H



Continued on next page.....

DeLoach to Tolson memorandum
Re: Senator Edward Long

(2) The Special Investigative Division, in correlation with the Crime Records Division, will immediately prepare a suggested press release which Senator Long can issue and which will thoroughly absolve the FBI of any wrongdoing whatsoever in the usage of wire taps and microphones. This release will thoroughly reflect the justification for FBI usage of such devices.

BYC.

H

JHR

~~2~~

V.

The Attorney General

January 5, 1968

Director, FBI

FBI USE OF MICROPHONE COVERAGE
AGAINST THE LEADERSHIP OF
ORGANIZED CRIME

1 - Mr. Tolson
1 - Mr. DeLoach
1 - Mr. Mohr
1 - Mr. Conrad
1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Wick
1 - Mr. Gale
1 - Mr. McAndrews
1 - Mr. Emery

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

As you are aware, recent statements in the press indicate that former Attorney General Robert F. Kennedy and other officials of the Department were not aware of the use of microphones by the FBI and other Federal agencies in investigations involving organized crime. I believe that you will be interested in the following facts which pertain directly to this matter.

As you will recall, in early 1961, the combined forces of several Federal investigative agencies were being marshalled for an intensified drive against organized crime. As planned at that time by Mr. Robert F. Kennedy, who, as Attorney General, was the Nation's top law enforcement officer, this concerted effort would be coordinated by the Organized Crime and Racketeering Section of the Department, and the FBI would have a major responsibility in this program.

On February 16, 1961, a representative of this Bureau attended a luncheon conference at the Treasury Department with Attorney General Kennedy, Secretary of the Treasury Douglas Dillon, Commissioner of the Internal Revenue Service Mortimer M. Caplin and other officials. At this conference, Mr. Kennedy outlined generally the program which he had in mind for making inroads into this country's organized underworld element. As part of the proceedings, Mr. Caplin furnished, for the perusal of Mr. Kennedy and this Bureau's representative, copies of instructions he had issued to investigative personnel of the Internal Revenue Service regarding that agency's responsibilities in the drive against organized crime. These instructions captioned "Special Racketeer Investigations," which were enclosed in a letter from Mr. Caplin

TJR:tjm
(14)

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.

ENCLOSURE

62-99828-291

The Attorney General

to Mr. Kennedy, which Mr. Caplin personally delivered to Mr. Kennedy that day, included reference to planned use of electronic aids in the conduct of Internal Revenue Service investigations of leading racketeers. On page 2 of these instructions, Mr. Caplin stated "In conducting such investigations, full use will be made of available electronic equipment and other technical aids, as well as such investigative techniques as surveillances, undercover work, etc."

Mr. Courtney A. Evans, former Assistant Director, FBI, who was this Bureau's primary liaison with Mr. Kennedy during his tenure as Attorney General, has advised that Mr. Kennedy, Mr. William Hundley, Chief of the Organized Crime and Racketeering Section of the Department, and certain other personnel of that section, were fully aware of our use of microphones in this field.

Our files reflect a memorandum dated July 6, 1961, prepared by former Assistant Director Courtney A. Evans with respect to a conference held on that date between the then Attorney General Kennedy and the Organized Crime and Racketeering Section of the Department. According to Mr. Evans' memorandum, Mr. Kennedy raised the possibility of utilizing "electronic devices" similar to those being utilized in espionage cases in organized crime investigations. Mr. Evans advised that this question was directed to him personally and since there were many attorneys present, Mr. Evans merely stated this had been afforded full consideration but there were many problems in this regard. Mr. Evans then pointed out that the then Attorney General Kennedy was aware of the fact that we had used technical equipment because of the nature of information that had been supplied to him, particularly in connection with the activities of leading hoodlums in Chicago. Mr. Evans stated there was a serious question as to whether Mr. Kennedy had any comprehension as to the difference between a telephone wire tap and a microphone surveillance and that he, Evans, felt the then Attorney General should be made aware of the strong objections to the utilization of any telephone taps and the limitations of microphone surveillances. Mr. Evans recommended that he discuss this matter with Mr. Kennedy personally so that we could forestall any precipitous action by the Department in regard to the use of electronic devices.

The Attorney General

Subsequently, Mr. Evans prepared a memorandum dated July 7, 1961, which reflected that on this date he had again discussed this matter with Mr. Kennedy and it was pointed out to Mr. Kennedy that we had taken action with regard to the use of microphone surveillances in certain cases and while they represented an expensive investigative step, we would, nevertheless, use them in all instances where this was technically feasible and where valuable information might be expected. The strong objections to the utilization of telephone taps as contrasted to microphone surveillances were stressed to Mr. Kennedy by Mr. Evans. Mr. Kennedy stated he recognized the reasons why telephone taps should be restricted to national defense cases and, according to Mr. Evans, Mr. Kennedy was "pleased" that the FBI was making use of microphone surveillances wherever possible in organized crime matters.

As recently brought to your attention, Mr. Evans personally delivered a memorandum dated August 17, 1961, to Mr. Kennedy, which memorandum set forth the FBI's proposed use of leased telephone lines to transmit microphone surveillances. After his review, Mr. Kennedy affixed his signature of approval to this memorandum. On this occasion, the FBI's use of this sensitive technique, which involves utilizing telephone facilities, was fully described to Mr. Kennedy, who raised no objection and, as mentioned above, personally signed his approval to the memorandum.

On the occasion of Mr. Kennedy's visit to our Chicago Office with Mr. Hudley during March, 1963, for a briefing on organized crime, as part of this briefing, Mr. Kennedy and Mr. Hudley listened to a recording from a microphone surveillance being operated by that office at a location where Chicago racket figures regularly gathered. At the conclusion of this briefing, Mr. Kennedy was very complimentary of the coverage our Chicago Office was affording racketeering activities in that area.

During a visit to our New York City Office in November, 1963, for a briefing on organized crime, Mr. Kennedy, in the presence of Mr. Edwin Guthman and officials of our office, listened to a leased line microphone recording in which two La Cosa Nostra leaders discussed a gangland murder. To assist Mr. Kennedy in monitoring this conversation, he was provided with a verbatim transcript of the recorded discussion.

The Attorney General

It is noted that voluminous and detailed information from our microphone sources covering the flow of huge sums being systematically stolen from Las Vegas gambling casinos and distributed to the leaders of organized crime in eastern cities, was furnished to the Department, both by memorandum and in report form, during 1961, 1962 and 1963.

It is also noted that Mr. Rumlley of the Organized Crime and Racketeering Section advised that he was aware of the fact that the FBI was utilizing microphones in Las Vegas in connection with our investigation of the illegal diversion of funds from various gambling casinos in that city to top racket figures in other parts of the country. According to Rumlley, this was also known to former Assistant Attorney General Herbert J. Miller, Jr.

Mr. Evans has assured that in his opinion, based on his continued personal dealings with Mr. Kennedy and other key Departmental officials regarding organized crime, Department representatives could not help but know that this data came from leased line microphones, in view of the type information involved, that is, conversations between two or more individuals, not involving a telephone conversation.

The above is set forth for your information and assistance in clarification of the fact that former Attorney General Kennedy and other representatives of the Department dealing with matters involving organized crime were fully cognizant of the FBI's use of microphones, in conjunction with leased telephone lines, in our investigations directed against the leadership of organized crime during recent years.

1 - The Deputy Attorney General

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Wick

DATE: 1-11-66

FROM : M. A. Jones

SUBJECT: SENATOR EDWARD LONG
(D. - MISSOURI)
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

By memorandum dated January 10, 1966, Mr. DeLoach advised Mr. Tolson of a conference which he and Assistant Director Gale had had with Senator Long of Missouri. During this discussion, Senator Long stated that a number of people were bringing pressure on him to look into the FBI's activities in using electronic devices, and he stated he had to make some statement or take some action which would relieve the pressure.

Mr. DeLoach suggested to Senator Long the possibility of issuing a statement reflecting that he had held lengthy conferences with top FBI officials and that his Subcommittee had conducted exhaustive research--with the conclusion the FBI had not engaged in highhanded or uncontrolled use of electronic devices and that our carefully limited use of such equipment has been justified in all instances. The Senator expressed his complete agreement with this idea and indicated a desire that we prepare such a statement for him in strict confidence.

Attached, on unwatermarked bond, is a proposed statement for Senator Long's use. This statement was prepared in cooperation with the Special Investigative Division. It is written from the viewpoint of the Senator and his Committee in that it indicates they have taken a long, hard look at the FBI and have found nothing out of order--but that they will continue looking over our procedures and techniques from time to time in the future. Such an approach is felt to be essential if the statement is to have the desired effect. A statement reflecting a stronger pro-FBI position might not only prove ineffective in thwarting those persons who are exerting pressure on the Subcommittee for a probe of our operations, but it could also bring criticism and additional pressure on Senator Long.

RECOMMENDATION: ENCLOSURE

That the attached statement (which is undated and on unwatermarked bond) be approved so that it can confidentially be handed to Senator Long later this week.

Enclosure

1 - Mr. DeLoach - Enclosure 1 - Mr. Wick - Enclosure 1 - Mr. Gale - Enclosure

GWG:jma (6)

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.

SENATE SUBCOMMITTEE ON
ADMINISTRATIVE PRACTICE AND PROCEDURE

As Chairman of the Subcommittee on Administrative Practice and Procedure of the Senate Judiciary Committee, I instructed my staff at the outset of our activities to include the FBI, together with all other Federal investigative agencies, among the organizations to be dealt with in detail to ascertain if there had been invasion of privacy or other improper tactics in their operations. Toward this end, my staff and I have not only conferred at length with top officials of the FBI, but we have conducted exhaustive research into the activities, procedures and techniques of this agency.

While my staff and I fully intend to carefully review FBI operations from time to time in the future, I am at the present prepared to state, based upon careful study, that we are fully satisfied that the FBI has not participated in highhanded or uncontrolled usage of wire taps, microphones or other electronic equipment.

The FBI's operations have been under strict Justice Department control at all times. In keeping with a rigid system of checks and balances, FBI installation of wire taps and microphones has

NOTE: See Jones to Wick memo dated 1-11-66, captioned, "Senator Edward Long (D-Missouri), Subcommittee on Administrative Practice and Procedure."
GWG:jma

MAIL ROOM ☐ TELETYPE UNIT ☐

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.

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

been strictly limited, and such electronic devices have been used only in the most important and serious of crimes either affecting the internal security of our Nation or involving heinous threats to human life. Included among these are major cases of murder, kidnaping, and sadism perpetrated at the specific instruction of leaders of La Cosa Nostra or other top echelons of the extralegal empire of organized crime.

Investigation made by my staff has reflected no independent or unauthorized installation of electronic devices by individual FBI Agents or FBI offices in the field. We have carefully examined Mr. J. Edgar Hoover's rules in this regard and have found no instances of violation.

UNITED STATES GOVERNMENT

Memorandum

Tolson ☒
DeLoach ☒
Mohr ☐
Casper ☐
Callahan ☐
Conrad ☐
Felt ☒
Gale ☒
Rosen ☐
Sullivan ☐
Tavel ☐
Trotter ☐
Wick ☐
Tele. Room ☐
Holmes ☐
Gandy ☐

TO : MR. TOLSON

DATE: January 12, 1966

FROM : C. D. DE LOACH *CDL*

SUBJECT: UNITED STATES SENATE COMMITTEE
ON THE JUDICIARY, SUBCOMMITTEE
ON ADMINISTRATIVE PRACTICE AND
PROCEDURE, UNITED STATES
SENATOR EDWARD V. LONG, CHAIRMAN
(THE LONG COMMITTEE)

Senator Edward V. Long (D. - Missouri) just telephoned me and requested that I meet with him at 1:00 p.m., Monday, January 17, 1966, for the purpose of discussing the microphone situation further and briefing Chief Counsel Bernard Fensterwald, Jr., along the same lines that Senator Long was briefed the other day. As previously approved by the Director, this will be done and I will be accompanied by Mr. Gale.

ACTION

For information.

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Gale
- 1 - Mr. Stanley
- 1 - Mr. McAndrews

CDD:LS
(6)

REC-17

50 JAN 13 1966

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2AMK

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.

66 JAN 23 1966

UNITED STATES GOVERNMENT

Memorandum

TO : MR. TOLSON

FROM : C. D. DeLOACH

SUBJECT: SENATOR EDWARD LONG
(D. - MISSOURI)
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE

1 - DeLoach
1 - Gale
1 - Rosen
1 - Wick
1 - Sullivan

1 - McAndrews
1 - M.A. Jones

DATE: January 17, 1966

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY 52AUM/KP

Pursuant to Senator Long's request, and with the approval of the Director, Mr. Gale and I met with Senator Long and his Chief Counsel Bernard Fensterwald, Jr., in the Senator's office at 1:00 p.m. this afternoon. The meeting lasted approximately two and one-half hours. This was the second meeting inasmuch as we first met with the Senator alone. He asked that the same briefing be given his Chief Counsel, Bernard Fensterwald.

The Senator had previously agreed that the same ground rules would apply as during the first meeting, i.e., all remarks would be on an off-the-record basis. I, nevertheless, advised him of this fact at the opening of this particular meeting.

We told Fensterwald, as with Senator Long, we wanted to be perfectly honest and above board and that we would answer any questions whatsoever he had on his mind. Fensterwald replied this was satisfactory to him and he would have a list of questions to be asked. At this point I generally briefed Senator Long and Fensterwald regarding La Cosa Nostra and the complete justification and need for the FBI constantly being knowledgeable concerning the activities of this organization. I then turned to Mr. Gale and asked him to specifically brief the Senator and Fensterwald concerning the situation in Las Vegas.

The skimming operation in Las Vegas, together with its tie-ins to La Cosa Nostra was outlined in detail to Senator Long and Fensterwald. In addition, the use to which skimming funds are put, i.e., control of gambling enterprises, shylocking, etc., was outlined to him. Examples of La Cosa Nostra extortion, kidnapping and murder was related to them and pictures and details of gangland slayings perpetrated by La Cosa Nostra were set forth. Specifically Mr. Gale mentioned the cases involving Charles Cavallaro, Youngstown La Cosa Nostra member who was slain together with his eleven-year-old son; William "Action" Jackson; Anthony Moschiano and Guy Mendolia of Chicago.

The fact that the FBI had been responsible for the saving of lives in several cases was set forth and specifically the cases

CD: hmm
(8)

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

MEMO: DeLOACH TO TOLSON
RE: SENATOR EDWARD LONG

involving John Biele, Frank Esposito, Dominic Alaimo and William Marfeo. The procedures utilized by La Cosa Nostra in deciding the guilt and sentencing one of their victims was explained to Senator Long and Fensterwald, particularly, the fact that they hold a trial which often times takes all of two minutes and sentence their victim to death with no appeal. It is felt that these facts made a considerable impression on Fensterwald and again on Senator Long. We made the point at this stage of the conversation that it seems a little ludicrous to consider the civil rights of such hoodlums have been violated by microphones being placed on them when these same individuals are dealing in murder, racketeering and complete sadism.

I told Fensterwald that contrary to some beliefs, the FBI had never engaged in uncontrolled electronic devices. I told him that we had shown the Senator written proof of the fact that former Attorney General Kennedy, as well as Katzenbach, had fully subscribed to the usage of wiretaps and microphones utilized by the FBI. Fensterwald was advised that we are prepared to show him the same documents we showed to Senator Long if he so desired. He replied, "The boss has already seen these and is satisfied and so am I."

We told Senator Long and Fensterwald of the well-disciplined control the Director has over all of our personnel with respect to any devices or techniques that might possibly smack of violation of privacy or civil rights. We outlined the administrative controls in effect on the usage of two-way mirrors on surveillance trucks, sniperscopes (telescopic lenses for viewing at a distance), recorders that can be worn around the body of a man, etc. Senator Long was most impressed. At this point he stated he desired to use the Director and the FBI as a shining example for all Federal agencies to follow. Fensterwald agreed. I told the Senator and Fensterwald that we came to them with complete honesty and clean minds. They were advised that we were prepared to answer as to our actions in any case whatsoever.

Fensterwald at this point asked several questions. He specifically asked whether we had a microphone on the former Superintendent of Police Maloney in Pittsburgh, Bernard McGarry in Boston and Milton Margoles in Milwaukee. He was advised that we never had any microphone coverage on any of these individuals. He inquired as to whether we had any wiretaps on the La Cosa Nostra figures. He was advised we had no wiretaps on La Cosa Nostra figures. He questioned whether we had placed any microphones on any individual for the Internal Revenue Service. He was advised

MEMO: DeLOACH TO TOLSON
RE: SENATOR EDWARD LONG

in the negative. He likewise asked whether we had had Internal Revenue place any microphones for us. He was advised in the negative. He also asked whether the Federal Bureau of Narcotics had asked us to place any microphones for them. He was advised they had not. In this regard it will be noted that he indicated that the Federal Bureau of Narcotics was one of the most flagrant violators insofar as the invasion of privacy of individuals was concerned. Fensterwald also asked if we had a microphone on Senator John Williams (R) of Delaware. He was told that we had not ever placed a microphone or wiretap on any member of Congress.

Fensterwald inquired as to whether or not former Attorney General Kennedy had ever requested the FBI to place a microphone on matters strictly pertaining to politics. He was told that Kennedy had not had the nerve to do this. He was further advised that Mr. Hoover would have tendered his resignation immediately had Kennedy attempted to force the FBI to do such a reprehensible thing. At this point Senator Long interrupted and referred to the Deputy Sheriff who served as a witness in hearings in Miami, Florida. He said this Sheriff testified that the FBI had requested him to place wiretaps in a criminal case. I told the Senator we were glad he brought this matter up. He was then told that Mr. Hoover had immediately instructed our Miami Agents to interview this man and pin down the falsity of his claim. He was told this man admitted he had made a mistake and that under no circumstances had the FBI requested him to place any wiretaps. The man further admitted his knowledge was strictly hearsay and rumor. I told Senator Long we were not satisfied and had gone to the original source of this rumor and this man had fully indicated the FBI had not been involved in this matter. The Senator was advised we were prepared to give him a complete set of facts in this regard if he wanted them. He indicated this would not be necessary.

Fensterwald inquired as to whether or not we had placed any microphones on anyone on behalf of the Fairfax County Police. He was advised in the negative. He then made the observation that the Fairfax County Police had been indiscriminately tapping wires and that the telephone company had brought a number of these cases to their attention. He stated he was well aware the Fairfax County Police had all the equipment necessary to tap wires and the Committee contemplated subpoenaing the Chief of Police in the near future to testify in this regard.

Fensterwald inquired if the FBI knew of any wiretap experts that former Attorney General Kennedy had on his payroll while in the Department of Justice. He specifically inquired as to one Walter Sheridan. I told Fensterwald that we knew of no specific

MEMO: DeLOACH TO TOLSON
RE: SENATOR EDWARD LONG

incident wherein Sheridan had tapped wires or used microphones; however, in strict confidence Sheridan had served as a "runner" for Bobby Kennedy and obviously carried out many assignments for Kennedy. I mentioned also that Kennedy and Sheridan had been instrumental in initiating a request that the Director assign them a large number of Agents to conduct investigations. I told them that the Director had steadfastly refused to do this inasmuch as the men were to be only on "fishing expeditions." I mentioned, of course, the former Attorney General did not like having his adventuresome request turned down and this was one of the reasons he had not liked the FBI during his term of office.

Fensterwald asked whether or not Carmine Bellino had tapped wires for Bobby Kennedy. He was told we knew of no specific incidents; however, here again Bellino had served as a "stooge" for Kennedy and had been given the grandiose title of Special Assistant to the President for Accounting during the time the late President Kennedy was in the White House. I told Senator Long that President Johnson had fired this man immediately after taking office. Fensterwald indicated that he planned to subpoena both of these men in the near future.

Senator Long asked if we would furnish him on a strict, off-the-record basis, what FBI files contained on Sheridan and Bellino. I told him we had little or no information other than what was indicated in their personnel files. He stated he would appreciate receiving anything we had.

Fensterwald next inquired whether or not the FBI knew a Thomas Lavenia, a private detective. He also asked if we knew another private detective, Richard Bast. He was told that we knew of the names and both had rather unsavory reputations; however, we knew of no specific cases of wiretapping or use of microphones involving these two. Senator Long said he had one last request and that was to be furnished with a confidential memorandum concerning Lavenia if at all possible. We told him that this would be taken under consideration.

At this point Fensterwald and Long were extremely critical of the accomplishments which Internal Revenue had obtained in their organized crime drive. Long again referred to the individuals Internal Revenue had obtained convictions on as "minnows." Fensterwald said that they had asked Internal Revenue to give them the names of the individuals who had been indicted and convicted in connection with the organized crime drive and that Internal Revenue had refused to give this information to them.

MEMO TO: MR. TOLSON
RE: SENATOR EDWARD LONG

At this point we outlined some of the Bureau's major accomplishments in the organized crime drive, particularly concentrating on such gangland leaders as Sam Giancana, Milwaukee Phil Alderisio, Murray Humphreys, Frankie Carbo and a number of others in the same category. They were advised that the individuals that we were successful in proceeding against were either top echelon leaders or trusted lieutenants, who were an integral part of La Cosa Nostra.

Senator Long stated there was no question in his mind that the FBI had made quality contributions in the fight on organized crime and he was certainly impressed by our accomplishments. He was advised that we, of course, would have no reluctance in giving him a complete list of all the individuals who have been indicted and convicted as a result of FBI investigations. At this point Senator Long said he was completely satisfied as to the FBI usage of microphones in the organized crime field and top racketeering field; however, some procedure or legislation had to be established which would prevent other agencies from committing uncontrolled usage of electronic devices. Fensterwald agreed.

We reiterated the policies and procedure related at the first meeting with Senator Long insofar as the FBI never places a microphone on any individual who could be possibly classified as "small fry." Fensterwald stated he could understand this fact; however, Internal Revenue and Bureau of Narcotics most certainly had not participated in controlled usage of such devices. Senator Long quoted an Internal Revenue official as stating "We have no hesitation in violating the law inasmuch as we don't believe in such laws."

Fensterwald stated that the pressure brought by various segments of the press to subpoena FBI officials for hearings had been terrific. I told him that undoubtedly the New York Times and the Washington Post and other extremely liberal newspapers had wanted to see the FBI crucified. Senator Long spoke up to say that he thought this situation could be resolved by issuing a statement to the press. He asked me if we had brought up a statement which was discussed at the previous meeting in his office. I handed him the statement and told him that as he could see the statement was heavily weighed on the side of the Committee. The Senator read the statement and said it was entirely satisfactory with him. He handed it to Fensterwald who, after reading it, stated he "would like to sleep on it for one night." Fensterwald stated the statement might be sufficient to get them off the hook; however, some members of the press had been adamant that the FBI be called. He stated a few members of the press had told him the Committee was afraid to call the FBI. Fensterwald then inquired as to what harm could be done in holding hearings in Las Vegas and having FBI witnesses testify.

MEMO: DeLOACH TO TOLSON
RE: SENATOR EDWARD LONG

I told Fensterwald that such hearings would be damaging in many ways. The intelligence and information gathered thus far would be rapidly dissipated inasmuch as the organized crime mobs and La Cosa Nostra would rapidly and completely revamp their "skimming off" and courier set up to the extent that we would have to start over again. I told him that it would be very difficult to ascertain in what direction hundreds of thousands of dollars were going if the underworld learned through the medium of hearings exactly what the FBI knew at the present time. I told him also that while we do not condone gambling in any shape form or fashion, nevertheless, Senator Long might like to think about what harm could befall his fellow Senators, the Governor of Nevada and the economy of the entire state if FBI information concerning organized crime in Nevada broke forth in the newspapers. The Senator agreed. He stated under no circumstances would he want to hurt the FBI's Las Vegas activities.

I also told him at this point of the great efforts being made by Attorney Edward Bennett Williams to make a "deal" with the Justice Department to get a look at FBI files regarding Las Vegas activities. I stated this was a perfect example of the lengths that hoodlums and hoodlum attorneys would go in an attempt to find out what the FBI had on them. I also informed him that such hearings might well jeopardize live informants as a result of information La Cosa Nostra and the gambling leaders would be able to gather therefrom.

Fensterwald was also advised by Mr. Gale that there is a pending appeal in the Milwaukee ^{Phil} Alderisio case and that any hearings might well be frowned on by the Supreme Court inasmuch as they might well interfere with the matter under consideration by the Court.

Fensterwald stated that he and the Senator obviously would not want to hold any hearings that would serve to damage the FBI reputation or its investigations involving organized crime.

Senator Long asked me if the FBI was satisfied that former Attorney General Kennedy had definitely known of the intelligence received as the result of microphones in Las Vegas. I reiterated once again the record that had been established in this regard, including the fact that former Assistant Director Evans, who maintained liaison with Kennedy, had personally briefed Kennedy regarding the usage of microphones by the FBI. At this point I told Senator Long of the memorandum, which established this fact,

MEMO: DeLOACH TO TOLSON
RE: SENATOR EDWARD LONG

the Director had sent Attorney General Katzenbach, only to receive a double-talk distorted memorandum back from Katzenbach, attempting to deny the fact that Kennedy was cognizant of such activities. Senator Long stated that this was reprehensible. He asked if the Director had advised the President of this matter. I told him the Director had not; however, the opportunity might present itself at sometime in the future.

Senator Long asked if there was any evidence that Kennedy had at any time known of the usage of microphones by the various investigating agencies of the Treasury Department. I told him once again of the memo which was handed to Kennedy by Commissioner Caplin of Internal Revenue at a meeting in the Treasury Department in 1961. The memo in question clearly revealed the usage to which the Internal Revenue Department planned to use microphones in their drive against organized crime. Senator Long stated he was very grateful to know this.

Fensterwald asked if we had any microphone on any criminal cases at the present time. He was told we did not. He asked why not. I told him that the Director had felt that because of the failure of the Attorney General to back us up and also because of the activities of Senator Long's Subcommittee, we had removed such microphones. Senator Long said he had no objections to the usage of microphones in top hoodlum and La Cosa Nostra cases as had been outlined to him. He stated the type of control exercised by the Director obviously put the FBI in a different light than other investigative agencies.

Fensterwald asked if the FBI utilized microphones in conference or interview rooms, in Washington or throughout the field. He was told that we did not. Fensterwald stated that he had interviewed a former Agent at which time this man told him that to attempt to use a microphone without obtaining the approval of FBI Headquarters in Washington was more or less an attempt to "commit suicide." He was told that we basically agree with this man, that there was no incident whatsoever in which an Agent, without complete authority from both the Director and the Attorney General, had placed a wiretap, microphone or any other listening device.

At this point Senator Long stated he was one hour overdue to make a videotape for television. He stated he was completely satisfied as to the FBI's activities and he would be glad to advise the President that he had no quarrel with the FBI. He stated that it might be necessary to ask another question or two; however, he

MEMO: DeLOACH TO TOLSON
RE: SENATOR EDWARD LONG

didn't know of any further questions at this particular time. We attempted to thank the Senator and Fensterwald, however, they appeared to be much more grateful than we did. The Senator expressed the hope, in conclusion, that some day soon he could come down to the FBI and tour our facilities. He laughed and stated this would not mean the place where microphones were made but rather the regular tour taken by the tourists. I told him we would be glad to have him at any time. He stated the Director would probably not remember him; however, one of the greatest privileges of his life was the fact he received the Masonic 33rd Degree at the same time the Director had received his.

ACTION:

WLS
The Special Investigative Division will review files on Walter Sheridan, Carmen Bellino and private eye Thomas Lavenia. I do not think that we should go much beyond the information in the out-of-service personnel files of Sheridan and Bellino. It may be that we do have some information on Lavenia that would be of interest to Senator Long, including public source information. A memorandum will be submitted attaching the suggested information that we recommend be given to Senator Long on a completely confidential basis. It appears obvious, of course, that Senator Long thoroughly dislikes former Attorney General Kennedy and will use such information against Senator Kennedy.

We obviously do not have the "green light" yet to recommend continued usage of microphones in criminal cases to the Attorney General. While it is believed that Senator Long and Fensterwald will not now or in the future attempt to embarrass the FBI, we must nevertheless wait and determine what action the Long Subcommittee is going to take, particularly with regard to the public statement Senator Long has indicated he will issue. We have a verbal commitment from Senator Long that he has no objection to the use of microphones in top hoodlum or La Cosa Nostra cases. Despite this, however, we should wait until he makes a statement publicly in this regard. We also have the situation wherein the Attorney General, despite his statements in writing implying cooperation and support, has nevertheless failed to back us up particularly in the matter involving the fact that former Attorney General Kennedy obviously had knowledge and sanctioned usage of leased line microphones. Katzenbach, in writing, has suggested delay in usage of microphones in criminal cases because of the "present atmosphere."

We are in no position yet to go on record with the Attorney General and state the Long Subcommittee no longer serves as a bar to our usage of microphones. In the event Senator Long

MEMO: DeLOACH TO TOLSON
RE: SENATOR EDWARD LONG

and his Subcommittee does issue a public statement, i.e., the one furnished to him 1/17/66, we will then be in a position with the Attorney General regarding the possibility of usage of microphones. If he replies in the vein of giving us permission for such usage, then our current policies of not using microphones in criminal cases should be reconsidered. In other words, while we have successfully crossed over several hurdles, we do not yet have the final goal in view. We have, however, prevented the considerable embarrassment which could have been caused had Senator Long and his Subcommittee attempted to "run wild" at hearings concerning FBI activities. We should now wait and see what action Senator Long is going to take.

*inspective of what
Long does I do not
intend to ask for
authority in any cases
to use microphones.*

H

UNITED STATES GOVERNMENT

Memorandum

TO : MR. TOLSON

DATE: 1/20/66

FROM : C. D. DeLoach

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/11/00 BY SP2ANM/p

SUBJECT: CLEARANCE OF DIRECTOR'S LETTER FOR
SENATOR LONG DATED 1/20/66 BY ATTORNEY GENERAL

Pursuant to instructions, I went over to the Attorney General's office at 7:15 p.m., 1/20/66, relative to the captioned matter. Mr. Gale accompanied me.

The Attorney General read the Director's letter to Senator Long dated 1/20/66 then turned to me and stated that, "If the FBI feels that this letter might do some good with Senator Long I will be glad to approve it." He stated he had no objections to this letter and personally hoped that it would prevent Senator Long from harming the FBI in any manner. He asked how I felt about the matter. I told him that the letter certainly couldn't do any harm and might be of some benefit. He agreed.

The Attorney General brought up the matter of the forthcoming conference with the President on the subject of organized crime. He stated he had no idea as to how this conference should be handled. He indicated he knew that he would, of necessity, run the conference in the capacity of Attorney General, however, he felt that "some of the stars" should definitely be called upon in the briefing of the President. He then stated that obviously the Director should handle a considerable part of the briefing. He of course has in mind also calling upon one or two of the other agencies. The Attorney General stated this conference would last for approximately 25 minutes. The President will take part of this time in responding to the remarks previously made to him concerning organized crime. The Attorney General had no further information but actually appeared to be seeking information and guidance.

Where is the great Sunday!
The Attorney General stated he missed having lunches with the Director and that he regretted that his schedule had been so harried that the opportunity really had not presented itself. He added that he hoped that the future would allow a resumption of lunches at least once each week with the Director.

REC-67 62-95821-293
The Attorney General spoke of the proceedings in Las Vegas wherein FBI personnel are being sued in civil court by Ed Levinson, one of the owners of the Fremont Hotel. The Attorney General stated that Assistant Attorney General John Douglas of the Civil Division had brought to him a proposed plan which would amount

Enc. (2)

Continued on next page.....

1 - Mr. Mohr
1 - Mr. Gale
1 - Mr. Rosen
CDD:amr (7)
1 - Mr. Wick
1 - Mr. M. A. Jones

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.

DeLoach to Tolson memo
re Clearance of Director's Letter for Senator Long
Dated 1/20/66 by Attorney General

to an order to impound the specific FBI logs concerning Levinson. He gave me the attached memorandum which he stated he would like returned to him. He pointed out that he thought this plan had possibilities.

Basically, Assistant Attorney General Douglas' idea encompasses the following provisions:

- (1) The defendants (which of course means FBI) shall deliver to the court by _____, 1966, any original recordings, transcriptions and notes which any defendant or defendants may have made or received as result of any activities in which the defendants may have engaged as set forth in the allegations of the complaint-----with respect to the plaintiffs Levinson and Hotel Fremont (this of course means FBI logs).
- (2) The attached order stipulates that these records shall be sealed and impounded in the custody of the court upon delivery.
- (3) The order further stipulates that Levinson shall be afforded access to the impounded records for a reasonable time to be fixed by the court and for the sole purpose of inspection.
- (4) The records, following the action by Levinson, will be returned forthwith to the FBI.
- (5) The complaint will then be dismissed with prejudice pursuant to a stipulation previously filed by both parties, the defendants and the plaintiffs.
- (6) The order stipulates that all parties are enjoined from publishing or disclosing any of the records described, or any part thereof, or any of the contents of said records.

The Department is obviously once again attempting to make a deal and back out of the situation in Las Vegas. To the Department this no doubt presents an easy way out of the situation. The Attorney General has previously indicated he personally does not desire to remove this case from state court. He feels that the state authorities have the opinion they have a specific prerogative to keep this matter in state court. This is a silly argument. The Attorney General told Mr. Gale and me that there was a distinct possibility that Levinson might see the logs anyhow if the pending case ever went to trial; consequently, the Attorney General felt there would be no objection to Levinson seeing the logs in court chambers.

Continued on next page.....

DeLoach to Tolson memo
re Clearance of Director's Letter for Senator Long
Dated 1/20/66 by Attorney General

The Attorney General was not asking our opinion concerning this matter. He was merely advising us of the idea presented by John Douglas.

It is suggested that the attached proposed "order to impound" be returned to the Attorney General, as requested, and that he be told at the time that although the FBI has not been asked for an opinion, it is our considered judgment that no deal should be made insofar as we are concerned.

ACTION:

(1) That the Director sign the attached letter to Senator Long, following which I will deliver this letter to the Senator.

*Letter given to
Mr. Hoover*

*G.H.
H.*

*Done
1/21/66*

(2) That I return the attached "order to impound" as suggested above.

*Ad but express no
X opinion. It is
up to the Dept.*

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Tolson

DATE: January 20, 1966

FROM : C. D. DeLoach

SUBJECT: SENATOR EDWARD LONG
(D. - MISSOURI)
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE

Tolson ✓
DeLoach ✓
Mohr ✓
Casper ✓
Callahan ✓
Conrad ✓
Felt ✓
Gale ✓
Rosen ✓
Sullivan ✓
Tavel ✓
Trotter ✓
Tele. Room ✓
Holmes ✓
Gandy ✓

There is attached a letter to Senator Long expressing our views relative to the opportunity afforded Bureau representatives to explore with his committee the true facts as to the Bureau's controlled use of electronic listening devices with the sanction and approval of the Attorney General and as limited to serious matters involving the national security or safety of human lives.

ACTION:

That this letter be cleared with the Department prior to sending to Senator Long.

Enc.

- 1 - Mr. Tolson
- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Sullivan
- 1 - Mr. Wick
- 1 - Mr. Gale
- 1 - Mr. McAndrews
- 1 - Mr. Leggett

HGL:tjm
(9)

REC-67

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

62-99828-2-136
FEB 3 1966

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.

WAR ON GAMBLERS IN NEVADA CURBED

Suit Against Bugs by F.B.I.
Hinders U.S. Prosecutors

By WALLACE TURNER

Special to The New York Times

WASHINGTON, Jan. 20

Electronic eavesdropping by the Federal Bureau of Investigation at Las Vegas casinos has created serious problems for the Justice Department in its prosecution of Las Vegas gamblers.

The problems arose as a direct result of a suit for \$6,000,000 in damages filed by Edward Levinson a Las Vegas casino operator. He charged that an F.B.I. "bug" in his office had invaded his privacy.

The suit was filed last month by Mr. Levinson, manager of the Fremont Hotel. Its implications are far reaching.

The suit and attendant detail also serve to illustrate the changing values of electronic eavesdropping as an investigative tool. Wiretapping in the usual sense is not at issue, although telephone lines were used to connect concealed microphones to listening devices some distance away.

Wiretap Evidence Barred

A telephone tap is illegal under a section of the Federal Communications Act of 1934 that prohibits interception and divulging of telephone conversations. Telephone tapping has fallen into disrepute among law enforcement officials. Increasingly, the evidence it yields is being barred by the courts.

The law on electronic eavesdropping is more complex, since it traces to the Fourth Amendment guarantees against search and seizure. Thus the rules are based on court decisions, not on statutes. Generally, evidence from such eavesdropping may not be used.

The suit filed by Mr. Levinson and a companion suit filed by his associate, Johnny Grandy, will cast a cloud for a long time to come on evidence presented by Federal prosecutors in any case connected with Las Vegas gambling.

The Levinson suit is a straight demand for damages from agents of the Federal Bureau of Investigation and from the Central Telephone Company whose lines serve Las Vegas. The Grandy suit asks an order forbidding the use of electronic eavesdropping devices in five casino hotels. These are the Fremont, the Sands, the Desert Inn, the Stardust and the Riviera.

Trespass Issue Involved

The problem for prosecutors dealing with evidence gathered by such devices arises because almost without exception the "bug" has been planted through trespass. Evidence, such as the conversations of defendants, taken in this way, cannot be used.

Federal law on this question is clear. Eavesdropping with the unaided ear or spying with the unaided eye can produce legally admissible evidence. But a trespass by eavesdroppers into any "protected area" taints the evidence.

Such areas of constitutional protection have included homes, apartments, hotel rooms, even taxicabs.

Concealing a microphone in these protected places is a trespass, the courts have held. Thus any evidence so obtained is tainted.

Some sources here have hinted that the turmoil over the bugs in Las Vegas put a damper on some aspects of the investigation of Robert G. Baker by a Federal grand jury. However, another well-placed source said that this was not true.

Mr. Baker, the former secretary to the Democratic Senate majority, was indicted on nine counts by a Federal grand jury on Jan. 6.

The F.B.I. has refused to comment on the allegations in the Levinson and Grandy suits.

One of Levinson's attorneys in the action is Edward Bennett Williams, the Washington lawyer who also represents Mr. Baker.

The suit says the F.B.I. leased 25 lines from Central Telephone under the spurious business name of Henderson Novelty Company. The lines allegedly fanned out into various rambling establishments.

Mr. Levinson's suit contends that one line was connected to the switchboard of the Fremont Hotel, then extended to a microphone in his office telephone so that eavesdroppers could hear all that went on in the office.

Discovered by Accident

This device allegedly functioned from Oct. 30, 1962, to April 27, 1963. It was removed when a telephone company employee found it in a search. The chance discovery of a hidden microphone in the Sands Casino Hotel office prompted examinations for bugs throughout the Las Vegas gambling complex.

It is generally believed in law enforcement circles that the Federal Bureau of Investigation has used such listening devices for a long time. This raises a crucial question: How much aware are the prosecutors in the department of Justice of the origin of their evidence.

Some FBI reports are studded with fictional names such as "informant a whose true identity cannot be revealed." Informant in reality might be an agent assigned to assess the daily harvest of the electronic eaves dropping.

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALN/KP

The Washington Post and _____
Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Daily News _____
New York Post _____
The New York Times _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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.

UNITED STATES GOVERNMENT

Memorandum

Toison
DeLoach
Mohr
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MR. TOLSON

DATE: 1/21/66

C. D. DeLoach

cc Mr. DeLoach
Mr. Mohr
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Wick
Mr. M. A. Jones

SUBJECT: SENATOR EDWARD B. LONG (Democrat-Missouri) - U.S. Senate Committee on the Judiciary;
Subcommittee on Administrative Practice and Procedure
(THE LONG COMMITTEE)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

Senator Long requested that I see him at 2 p.m. today. Mr. Gale accompanied me.

With the Senator were Bernard Fensterwald (Chief Counsel), and his Administrative Assistant, Dan Miles. Prior to discussing official business matters all parties agreed that the subject of the discussion would be completely off the record, as usual.

Senator Long had on his desk the statement which we had previously prepared for him. He stated he had been reading the statement over and had a few reservations as to whether the statement should be issued at this time. He agreed that the statement was truthful in all aspects; however, he expressed the opinion that issuance of the statement would perhaps pour gasoline on the fire. He referred to the New York Times article of 1/21/66 by Wallace Turner, stating that this article had caused a few raised eyebrows, no doubt, and that a release by him, Senator Long, at this time, completely clearing the FBI, would in effect cause further articles. He indicated that the article was both against his subcommittee and the FBI.

I presented the Director's letter to Senator Long and told him that he might want to read this letter carefully prior to making up his mind. He did read the letter and stated it was a fine one. His Administrative Assistant, Miles, also read the letter and indicated no objection to it. I pointed out that the letter was most strong in praise of the Senator and specifically that the Director had commended the Senator and his subcommittee on the fact that they were attempting to establish guidelines against indiscriminate and uncontrolled wire tapping in the future.

There was no doubt but what Senator Long greatly liked and appreciated the Director's letter. Despite this, however, he stated

CDD:CSH (8)

CONTINUED - OVER

COPY SENT TO MR. TOLSON

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.

66-8160-2590
ORIGINAL FILED IN

Mr. Tolson

he had given the whole matter a great deal of thought and that he personally believed it would be far better to wait a short period of time and release both the Director's letter and his statement in a status report or the final report of his committee. He stated he had not given up the idea of issuing both the statement and the letter at this time; however, he thought it would be best for both the FBI and his committee if he could wait briefly until the current furore by the Los Angeles Times and the New York Times had died down somewhat.

I told the Senator that, regardless of his actions, some reporters would have mental halitosis and attempt to embarrass both the Senator and the FBI, whether the statement was issued or not. He was advised that reporters usually bring criticism for three or four days and then forget the matter completely. He was told that 95% of the papers in the United States would praise him for his actions, particularly papers in his home state, such as the Kansas City Star and the St. Louis Globe-Democrat.

The Senator stated this was all true; however, he felt it would be unwise to make a public statement at this specific time. He said the time was just not right.

The Senator was told that it was, of course, his prerogative as to when he wanted to issue the statement and the letter. However, he was advised we wanted to be informed when he planned to make such a release. He stated he might decide to make such a release in San Francisco on 2/2 or 3/66.

I then asked him point blank whether or not he intended to hold hearings concerning the FBI at any time in the future. He stated he did not. I asked him if he would be willing to give us a commitment that he would in no way embarrass the FBI. He said he would agree to do this.

Fensterwald asked if it would be possible for me or Mr. Gale to appear before the Long Subcommittee in San Francisco and make a simple statement to the effect that the FBI used wire taps only in cases involving national security and kidnapping and extortion, where a life is involved, and used microphones only in those cases involving heinous crimes and Cosa Nostra matters. He stated no further questions would be asked.

Mr. Tolson

I told Fensterwald that to put an FBI witness on the stand would be an attempt to open a Pandora's box, in so far as our enemies in the press were concerned. He was advised that such an appearance as only a token witness would cause more criticism than the release of the statement in question could ever cause. Senator Long stated he had no plans whatsoever for calling FBI witnesses.

Fensterwald advised that the hearings in San Francisco would last for two days. He stated the hearings would 95% concern the Internal Revenue Service, and 4% concern private detectives and industrial espionage. He indicated there was a possibility of the remaining 1% involving the FBI. We asked him if he had any witnesses in this regard, and he replied that he had one ex-agent. We pressed him for the identity of this ex-agent. He stated it was a man who had spoken very highly of the FBI and that we could suffer no harm because of his testimony. I asked him again the name of the ex-agent. He finally admitted his name was William Turner.

I told Fensterwald that Turner was a first class s.o.b., a liar, and a man who had volunteered as a witness only to get a public forum. I briefed all parties present as to Turner's background and told them why he was dismissed with prejudice. I told the Senator that Turner had strongly objected to being transferred from Seattle, Washington to Oklahoma City, because he objected to mingling with "hicks" and "Bible-thumping Baptists" (Senator Long is a Baptist) in the West and Midwest.

Fensterwald indicated maybe they had better look at Turner a second time. He insisted, however, that Turner had been most favorable concerning the FBI initially. I told him this was only for the purpose of soft-soaping Fensterwald so that he could be called as a witness.

Senator Long stated he had spent most of yesterday, 1/20/66, with President Johnson in Independence, Missouri and Kansas City. He stated the President had asked questions concerning the subcommittee hearings, and the President had been most interested in this matter. He indicated that the President had shown to him, Senator Long, the 1961 memorandum which had been exhibited by the Commissioner of Internal Revenue at a meeting in the Treasury Department which was attended by Bobby Kennedy. Senator Long stated the President was

Mr. Tolson

cognizant of the fact that Kennedy had been given this memorandum and, therefore, knew of the investigative aids, such as electronic devices, which Internal Revenue and other branches of the Treasury Department planned to use in their fight against organized crime.

As we concluded the meeting I told Senator Long that, to sum up, it was our understanding that we had a commitment from him that he would not bother the FBI. He stated this was true and that we could have his word in this regard. I told the Senator that we were, of course, available to talk to him at any time. He stated we had shown complete cooperation and that at the conclusion of his hearings he planned to use the FBI as a shining example for other agencies to follow.

OBSERVATIONS:

It is important that we stay in touch with Senator Long in view of his changeable personality. He is obviously guided to some extent by Fensterwald. Fensterwald is sharper than Long and cannot be completely trusted. It is, therefore, imperative that we maintain contact with Long on a frequent basis. However, he will not be furnished any of the blind memoranda which have been prepared as a result of previous requests from Fensterwald and Senator Long. Senator Long is sincere at the time he makes a commitment. As indicated, however, he does have a changeable personality.

This I doubt whether are planning to call Turner. H
While we have neutralized the threat of being embarrassed by the Long subcommittee, we have not yet eliminated certain dangers which might be created as a result of newspaper pressure on Long. We therefore must keep on top of this situation at all times.

ACTION:

For record purposes.

*I have purely been
played for a sucker.
ex. I too had letter was
left with Long.*

✓ Kegg PC

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan (Attn: Mr. [redacted])
December 17, 1975

The Attorney General

Director, FBI

1 - Mr. W. O. Cregar
1 - Mr. S. F. Phillips

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

Enclosed is the original of a memorandum concerning an interview of former FBI Special Agent Barrett George Kemp by SSC Staff Members. Also enclosed is a copy of the memorandum for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures (2)

62-116395

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

1 - 67- (Personnel file former SA Barrett George Kemp)

SFP:mjgmy
(11)

REC-50 67-116395-228

5 DEC 30 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 _____

ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALMKP

MAIL ROOM ☐ TELETYPE UNIT ☐

62-116395

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan
(Attn: Mr. Newman)
December 17, 1975

1 - Mr. W. O. Cregar
1 - Mr. S. F. Phillips

U. S. SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF FORMER FBI SPECIAL
AGENT (SA) BARRETT GEORGE KEMP
BY SSC STAFF MEMBERS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2AUKP

The following concerns an interview of former FBI
SA Barrett George Kemp by Staff Members of the SSC.

By letter dated November 7, 1975, to the Department
of Justice from the SSC, it was indicated that its Staff
desired to interview FBI SAs who had handled former FBI informant
Gary Thomas Rowe, Jr. One of these handling agents was
identified as former SA Barrett George Kemp who currently
resides and practices law at Saint Marys, Ohio. The FBI waived
Kemp's confidentiality agreement for the purpose of the inter-
view which was to be confined to his former handling of former
informant Rowe.

Prior to the interview, the Legal Counsel Division
of the FBI advised Kemp that he need respond only to those
questions pertaining to his former handling of Rowe. He was
also told that there were four privileged areas concerning
which he was not required to answer questions. These areas
were: matters pertaining to ongoing FBI investigations;
information from third agencies, including foreign intelligence
agencies; information which would reveal identities of
confidential sources; and information concerning sensitive
methods and techniques.

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

Subsequent to the interview, Kemp voluntarily
furnished the following resume of the interview.

Admin. _____

Comp. Syst. — 1 - 67-

(Personnel file former SA Barrett George Kemp)

Ext. Affairs _____

Files & Com. _____

Gen. Inv. _____

ORIGINAL AND ONE COPY TO AG

Ident. _____

Inspection _____

Intell. _____

Laboratory _____

Plan. & Eval. _____

Spec. Inv. _____

Training _____

Legal Coun. _____

Telephone Rm. _____

Director Sec'y _____

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

SEE NOTE PAGE THREE

U. S. Senate Select Committee
to Study Governmental Operations
With Respect to Intelligence Activities (SSC)

Re: Interview of Former FBI Special Agent (SA)
Barrett George Kemp by SSC Staff Members

Interview took place for the approximate period 1:30 p. m. to 4:10 p. m., November 19, 1975, in an office of the SSC in the former Carroll Arms Hotel. When the interview commenced, three SSC Staff Members were present. They were Robert Kelley, Andrew Postal and another individual whose name Kemp did not recall, if it was stated to him at all. Kelley departed after about 45 minutes into the interview. Kemp was orally advised by Kelley of his rights and the interview was recorded by a court reporter. At the end of the interview, Kemp swore to the information he furnished; oath given by a notary public. According to Kemp, when Kelley first contacted him telephonically requesting Kemp's appearance in Washington, D. C., for interview, Kelley made it clear that if Kemp did not agree, Kemp would be subpoenaed.

Specific matters covered during the interview, not necessarily in chronological order, were as follows.

The one single subject matter which was constantly dealt with during the interview related to whether or not Kemp, in handling Rowe, had encouraged Rowe to commit violence. Over and over again, Kemp emphasized that at no time, did he encourage Rowe to commit violence and that as a matter of fact, he had many times admonished Rowe to avoid such involvement.

Kelley inquired into Kemp's employment history in the Bureau which was supplied and showed that Kemp left the Bureau in 1961. Kelley desired information as to how Kemp developed Rowe as an informant, it being noted that Kemp was the agent who first developed Rowe as an informant and therefore, was the first handling agent. Inasmuch as Kemp understood his clearance from the FBI was to discuss only the handling of Rowe, as distinguished from developing Rowe into an informant, Kemp refused to discuss developmental aspects. Likewise, and using the same rationale, Kemp said he refused to discuss with the SSC the paper work procedures in the Birmingham Office at the time he handled Rowe or anything concerning the chain of command in that office.

U. S. Senate Select Committee
to Study Governmental Operations
With Respect to Intelligence Activities (SSC)

Re: Interview of Former FBI Special Agent (SA)
Barrett George Kemp by SSC Staff Members

After Kelley left, Postal attempted to reopen the inquiry with Kemp as to how he developed Rowe as an informant and Kemp persisted in refusing to discuss this matter. On questioning, Kemp did advise Postal that he first met Rowe while investigating an impersonation case in which Rowe was the subject. Kemp furnished some information as to when it was decided for Rowe to join the Klan.

Kemp furnished information concerning the number of personal contacts he had had with Rowe which he said were not too many as most of his contacts were by mail and even more through pay telephones.

Asked what Kemp did with the reports that Rowe sent in, Kemp said that he would dictate memoranda incorporating the informant's reports. He noted that the informant generally would phone in a report before sending in the written product.

Finally, Kemp was asked if he himself had advised the Birmingham Police Department in advance concerning an incident of violence which occurred at the bus depot in Birmingham. Kemp said that he did not contact the Birmingham Police Department as it was not his specific responsibility.

NOTE:

Clearance from confidentiality agreement recorded in E. O. Gregar to Mr. W. R. Wannall memorandum 11/11/75, "Senstudy 75." Legal Counsel Division briefing of Kemp prior to interview was by Supervisor P. V. Daly. Debriefing of Kemp resulting in instant correspondence was by Supervisors Homer Newman and S. F. Phillips of INTD.

TO: Intelligence Community Staff
ATTN: Central IndexFROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

DOCUMENT

BRIEFING

☒

INTERVIEW

TESTIMONY

OTHER

12/17/75

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

SSC

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

HSC

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

Memorandum reporting results of an interview by SSC Staff Members
of former SA Barrett George Kemp.

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

NA

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

U

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

Information handling

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

Interviewed regarding his handling of confidential informant
Gary Thomas Rowe.

62-116395

FMK: fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/85 BY SP2ALM/KP

TREAT AS YELLOW

2 - Mr. A. Mintz
 (1 - Mr. J. B. Hotis)
 1 - Mr. H. N. Bassett
 1 - Mr. J. Cochran
 (Attn: J. W. Greenleaf)
 December 22, 1975
 1 - Mr. W. R. Wannall
 1 - Mr. W. O. Cregar
 1 - Mr. S. J. Miller

The Attorney General

Director, FBI

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

Reference is made to the request of the SSC
 dated December 8, 1975.

Attached is a memorandum concerning Item II of
 the request. Enclosed for your records is a copy of the
 memorandum prepared for the Committee.

Please note that the enclosed memorandum informs
 the Committee that, because of the broad nature of the
 request and the extreme sensitivity of the material involved,
 we are not responding to Item II of referenced request;
 however, should the Committee be able to delineate a specific
 request, we will make efforts to reply.

Enclosures (2) ENCLOSURE
 62-116395

ST. 115
 REC-51

1227X1

7 JAN 22 1976

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

SJM:1hb
 (11)

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 _____

MAIL ROOM ☐ TELETYPE UNIT ☐

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 1/11/00 BY SP2ALM/KP

62-116395

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. H. N. Bassett
1 - Mr. J. Cochran
(Attn: J. W. Greenleaf)
1 - Mr. W. R. Wannall
December 22, 1975
1 - Mr. W. O. Cregar
1 - Mr. S. J. Miller

**U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP8ALMKP

Reference is made to the December 8, 1975,
request of the SSC for delivery of FBI materials.

Item II of the referenced request concerns
the portions of the 1971 Inspection Report on the Laboratory
Division pertaining to intelligence and counterintelligence
operations and activities of the FBI.

Because the requested portions refer to
peculiarly sensitive foreign counterintelligence operations,
sensitive sources and methods of continuing value,
sensitive investigations conducted on behalf of other
Government agencies and current foreign intelligence
assets, we are not responding to Item II of the referenced
request.

Should you, however, be able to delineate a
specific area of interest with reference to the aforementioned
Inspection Report, we will make efforts to furnish
responsive material which will not require massive
excisions.

1 - The Attorney General

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 _____

SJM:1hb

(10)

ORIGINAL AND ONE COPY TO AG

NOTE:

The above comments concerning the sensitivity of
portions of the 1971 Inspection Report are based on a summary
of those portions which was prepared by SA James W. Greenleaf,
who reviewed the report in response to the SSC request.

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 12/22/75

U.S. Senate Select Committee (SSC).

(Caption of Document: (12/8/75 SSC Request, Item II))

Originating Office: FBI

Delivered by: D. J. Coul Date: 12/30/75

Received by: Michael Murphy

Title: Club

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

ENCLOSURE 62-116395-1227X1

TO: Intelligence Community Staff
ATTN: Central-Index

FROM:

FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

12/22/75

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

☒ SSC

☐ HSC

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

Memorandum and enclosures

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

SSC letter 12/8/75

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

U

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

Operating procedures
Counterintelligence

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

Information concerning portions of the 1971 Inspection Report on the Laboratory Division pertaining to intelligence and counterintelligence operations and activities of the FBI. This information not furnished due to the broad nature of the request and extreme sensitivity of the material involved.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/80 BY SP2AUM/KP

62-116395

FMK:fmk

(4)

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

TREAT AS YELLOW

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.



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

DEC 22 1975

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

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

SUBJECT: Senate Select Committee Request

Attached is a letter dated December 18, 1975, from the Senate Select Committee requesting certain information from the Bureau. The Attorney General has personally expressed to me his interest in the need that the requested materials be furnished on a priority basis. Please prepare an appropriate and prompt response.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

REC 4

62-116395-1227

5 JAN 2 1976

cc: Paul Daly

ENCLOSURE

FIVE



79 JAN 7 1976

DEC 22 1975

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

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

SUBJECT: Senate Select Committee Request

Attached is a letter dated December 18, 1975, from the Senate Select Committee requesting certain information from the Bureau. The Attorney General has personally expressed to me his interest in the need that the requested materials be furnished on a priority basis. Please prepare an appropriate and prompt response.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2AUKP

cc: Paul Daly

PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.

HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWICKER, PA.

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

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

December 18, 1975

Attorney General Edward H. Levi
Room 5111
Department of Justice
Washington, D.C. 20530

#MDR-16
DECLASSIFIED BY SP2ALMKP
ON 11/1/80

Dear General Levi:

We have been asked to chair a special subcommittee of the Select Committee on Intelligence which will concentrate on matters relating to domestic intelligence activities of the Federal government. Our mandate is to prepare for the full committee's consideration a draft report of findings of fact on alleged abuses or excesses by the FBI and other domestic intelligence agencies; the causes of such alleged abuses or excesses and recommendations which the Committee might make to remedy the problems we have uncovered.

We are aware of the fine work in which your staff has been engaged in these areas and hope that they will be available to work with the Committee staff on these matters. However, the Subcommittee finds the Committee record needs to be supplemented in several important respects and therefore finds it necessary to direct a number of requests to the FBI for further information which we hope will be treated on a priority basis so that the Subcommittee can meet the deadlines set by the full committee. These and future requests which will be handled between the two committee counsel or Mr. Elliff, Domestic Task Force Leader, and Mr. Shaheen, Special Counsel for Intelligence Coordination, will pertain to both information necessary for us to formulate meaningful recommendations and to pursue matters on certain specific alleged abuses which remain unsettled. Among the future requests will be questions pertaining to your guidelines on "Domestic Security Investigations" and on manpower and budget statistics for the FBI's domestic intelligence program.

For us to meet the deadline set by the full committee, it is essential that the information requested below be

~~SECRET~~

ENCLOSURE

62-116395-1227

December 18, 1975

provided during the last week of December and the first week of January:

1. With respect to each of the examples of effective prevention of violence provided the Committee pursuant to John Elliff's letter of November 26 to Mr. Shaheen, please provide access to materials in the investigative file for the 6-month period preceding the act of violence prevented. Please deliver:

(a) All materials relating to the legal and factual predicate for each investigation;

(b) The first investigative report disseminated outside the FBI in each such case, and a list of recipients of that report;

(c) The total number of individuals whose names were referred to the FBI's general name index in the course of each investigation;

(d) The total number of individuals about whom information was obtained through informants, confidential sources, physical surveillance, electronic surveillance and other sensitive techniques; and

(e) The annual report from the office of origin for each such investigation to FBI headquarters for the last five years during which the case in question was an open investigation.

2. Please provide any information which you have refuting the suggestion made on page 34 of the General Accounting Office's September 24 report to the House Judiciary Committee, that cases in which violence can be predicted probably represent less than 2% of all FBI domestic intelligence investigations.

3. Please provide all memoranda or analyses prepared for the Justice Department, Director Kelley, or Assistant Director Wannall on the findings of the General Accounting Office as presented to the House Judiciary Committee on September 24.

4. Please provide the annual report from the office of origin to FBI headquarters for the investigation of

~~SECRET~~

December 18, 1975

Handwritten: Ryan
Dr. Martin Luther King in 1963 through 1968, and for the investigation of the Women's Liberation Movement for the years that that organization was under investigation, and the annual reports available on the investigations about which materials were supplied pursuant to John Elliff's request of October 28.

Handwritten: Ryan
5. Please provide specific examples of cases where the FBI has taken action in the past similar to that which would be authorized by Section IV on "preventive action" of the draft Department of Justice's guidelines on "domestic security investigations."

Handwritten: Ryan
6. Access to all FBI materials pertaining to Dr. Martin Luther King, Jr., the Poor People's Campaign, and the Sanitation Workers Strike in Memphis, Tennessee, from January 1 through April 4, 1968.

7. All materials pertaining to "Project Overshoe."

Thank you for your prompt consideration of this request. We look forward to continuing cooperation on this area of joint concern.

Sincerely,

Handwritten: Walter F. Mondale
Walter F. Mondale
Chairman

Handwritten: Howard W. Baker Jr.
Howard W. Baker Jr.
Vice-Chairman

~~SECRET~~

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

The Attorney General

December 15, 1975

Director, FBI

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2AN/KP

Reference is made to a letter from the SSC dated
November 21, 1975, requesting delivery of materials pertaining
to authorization and purpose of certain electronic surveillances.

Enclosed for your approval and forwarding to the SSC
is the original of a memorandum which responds to Items 2, 4,
6, 9-11, 18-19, 21, 23, 24, and 28 of the November 21 letter.

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

Enclosures (2)

62-116395

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

HWP:mak mak
(9)

SEE NOTE PAGE 2

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 _____
MAIL ROOM ☐ TELETYPE UNIT ☐

The Attorney General

NOTE:

SSC letter of November 21 requested certain material pertaining to 30 telephone and 9 microphone surveillance targets. By memorandum of December 1, we furnished response to Items 1 and 22; by memorandum of December 8, we furnished response to Items 5, 8, 12-16, 20, and 30. This memorandum responds to Items 2, 4, 6, 9-11, 18-19, 21, 23-24, and 28, and in addition, advises that due to an error in preparation of a summary chart listing electronic surveillances since 1960, a statistic listed in 1972 does not, in fact, represent an actual surveillance.

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

62-116395

December 15, 1975

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

RE: REQUEST PERTAINING TO AUTHORIZATION
AND PURPOSE OF ELECTRONIC
SURVEILLANCES CONDUCTED BY THE FBI

Reference is made to the SSC letter of November 21, 1975, requesting delivery of materials pertaining to the authorization and purpose of certain electronic surveillances conducted by the FBI.

The SSC letter of November 21 referenced a summary chart prepared by the FBI showing electronic surveillances conducted by the FBI since 1960. This chart was furnished to the SSC by letter of October 23, 1975.

This memorandum effects delivery of documents responsive to Items 2, 4, 6, 9-11, 18-19, 21, 23, 24, and 28 of the November 21 SSC letter. Those subjects are identified as follows:

Item 2 - Jesse B. Stoner and James R. Venable (1963 - 1964)

Item 4 - Elijah Muhammad (1960 - 1966) and Malcolm K. Little (1964)

Item 6 - Milton A. Luke (1964 - 1965) and Marie Depury (1971)

Item 9 - Student Non-Violent Coordinating Committee (1965) and Black Panther Party (1969 - 1972)

HWP:mak mak
(8)

SECRET MATERIAL ATTACHED
This document is prepared in response to your request and is not for dissemination outside your Committee. It is not to be used in official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

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

MAIL ROOM ☐ TELETYPE UNIT ☐

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

- Item 10 - Students for a Democratic Society
(1965 - 1966, 1969 - 1970)
- Item 11 - Vietnam Moratorium Committee (1969)
- Item 18 - Marie Depury and Ronald Lee Jackson
(1971), and Denise Roberts Oliver
(1972)
- Item 19 - Frances Mary Beal (1971), and Huey P.
Newton (1971 - 1972)
- Item 21 - Junta of Militant Organizations (1971)
- Item 23 - Harlem Defense Counsel and Harlem
Progressive Labor Club (1966); Clayton
Van Lydegraf (1966); Frederick Jerome
and Walter Linder (1969)
- Item 24 - Mortimer Harvey Scheer (1966)
- Item 28 - Communist Party, USA (1966 - 1974),
and Communist Party, USA, New York
District (1973)

With respect to Item 6, material relating to Marie Depury is included with the response to Item 18. The "Racial Extremist Group Member" statistic listed for 1972 on the summary chart of electronic surveillances represents an error made in preparation of that chart. There was no telephone surveillance in 1972 in that category.

Items 9 and 28 deal with the Black Panther Party and the Communist Party, USA, respectively. Since requests for surveillance and authorizations by the Attorney General in these matters are voluminous, we

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

have furnished a representative number of documents during the years indicated on the summary chart furnished to your office. Continuations were requested on a six-month, and later 90-day, interval.

The response to Item 17, regarding Denise Roberts Oliver, has been included with material in response to Item 18.

1 - The Attorney General

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : Legal Counsel *JAM*
get

SUBJECT: SENSTUDY 75

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

DATE: 12/15/75

1 - Mr. Hotis
1 - Mr. Daly

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

John T. Elliff, Domestic Task Force Director of the Senate Select Committee, on 12/15/75 advised that a subcommittee had been created of the captioned Committee to make recommendations concerning domestic intelligence investigations. The Chairman of the subcommittee is to be Senator Walter F. Mondale. According to Elliff, Senator Mondale desires to meet with Bureau representatives sometime Wednesday, 12/17/75, to discuss the practical aspects of domestic intelligence investigations and the necessity for same. Elliff indicated that among those who would be present Wednesday would be Senator Mondale; F. A. O. Schwarz, Counsel to the Committee; and perhaps two other Senators whom Elliff believed might be Senator Phillip Hart and Senator Charles McC. Mathias, Jr. Elliff indicated that included in the topics would be a discussion of the Attorney General's guidelines. Elliff indicated the time and place for the meeting on 12/17/75 has not as yet been worked out.

RECOMMENDATIONS:

(1) That the Intelligence Division select a representative or representatives to meet with Senator Mondale, et. al., Wednesday, 12/17/75, to discuss domestic intelligence investigations.

(2) That Inspector John B. Hotis of this Division attend the aforementioned meeting in view of his knowledge concerning the Attorney General's guidelines.

REC-4

62-116375-1226

23 DEC 19 1975

PVD:lad
(7)

79 JAN 7 1976



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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2AUK/p