

File #:

62-116395

Serial Scope:

1366, 1367

1369

1371 THRU 1374

1379

1381

1384 THRU 1393

1400, 1400X

1402, 1403

Released under the John
F. Kennedy
Assassination Records
Collection Act of 1992
(44 USC 2107 Note).
Case#:NW 55149 Date:
11-18-2017



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

FEB 19 1976

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

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

SUBJECT: SSC Request Dated February 19, 1976

Attached is a letter from the SSC dated
February 19, 1976. Please arrange for an appropriate
response.

MDR 16

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/8/00 BY SP2 ALM/EHL

ST-101 REC-50 62-116395-1403

FEB 26 1976

ENCLOSURE

cc: Paul Daly

REC 12 3 1976

5-jan



84 MAR 2 1976

FEB 19 1976

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

FROM: Steven K. Blackhurst
Assistant Special Counsel for
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SUBJECT: SSC Request Dated February 19, 1976

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MDR 16
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HEREIN IS UNCLASSIFIED
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cc: Paul Daly

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
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WALTER F. MONDALE, MINN.
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CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

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

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

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

WASHINGTON, D.C. 20510

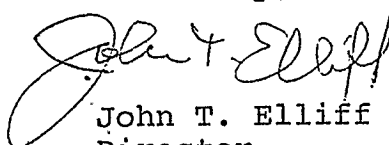
February 19, 1976

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 certain materials pertaining to the Secret Army Organization and the role of an FBI informant therein, which materials have been identified to the FBI by Mr. Sam Bouchard of the Committee staff.

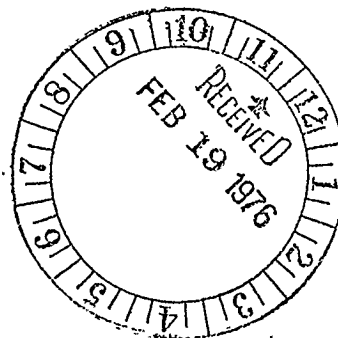
Sincerely,



John T. Elliff
Director
Domestic Intelligence Task Force

MDR 16

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DATE 11/8/00 BY SP 2 ALM/EHL



62-116395-1403

ENCLOSURE



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

FEB 17 1976

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

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

SUBJECT: SSC Letter Dated February 17, 1976

Attached is a letter from the SSC indicating that the Committee will make available for review by persons from the Department those draft reports which relate to activities by the Department. The purpose of that review would be to identify any classification or similar problems in the draft reports. Two draft reports are presently ready for review.

Please designate appropriate persons from the Bureau to review these reports and to advise the Committee as to classification or similar problems.

ENCLOSURE

REC-50

ST-101

MDR 16

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/8/00 BY SP2 ALM/EHL

cc: Paul Daly

FEB 26 1976

LEGAL COUNSEL

See Memo W.H. Branigan to W.R. Wamuel 2/16/76 re Mail Intercepts
See Memo J.G. Deegan to T.W. Leavelle 3/1/76 re Informants EPG: HAN/EGP

2/19/76 { Lee advised re mail openings
Spiegelman has been advised re info

2/18/76 called Bob Kelly
and Mark Gitterstein
to arrange review
at FBIHQ
2/19/76 called
Fred Baron SSC
some phone
2/19/76 FPO Schwartz
stated SSC would
allow review
only in their
space
not

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

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

SUBJECT: SSC Letter Dated February 17, 1976

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Please designate appropriate persons from the Bureau to review these reports and to advise the Committee as to classification or similar problems.

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/8/00 BY SP2 ALM/EHL

cc: Paul Daly

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN

PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
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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

February 17, 1976

Michael Shaheen, Jr.
Counsel
Office of Professional Responsibility
Department of Justice (Room 4313)
Washington, D.C.

Dear Mike:

This will confirm our telephone conversation concerning the procedure whereby we will make available to you, or your designee, copies of draft reports relating to the Justice Department. As we discussed, the purpose is so that any classification (or other such problems, e.g., the identity of informers) which may be inadvertently raised in our reports can be identified.

The first two drafts relating to the FBI are ready. They are:

1. "The Use of Informers in FBI Domestic Investigations"; and
2. "Domestic CIA and FBI Mail Opening Programs". (Substantial portions of which relate to the FBI.)

I would appreciate it if someone very promptly could contact Frederick D. Baron, my assistant (224-1746), who will arrange the details of location and time for the review.

Sincerely yours,

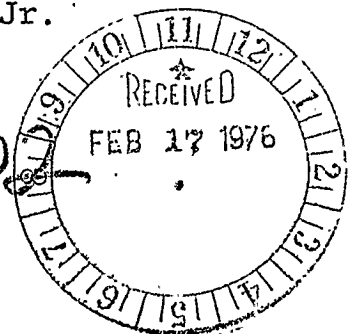
Frits
Frederick A. O. Schwarz, Jr.

MDR 16
ALL FBI INFORMATION CONTAINED
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DATE 11/8/00 BY SP2 ALN/ELH

62-116295-40

ENCLOSURE



February 12, 1976

MDR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/8/00 BY SP2ALM/EHL

Mr. William H. Lawrence
314 Swiss Pine Lake Drive
Spruce Pine, North Carolina 28777.

Dear Bill:

Sincerely

Thank you very much for the two letters you sent to Jim Adams about the remarks made by Senator Morgan. I have seen him briefly since he made these remarks and plan to see him next week again to talk over the reason for these remarks at some length. As noted in his response to you, apparently he has come to this feeling as a result of the so-called "unchallenged" matters which he has had reported to him as a member of the Senate Select Committee. It is true that some mistakes of the Bureau were brought out, but the over-all performance of the Bureau has, as you said, been well above that which could even be expected of us and certainly has been most contributory to the safety of this nation throughout the years. To categorize us as "rotten to the core" and to indicate that we are a great threat to the United States miss the mark tremendously and are completely without foundation. I will so inform him, but apparently he has made up his mind and there is little likelihood that we will have a convert.

Again, thank you and I hope that you persist in your efforts to come to our support when our credibility has been attacked.

62-116395-1400X

NOT RECORDED Sincerely,

46 APR 14 1976 51 Clarence

CMK:EDM (3)

INITIALS ON ORIGINAL

Copy made for Corres:
and Tours Section

SENT FROM D. O.
TIME 8:51 AM
DATE 2-17-76
BY det

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.: _____
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
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- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: February 12, 1976

FROM : Legal Counsel *[Signature]*

SUBJECT: SENSTUDY 75

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

The memorandum of W. O. Cregar to Mr. W. R. Wannall, captioned as above and dated February 6, 1976, briefly reviewed a speech made on the floor of the Senate by Senator Frank Church. The speech was entitled "Government Adherence to the Law: A Call For a Temporary Special Prosecutor on Intelligence Abuses." This memorandum stated the subject of a special procecutor would be the subject of a separate memorandum prepared by the Office of Legal Counsel.

As you may recall, in a November 28, 1975, memorandum from the Director, FBI, to the Assistant Attorney General, Office of Legislative Affairs, captioned "Watergate Reorganization and Reform Act of 1975, S.495, 94th Congress, 1st Session," we deferred to the Department the question of whether there should be a special prosecutor as envisioned by that bill.

On Friday, February 6, 1976, the Attorney General of the United States testified before the Senate Government Operations Committee. The Attorney General stated he did not agree with Senator Church's proposal that a special prosecutor should be appointed to investigate past activities of the CIA and the FBI.

RECOMMENDATION:

For information.

- 1 - Mr. Wannall
- 1 - Mr. Cregar
- 1 - Mr. Moore
- 1 - Mr. Mintz
- 1 - Mr. Daly
- 1 - Mr. Miller

JDM:mcz

(8) *[Signature]*

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DATE 11/8/00 BY SP2ALM/HL

84 MAR 1 1976

PLAINTEXT

TELETYPE

NITEL

2-23-76

TO SAC BOSTON

FROM DIRECTOR FBI

SENSTUDY 75

MDR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/8/00 BY SP8 AHM/ELH

- 1 - Mr. Walsh
- 1 - Mr. Mintz
- 1 - Mr. Wannall
- 1 - Mr. Cregar
- 1 - Mr. Hotis
- 1 - Mr. Daly

REBUCAL 2-23-76.

THE SENATE SELECT COMMITTEE HAS REQUESTED THAT
SA FRANCIS T. LEONARD BE MADE AVAILABLE IN WASHINGTON, D. C.,
FOR INTERVIEW BY THAT COMMITTEE ON 2-25-76. THE INTERVIEW
WILL CONCERN HIS KNOWLEDGE OF THE BUREAU'S INVESTIGATION
OF MARTIN LUTHER KING, JR., THE SOUTHERN CHRISTIAN
LEADERSHIP CONFERENCE, AND STANLEY DAVID LEVISON. SA LEONARD
SHOULD ARRANGE TO ARRIVE IN WASHINGTON IN TIME TO BE
BRIEFED BY REPRESENTATIVES OF THE LEGAL COUNSEL DIVISION
AND INTELLIGENCE DIVISION AT 9:00 A.M., 2-25-76, IN
ROOM 3658, JEH BUILDING.

REC-50 62-116395-1393

FEB 24 1976

ST 104

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

- 1 - Personnel File SA Francis T. Leonard

FEB 22 1976

1000P SSP
TELETYPE

NOTE: Michael Epstein, Senate Select Committee staff member, made the request for the interview of Leonard. This communication will serve as approval for the waiver of existing employment agreement signed by SA Leonard for purposes of this interview. Referenced phone call alerted ASAC Richard Strain of this request.

PVD:dkg (10)

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

MAIL ROOM ☐

TELETYPE UNIT ☒

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

PLAINTEXT

TELETYPE

NITEL

1 - Mr. W. R. Wannall
FEBRUARY 23, 1976

TO SAC SALT LAKE CITY

FROM DIRECTOR FBI (62-116395)

SENSTUDY 75.

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

REBUTEL MAY 2, 1975.

THE SENATE SELECT COMMITTEE (SSC) HAS REQUESTED THAT
FORMER SPECIAL AGENT (SA) STEVEN L. CHRISTENSEN BE MADE AVAIL-
ABLE FOR STAFF INTERVIEW CONCERNING HIS KNOWLEDGE OF THE
SECRET ARMY ORGANIZATION. BUREAU RECORDS INDICATE LAST KNOWN
ADDRESS FOR THIS FORMER EMPLOYEE TO BE POST OFFICE BOX 2,
KANOSH, UTAH.

SAC OR ASAC, SALT LAKE CITY, IS REQUESTED TO PERSONALLY
CONTACT FORMER SA CHRISTENSEN AND ADVISE HIM OF SSC DESIRE TO
INTERVIEW HIM. HE SHOULD BE ADVISED THAT, IF SSC INITIATES
CONTACT, FORMER SA CHRISTENSEN BEFORE CONSENTING TO INTERVIEW
SHOULD CONTACT BUREAU'S LEGAL COUNSEL DIVISION BY COLLECT CALL
TO BE ADVISED OF HIS RIGHTS, THE PARAMETERS OF THE PROPOSED
INTERVIEW AND TO SECURE A RELEASE FROM HIS CONFIDENTIALITY

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
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Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

1 - SAN DIEGO (AIRMAIL)

TJM:1hb/1hb
(9)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 23 1976

EMS 530 PM
TELETYPE

SEE NOTE PAGE 2

MAIL ROOM ☐

TELETYPE UNIT ☒

GPO : 1975 O - 594-20

PAGE TWO 62-116395

AGREEMENT. HEADQUARTERS SHOULD BE ADVISED BY TELETYPE AFTER FORMER SA CHRISTENSEN HAS BEEN CONTACTED IN LINE WITH THE ABOVE INSTRUCTIONS. IF THIS FORMER EMPLOYEE NO LONGER RESIDES IN THE SALT LAKE CITY TERRITORY OR IS TEMPORARILY AWAY, A LEAD, FOLLOWING THE ABOVE INSTRUCTIONS, SHOULD BE SENT TO APPROPRIATE OFFICE IMMEDIATELY WITH A COPY OF THE COMMUNICATION DESIGNATED FOR HEADQUARTERS. COPY AIRMAILED TO SAN DIEGO.

NOTE:

Referenced Bureau teletype 5/2/75 was a general instruction to all SAC's concerning the SSC inquiry into this Bureau's operations and this Bureau's cooperation with that body. Former SA Christensen was the handling Agent for former Bureau informant Howard Berry Godfrey, who furnished this Bureau considerable information concerning the Secret Army Organization (SAO). Bureau investigation of the SAO has recently been receiving considerable publicity in the San Diego press.

UNITED STATES GOVERNMENT

Memorandum

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

FROM : R. L. Shackelford *RS*

SUBJECT: SENSTUDY 75

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

1 - Mr. W. R. Wannall

DATE: 2/17/76

1 - Mr. R. L. Shackelford
1 - Mr. J. G. Deegan
1 - Mr. S. S. Mignosa
1 - Mr. F. J. Cassidy
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

Assoc. Dir. _____
Dep. AD Adm. _____
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Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

PURPOSE:

To advise that Senate Select Committee (SSC) Executive Session was held on 2/13/76, where the role of the FBI in past "domestic intelligence investigations" as well as the role that the FBI should play in intelligence type investigations of domestic subversive organizations in the future was discussed. SSC requested copy of instructions sent to field by FBIHQ regarding Privacy Act matters which has a bearing on investigations of domestic groups.

DETAILS:

Reference is made to Cregar to Mr. Wannall memorandum dated 2/9/76, concerning SSC Executive Session held on 2/6/75, at which time it was decided that an additional Executive Session would be held at a future date, regarding "domestic intelligence investigations."

An SSC Executive Session was held from approximately 10:55 a.m., until 12:45 p.m., 2/13/76. Representing the SSC were Chief Counsel Frederick A. O. Schwartz, Jr., who acted as Chairman, John Elliff, Mark Gitenstein and Michael Epstein. No U.S. Senators were present. *ST 104* Representatives offering testimony were Assistant Director W. Raymond Wannall, Inspector-Deputy Assistant Director Hunter E. Helgeson, Section Chiefs Joseph G. Deegan and Robert L. Shackelford of the Intelligence Division and Inspector John B. Hotis, Legal Counsel Division. *62-116395-1391*

FEB 24 1976

At the outset of the Session, Mr. Schwartz explained that this was a continuation of the Executive Session on 2/6/76 in an effort to assist the SSC in drafting legislation outlining the Bureau's responsibility for domestic intelligence investigations which goes beyond criminal investigations. He noted that at the closing of the past Executive Session, Mr. Shackelford had stated the Communist Party, USA (CPUSA)

62-116395

GJL:rsm
(11)

MDR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *11/8/00* BY *SP2 AEM/ETH*

CONTINUED - OVER

84 FEB 25 1976

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

and the Socialist Workers Party (SWP) had been involved in planning or organizing numerous large demonstrations in the country and he desired to continue this discussion. A list of major demonstrations with resulting damages and arrests which occurred in the U.S. during the past ten years involving subversive groups was furnished by Mr. Shackelford. A discussion followed regarding the role of the FBI in gathering intelligence information concerning the demonstrations as well as the dissemination of the information which had been obtained. Mr. Schwartz questioned the authority of the FBI in investigating infiltrated groups such as the National Peace Action Coalition (NPAC) and the Peoples Coalition for Peace and Justice (PCPJ) even though both groups were either dominated or influenced by the CPUSA or the SWP.

A discussion then followed as to what effect the enactment of the Privacy Act has on the investigation by the FBI of domestic subversive groups. A request was made concerning instructions which have been sent to the field by FBIHQ concerning this matter.

The Session then turned to investigation of extremist groups and the use of informants in these groups to obtain advance information to prevent acts of violence. Specific cases of this type were read into the record by Mr. Deegan. Mr. Gitenstein questioned the authority of the Bureau to place informants into these extremist groups without the ingredient of violence present.

This Executive Session was adjourned at approximately 12:45 p.m. and no request was made at that time for another Executive Session.

OBSERVATIONS:

From statements made by Mr. Schwartz and other SSC staff members present, with the possible exception of Mr. Mark Gitenstein, it appeared that these individuals continue to be opposed to legislation authorizing Bureau investigations in the domestic intelligence area unless the threat of violence is imminent. Mr. Gitenstein in his discussion concerning the use

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

of informants in extremist groups appeared to want to include in the record acts of violence which have been prevented because of infiltration by informants in these groups. It does appear, therefore, that he may be more favorably inclined towards the Bureau's position in these matters.

RECOMMENDATION:

That the SSC Unit, Intelligence Division, communicate with a member of the SSC staff regarding Privacy Act material and/or instructions desired by the Committee.

ful

per

Jaan
JST

WFW

Jaan

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-100

62-116395-1390
The Attorney General

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
- (1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- December 19, 1975

Director, FBI

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

- 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

This is to call to your attention a most serious breach of the confidentiality that must be afforded the material and information that this Bureau has furnished to the U. S. Senate Select Committee on Intelligence. Enclosed for your approval and delivery, preferably to SSC Chairman Senator Frank Church personally, is a memorandum which sets forth this incident in detail for the SSC, states the seriousness with which this matter is viewed and which requests the SSC to advise whether 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.

George F. Dorsett was an FBI informant from January, 1959, to October, 1970. He was discontinued as an informant when his activity in the Klan ceased, at which time his relationship with the Bureau continued to be excellent. He has not been disclosed publicly as an FBI informant. Dorsett did in fact separate from the United Klans of America (UKA) and form the Confederate Knights of the Ku Klux Klan (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.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.: _____
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
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- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____

Enclosures (2)

62-116395

1 - The Deputy Attorney General

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

1 - Charlotte

1 - 137-4853

JDP:lek (16)

MDR 16
ALL INFORMATION CONTAINED
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DATE 11/9/00 BY SP2ALM/ENL

SEE NOTE PAGE 3

SEE NOT PG 3

The Attorney General

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 August 22, 1967, and C. D. Brennan memorandum to W. C. Sullivan dated August 24, 1967, 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 formation of the CKKKK. Dorsett's name is deleted from these documents; however, it is clear that the informant was preparing the letter. Charlotte airtel to the Director September 13, 1967, refers to the August 22, 1967, Charlotte airtel and states that the referenced airtel recommended Bureau approval for a letter to be mailed over the signature of Reverend George F. Dorsett under the above conditions. Dorsett's name is not deleted from this document. 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 SSC, said 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.

The Attorney General

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.

As set forth in the enclosed memorandum, Mr. Dorsett was interviewed on December 12, 1975, by Charlotte, North Carolina, FBI Agents at which time 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.

As stated above this matter is considered to be a most serious breach of the confidentiality that must be afforded the material and information that this Bureau has furnished to the U. S. Senate Select Committee on Intelligence. It is respectfully requested that the enclosed memorandum be delivered to Senator Frank Church, Chairman of the SSC, personally. Please advise what action is taken concerning this matter.

NOTE:

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

LHM NOT DELIVERED
TO SSC PER STEVEN
BLACKHURST, DEP. SPECIAL
COUNSEL FOR INTELLIGENCE
COORDINATION, USOS, PER INSTRUCTION
OF DAG TYLER. *and* 3-23-76

62-116395

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. D. W. Moore
- 1 - Mr. H. E. Helgeson

December 19, 1975

- 1 - Mr. W. O. Cregar

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

- 1 - Mr. J. G. Deegan
- 1 - Mr. T. J. Seabaugh
- 1 - Mr. J. D. Powell

This is to call attention to the following incident which is a most serious breach of the confidentiality that must be afforded the material and information that this Bureau has furnished to the U. S. Senate Select Committee on Intelligence:

The December 10, 1975, issue of the "Greensboro Daily News," Greensboro, North Carolina, contains on page one an article captioned "Greensboro Man Named As FBI Klan Informant," by Jack Betts, Daily News Washington Bureau. The 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.

1 - Charlotte

1 - 137-4853 (George F. Dorsett)

JDP:lek (15) lek

SEE NOTE PAGE 5

MDR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/8/00 BY SP2ALM/EHL

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

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

SEE NOTE Pg 5

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

"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.

"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."

A review of material delivered to the staff of the Committee has determined that Committee Staff Member Barbara Banoff accepted on August 28, 1975, copies of 212 serials relating to White Hate matters under the COINTELPRO requests of the Committee. The following documents were included among these 212 serials:

Airtel from SAC, Charlotte, to Director, FBI,
dated May 9, 1967. (157-9-8-100)

Airtel from SAC, Charlotte, to Director, FBI,
dated May 31, 1967. (157-9-8-102)

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

Airtel from SAC, Birmingham, to Director, FBI,
dated June 14, 1967. (157-9-8-107)

Airtel from Director, FBI, to SACs, Charlotte,
Atlanta and Birmingham, dated June 20, 1967. (157-9-8-110)

Airtel from SAC, Charlotte, to Director, FBI,
dated June 14, 1967. (157-9-8-110)

Airtel from SAC, Charlotte, to Director, FBI,
dated June 28, 1967. (157-9-8-115)

Airtel from SAC, Charlotte, to Director, FBI,
dated June 23, 1967. (157-9-8-113)

Airtel from Director, FBI, to SACs, Atlanta
and Charlotte, dated June 29, 1967. (157-9-8-114)

Airtel from Director, FBI, to SAC, Charlotte,
dated August 25, 1967. (157-9-8-126)

Airtel from SAC, Charlotte, to Director, FBI,
dated August 22, 1967. (157-9-8-126)

Memorandum from C. D. Brennan to Mr. W. C. Sullivan,
dated August 24, 1967. (157-9-8-127)

Airtel from SAC, Charlotte, to Director, FBI,
dated September 13, 1967. (157-9-8-128)

All of the above communications are captioned
"Counterintelligence Program, Internal Security, Disruption
of Hate Groups (United Klans of America, Inc., North Carolina)."

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

Letter from SAC, Charlotte, to Director, FBI,
captioned "Counterintelligence Program, Internal Security,
Disruption of Hate Groups (Confederate Knights of the Ku
Klux Klan), Charlotte Division," dated January 30, 1969.

(157-9-8-151)

Airtel from Director, FBI, to SAC, Charlotte,
captioned "Counterintelligence Program, Disruption of Hate
Groups, Internal Security, Racial Matters (Klan)," dated
September 25, 1967. (157-9-8-129)

A careful reading and comparison of these documents
would lead to the identity of Dorsett as an FBI informant in
the manner described in the above article. The factual material
set forth in the article is contained in the above documents.
It is noted that the documents as delivered to the Committee
do not identify Mr. Dorsett as an FBI informant; however, his
identity can be deduced from the combined documents. Our
records do not indicate that Mr. Dorsett's identity as an
informant has been disclosed in any other manner. Mr. Dorsett
was interviewed by FBI Agents of the Charlotte, North Carolina,
FBI Office on December 12, 1975. Mr. Dorsett stated that
he felt "betrayed" by his government concerning the public
disclosure in the news media of his identity as an FBI source.
He recalled that he had always been assured that his identity
would always remain confidential and known only to the FBI.
He further stated that as a result of the public disclosure of
his identity as an FBI source in the "Greensboro Daily News"
on December 10, 1975, he has experienced great consternation
among his close friends and members of his family. He has
received harassing telephone calls. During one of these calls
the caller stated, "Tell that pimp to get his casket ready."
Mr. Dorsett expressed his concern for the personal safety
of himself and members of his family, as well as concern for
the safety of his residence and personal property.

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

The disclosure of the identity of FBI informants places these informants' lives in serious jeopardy as well as subjecting them and their families to the likelihood of embarrassment and harassment within their communities. Such disclosures have a most serious and detrimental effect on other informants, who have just cause to question the security of their past or present association with the FBI. Persons who might otherwise be inclined to furnish information to the FBI, expecting their cooperation to be kept in confidence, are reluctant to do so when they see such violations of the sanctity of FBI files and information.

The FBI has endeavored to cooperate fully and candidly in making available to the Committee the documents and information requested by the Committee. We have insisted that the confidentiality of informants be maintained. In view of this most serious breach of the confidentiality of information furnished by the FBI to the Committee and in an effort to determine the nature of it, you are requested to advise whether the U. S. Senate Select Committee on Intelligence or any member or staff member thereof, is responsible for the public disclosure of former FBI informant George F. Dorsett as alleged and if so, the basis for such disclosure.

1 - The Attorney General

NOTE:

See memorandum J. G. Deegan to Mr. W. R. Wannall prepared by JDP/lek, dated 12/16/75.

NOT DELIVERED TO
SSC PER STEVEN BLACKWEST,
DEP. SPECIAL COUNSEL FOR
INTELLIGENCE COORDINATION
ON SPECIFIC INSTRUCTIONS
OF DAG TYLER
HJD 3-23-76

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall *Wannall*
FROM : W. O. Cregar *WOC/TAM*
SUBJECT: U. S. SENATE SELECT COMMITTEE (SSC)

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- DATE: 2/13/76
- 1 - Mr. D. W. Moore
- 1 - Mr. W. O. Cregar
- 1 - Mr. J. G. Deegan
- 1 - Mr. T. J. McNiff

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Telephone Rm. _____
Director Sec'y _____

By memorandum dated 12/19/75, you were advised of a serious breach of confidentiality in the handling of FBI documents that had been delivered to the SSC. This memorandum detailed the disclosure in the North Carolina press of former FBI informant George F. Dorsett and specifically attributed the disclosure to Bureau documents delivered to the SSC. The memorandum also enclosed a memorandum for delivery to SSC Chairman Senator Frank Church detailing the above incident. (Copies of both memoranda are attached).

In view of the Director's scheduled conference 2/17/76, with Senator Robert Morgan of North Carolina, who is a member of the SSC, efforts were made on 2/9/76 to determine whether the above memorandum had been delivered to Senator Church. It was ascertained that the memorandum had not been delivered but that the Deputy Attorney General then had the matter under consideration.

On 2/13/76, Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination, Department of Justice, advised that the Deputy Attorney General had, that morning, instructed that the Department prepare a letter to Senator Church detailing the incident as set forth in the above memorandum that had been prepared by the Bureau for delivery to Senator Church. According to Blackhurst, the Department communication, which has not as yet been approved, concluded by asking Senator Church whether or not the SSC was responsible for leaking documents disclosing the identity of Dorsett and, if so, what action the SSC intends to take to prevent similar disclosures in the future. Blackhurst added that a copy of his communication is being designated for the Bureau but he did not know whether the communication would reach the Bureau prior to the Director's meeting with Senator Morgan. Upon approval, he will telephonically advise Bureau.

Enclosures

62-116395

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84 FEB 25 1976

UNRECORDED COPY FILED IN 62-116395-41853

Memorandum to Mr. W. R. Wannall
Re: U. S. Senate Select Committee (SSC)
62-116395

ACTION:

None. Above is submitted for information.

TJW pⁿ

Jm

pcu

Jm

npl
Jm

K

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

CODE

TELETYPE

NITEL

TO SACs BUTTE
 MINNEAPOLIS
 SEATTLE

FEBRUARY 19, 1976

FROM DIRECTOR FBI (62-116395)

1 - Mr. J. G. Deegan
 1 - Mr. T. J. McNiff
 1 - Mr. J. P. Graham

SENSTUDY 75

BY LETTER DATED FEBRUARY 11, 1976, THE SENATE SELECT COMMITTEE (SSC) REQUESTED THAT ARRANGEMENTS BE MADE FOR SSC STAFF MEMBERS TO INTERVIEW FBI PERSONNEL WHO AUTHORED CERTAIN COUNTERINTELLIGENCE PROGRAM (COINTELPRO) DOCUMENTS RELATING TO ALLEGED FBI INVOLVEMENT IN "GANG WAR" BETWEEN THE BLACK PANTHER PARTY (BPP) AND THE US ORGANIZATION.

THESE PERSONS ARE:

BUTTE DIVISION - SPECIAL AGENT (SA) ROY L. BURNS, ASSIGNED TO BILLINGS, MONTANA, RESIDENT AGENCY, (DOCUMENTS AUTHORED WHILE ASSIGNED SAN DIEGO);

MINNEAPOLIS DIVISION - ASSISTANT SPECIAL AGENT IN CHARGE (ASAC) WILLIAM D. NEUMANN, (DOCUMENTS AUTHORED WHILE ASSIGNED FBI HEADQUARTERS (FBIHQ);

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.:
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
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 Director Sec'y _____

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MDR 16

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 DATE 11/8/00 BY SP2ALM/ETH

EX-116
 REC-50
 FEDERAL BUREAU OF INVESTIGATION
 COMMUNICATIONS SECTION

FEB 23 1976

FEB 19 1976

SEE NOTE PAGE 3

TELETYPE

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GPO : 1975 O - 569-920

PAGE 2

SEATTLE DIVISION - SA LEROY W. SHEETS (RETIRED), LAST ADDRESS BELIEVED TO BE 5825 - 72ND STREET, N. E., MARYSVILLE, WASHINGTON, (DOCUMENTS AUTHORED WHILE ASSIGNED LOS ANGELES).

BUTTE AND MINNEAPOLIS SHOULD ADVISE INCUMBENT EMPLOYEES THAT IF CONTACTED BY SSC STAFF FOR INTERVIEW, LEGAL COUNSEL DIVISION IS TO BE IMMEDIATELY NOTIFIED THROUGH SAC SO THAT RELEASE FROM CONFIDENTIALITY AGREEMENT AND ARRANGEMENTS FOR INTERVIEW CAN BE EFFECTED.

SEATTLE SHOULD CONTACT FORMER SA SHEETS, ALERT HIM TO ANTICIPATED SSC STAFF INTERVIEW AND ADVISE HIM TO CONTACT LEGAL COUNSEL DIVISION SO THAT HE CAN BE RELEASED FROM CONFIDENTIALITY AGREEMENT AND PARAMETERS OF INTERVIEW OUTLINED TO HIM. CONTACT WITH SHEETS TO BE HANDLED BY SAC OR ASAC. IN EVENT THIS NOT FEASIBLE FOR JUST CAUSE, TO BE HANDLED BY A SENIOR SUPERVISOR. IF SHEETS NO LONGER IN YOUR TERRITORY OR TEMPORARILY AWAY, SET OUT LEAD TO OTHER OFFICE IMMEDIATELY WITH COPY TO FBIHQ.

PAGE 3

NOTE:

Referenced SSC letter indicated that certain portions of Bureau memoranda and airtels may be quoted in the SSC's final report on FBI intelligence operations and that the SSC was seeking to take the testimony of persons whose memoranda and statements might be quoted in that report. The memoranda referred to in referenced SSC letter pertain to the FBI's role in the "gang war" between the BPP and the US Organization. By telephone call 2/18/76, the SSC also requested the author of SAC, Los Angeles, airtel to Director, FBI, 5/26/70, under the same caption as above memoranda. The author of this communication was determined to be Supervisor Richard W. Held, currently assigned to FBIHQ. Mr. Held, who is in an official travel status until the first week of March, has been advised of the SSC's desire to interview him. By airtel, Minneapolis and Butte will be furnished copies of documents written by Mr. Neumann and Mr. Burns, respectively.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 2/2/76

FROM : Legal Counsel *[Signature]*

MDR 16
ALL INFORMATION CONTAINED
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DATE 11/8/00 BY SP2ALM/HL

SUBJECT: SENSTUDY 75

Assoc. Dir. ☒
Dep. AD Adm. ☒
Dep. AD Inv. ☒
Asst. Dir.:
Admin. ☒
Comp. Syst. ☒
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Training ☒
Telephone Rm. ☒
Director Sec'y ☒

At 2:45 p.m. on 1/27/76, Michael Epstein, Staff Member of captioned Committee, requested that Harold N. Bassett, Assistant Director of the Inspection Division, or some other Bureau official familiar with inspection procedures be made available for a briefing with that Committee on 1/28/76 and to appear in executive session at 10 a.m. on 1/29/76. The topic of the briefing and testimony will be the Bureau's inspection procedures.

Epstein contacted SA Paul V. Daly of this Division on 1/28/76 and indicated he would desire that the briefing take place in the Committee's space at 1:30 p.m. on this date. He stated it would not be necessary for Assistant Director Bassett to be familiar with any particular matters reviewed by the Inspection Division but rather address, in general, the inspection policies and procedures. Epstein stated the executive session which was to begin at 10 a.m. on 1/29/76 would consist of Assistant Director Bassett and former Acting Associate Director W. Mark Felt appearing in a panel arrangement. Assistant Director Bassett would be asked questions at the executive session concerning inspection procedures.

Scheduled to follow Assistant Director Bassett as witnesses before the Committee in that same executive session at 11 a.m. are Michael E. Shaheen, Jr., in his role as Counsel on Professional Responsibility and Glen E. Pommerening, Assistant Attorney General for Administration.

On 1/28/76, Epstein advised SA Daly that Assistant Director Bassett's appearance in executive session before that Committee was being rescheduled for 2 p.m. on 1/29/76 because of a schedule conflict. He subsequently advised that the Staff briefing had to be postponed because Epstein determined he had a prior commitment. Epstein, in the late afternoon of 1/28/76,

EX-116

REC-50

62-116395-1388

1 - Mr. Mintz
~~1 - Mr. Adams~~
~~1 - Mr. Callahan~~
1 - Mr. Bassett

1 - Mr. Wannall
1 - Mr. Cregar
1 - Mr. Hotis
1 - Mr. Daly

6 FEB 10 1976

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LEGAL COUNSEL

Legal Counsel to Mr. Adams
RE: SENSTUDY 75

advised that he had to again postpone the executive session testimony of Assistant Director Bassett because of scheduling conflicts and that the testimony would be sometime during the week of 2/2/76. He could not give a definite time nor assure that the testimony would take place during that week.

On the morning of 1/29/76, Epstein requested that Assistant Director Bassett appear in executive session at 2 p.m. on 2/3/76 to give his requested testimony. After consultation with Assistant Director Bassett, Epstein was advised that Assistant Director Bassett had delayed his departure from Washington, D. C., to conduct Bureau business in order to be available for testimony and that on two separate occasions the Committee had found it necessary to reschedule his testimony. He was advised that Assistant Director Bassett would be available during the week of 2/9/76 and that we requested he be given the opportunity to testify during that week or some other mutually agreeable time. Epstein stated that it was the intention of the Committee to go forward on 2/3/76 without Assistant Director Bassett and mentioned that former Acting Associate Director W. Mark Felt who had been head of the Bureau's Inspection Division would be available to testify concerning this matter. It was pointed out to Epstein that Mr. Felt is no longer with the FBI and is not in a position to act as spokesman for Bureau inspection policies and procedures which are currently in existence under Director Kelley. Epstein again indicated that the Committee would go on without a Bureau representative.

John T. Elliff, Director of the Domestic Task Force of the Senate Select Committee, was immediately contacted and advised of Epstein's decision and the background concerning this matter. Elliff was advised that the Committee certainly would want all the information available concerning inspection procedures in the Bureau to get a fair picture of this area of Bureau operations. Elliff agreed and stated he would insure Assistant Director Bassett would be given the opportunity to testify as to the Bureau's current inspection procedures and policies. This testimony, however, may not be at the same time as the appearance of W. Mark Felt, et al.

RECOMMENDATION :

For information.

10 IBH/13

ation.

JK

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 28 1976

TELETYPE

NR 12 SD PLAIN

5:54PM JANUARY 28, 1976 URGENT ASC

TO: DIRECTOR

FROM SAN DIEGO (66-1714)

ATTN: INTD AND LEGAL COUNSEL

SENSITIVE 75

Assoc. Dir.	_____
Dep. Dir. Adm.	_____
Dep. Dir. Inv.	_____
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RE SAN DIEGO TELETYPE TO THE BUREAU JANUARY 27, 1976.

THE SAN DIEGO UNION NEWSPAPER OF JANUARY 28, 1976, CONTAINS AN ARTICLE STATING CITY COUNCILMAN FLOYD MORROW WILL ON JANUARY 29, 1976, PROPOSE A COUNCIL RESOLUTION REQUESTING THE SENATE INTELLIGENCE COMMITTEE CONDUCT HEARINGS IN SAN DIEGO TO HEAR LOCAL WITNESSES IN CONNECTION WITH RECENT DISCLOSURES THAT THE FBI "PROMOTED VIOLENT DISRUPTION OF BLACK GROUPS AND POLITICAL DISSIDENTS" IN SAN DIEGO DURING THE LATE 1960S AND EARLY 1970S. THE RESOLUTION WILL REQUEST THAT THE CITY OF SAN DIEGO HAVE A REPRESENTATIVE ON THE SENATE COMMITTEE TO OBTAIN INFORMATION GAINED BY THE PANEL IN ITS HEARINGS.

THE ARTICLE FURTHER STATES THAT SAN DIEGO CITY COUNCILMAN LEON WILLIAMS MET FOR MORE THAN AN HOUR IN SAN DIEGO ON JANUARY 27, 1976, WITH SENATE INVESTIGATOR ARTHUR JEFFERSON

MDR 16
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EX-116

REC-50

62-116383
5-1389

FEB 13 1976

84 FEB 25 1976

11- LEGAL COUNSEL

PAGE TWO

SD 66-1714

REVIEWING FBI ATTEMPTS TO DISRUPT BLACK NATIONALIST GROUPS. WILLIAMS ALLEGEDLY TOLD JEFFERSON OF HIS ATTEMPTS TO MEDIATE A FEUD BETWEEN THE BLACK PANTHERS AND US IN SAN DIEGO IN 1969. WILLIAMS STATES HE WAS INFORMED BY TWO CITY OFFICIALS, FORMER POLICE CHIEF O.J. ROED AND FORMER CITY MANAGER WALTER HAHN, THAT THE BLACK PANTHERS PLANNED TO ASSASSINATE HIM AND INFORMATION ABOUT THE PLOT HAD BEEN FURNISHED BY THE FBI. ROED AND HAHN ARE REPORTED IN THE ARTICLE AS NOT RECALLING THE MEETING OR TELLING WILLIAMS OF A DEATH PLOT AGAINST HIM.

WILLIAMS INDICATES THAT UPON BEING SO ADVISED BY ROED AND HAHN, HE NOTIFIED COUNCILMAN FLOYD MORROW AND MORROW HAS STATED HE RECALLS BEING SO ADVISED.

THE ARTICLE STATES JEFFERSON DEPARTED SAN DIEGO FOR LOS ANGELES ON JANUARY 27, 1976, AND EXPECTS TO PROBE FBI

PAGE THREE

SD 66-1714

ACTIVITIES IN LOS ANGELES WHERE "TWO MEMBERS OF THE BLACK
PANTHER PARTY WERE KILLED DURING A SHOOT OUT WITH US MEMBERS
ON THE UCLA CAMPUS IN JANUARY, 1969."

END.

VLN FBIHQ ACK FOR ONE TEL

NR012. CLR

1 - Mr. M. P. Callahan
1 - Mr. J. B. Adams
1 - Mr. D. W. Moore, Jr.

The Attorney General

February 18, 1976

Director, FBI

1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. J. G. Deegan
1 - Mr. E. F. Glenn

SAN DIEGO OPERATIONS

You were previously advised by my letter dated January 23, 1976, of recent allegations against the FBI relating to the Secret Army Organization (SAO) that appeared in a series of articles beginning January 11, 1976, in the "San Diego Union" Newspaper. These articles alleged the FBI created and financed the SAO and controlled the activities of this group through an informant, Howard Barry Godfrey, who was a leader of this organization. You were also advised the inquiry being conducted concerning these allegations had thus far indicated they were unfounded.

This is to advise you that our inquiry into this matter has been completed. This inquiry which included a review of all pertinent court records and FBI Headquarters and San Diego Field Office files reveals allegations against the FBI, concerning our investigation of the SAO, are without merit and clearly shows the FBI did not organize, control, or finance the SAO. Information we received concerning illegal activities conducted or planned by the SAO was immediately disseminated to appropriate law enforcement agencies.

In the above-mentioned series of articles there were certain allegations made by former SAO members and associates when interviewed by newspaper reporter Patrick Dillon. These individuals previously expressed a desire to the news media to discredit Godfrey, or had been found guilty following legal proceedings in which Godfrey was an important witness. Allegations made by them to Mr. Dillon included:

① 62-116395 (SENSTUDY 75 Project)

EFG:lek
(12)

SEE NOTE PAGE 2

MDR 16
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DATE 11/8/00 BY SP2 ALM/ETHC

DUPLICATE YELLOW

57 FEB 25 1976

The Attorney General

(1) Godfrey assigned SAO members to kidnap antiwar demonstrators during the 1972 Republican National Convention planned for San Diego, (2) Godfrey threatened and pressured SAO members into committing acts of violence, (3) Godfrey was involved in criminal acts which included breaking into school offices, firebombing vehicles, and making threatening calls.

One individual who made allegations against Godfrey, when interviewed by Mr. Dillon, also testified during the trial of an SAO member that he was responsible for the sale of between \$10,000 and \$20,000 worth of weapons and explosives to Godfrey. This person later entered a guilty plea in court, State of California, for the charge of perjury in connection with this testimony.

The extensive review of pertinent FBI and court documents, mentioned above, produced no information to substantiate or refute these allegations. However, it should be noted no information to document or substantiate these allegations has been produced.

In view of the above we contemplate no further inquiry in this matter.

NOTE:

By letter dated 1/23/76, the Attorney General was advised of articles appearing in "San Diego Union" Newspaper alleging Bureau organized, financed and controlled the SAO. The Attorney General was advised preliminary inquiries determined there was no basis for allegations, however, additional inquiries were being conducted. Instant letter is follow-up letter to advise Attorney General of results of additional inquiries.

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
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Training _____
Telephone Rm. _____
Director Sec'y _____

TO : Mr. Jenkins

DATE: 2-6-76

FROM : J. J. McDermott *EDM/10*

SUBJECT: COST DATA - JANUARY 1976
SENSTUDY AND HOUSTUDY

MDR 16
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Due to the fact that this matter is being handled in Records Section through normal mail processing procedures, it is most difficult to determine which specific individual(s) may have typed a certain card or abstract, searched a particular name, reviewed a particular file, etc. Therefore, names of individuals have not been given. In some instances, a specific number of individuals involved may be known and, where applicable, this has been shown. But in some units it is impossible to know even how many persons performed the work relative to a specific subject. All that can be given in some cases is the estimated number of hours in a particular grade or level based on production figures relating to this matter.

SENSTUDY

No. Personnel	Grade	Salary	Man-Hours	Agent/Clerical
8	GS-3	\$ 7,102	5 1/4	C
1	GS-4	8,508	1/2	C
*	GS-6	9,946	133 1/4	C
1	GS-6	10,610	1/2	C
2	GS-6	11,606	2	C
1	GS-8	15,071	8	C
1	GS-15	37,573	8	A

REC-48

*Cannot be accurately determined

HOUSTUDY

2	GS-3	7,102	1 3/4	C
1	GS-6	10,610	1/2	C

Costs incurred in the Communications Section are negligible.

RECOMMENDATION: Refer to the Administrative Division.

WLB:bpr

FEB 13 1976

FEB 10 1976

FEB 26 1976

UNRECORDED COPY FILED IN

1 - Mr. Callahan
 1 - Mr. Adams
 1 - Mr. Mack
 1 - Mr. Mintz
 1 - Mr. Moore
 1 - Mr. Wannall
 1 - Mr. Leavitt
 Intelligence Division 1-Mr. Deegan
 1-Mr. Gregar
 1-Mr. Tansey

INFORMATIVE NOTE

Date 1/28/76

Attached from San Diego pertains to Senstudy '75 and current activity of Senate Select Committee (SSC) investigators probing charges the FBI promoted guerrilla-type warfare against blacks and political dissidents in the San Diego and Los Angeles areas during the late 1960's and early 1970's.

San Diego "Union" newspaper 1/28/76 indicates City Councilman Floyd Morrow will propose council resolution on 1/29/76 requesting SSC conduct hearings and have representative from city of San Diego on the "Senate Committee" to obtain data gained by the panel in its hearings. It is also reported SSC investigator Arthur Jefferson departed San Diego for Los Angeles on 1/27/76. He is going to probe FBI activities pertaining to two rival black extremist groups. This involved killing of two Black Panther Party (BPP) members during shootout with US members on UCLA campus in 1/69.

The "Union" article also states City Councilman Leon Williams met for more than an hour 1/27/76 with Jefferson and told Jefferson he attempted to mediate a feud between BPP and US in San Diego in 1969. Williams claimed he was informed by two city officials, the former police Chief and the former city manager, that FBI told them BPP planned to assassinate Williams. The article indicates the former police chief

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and the former city manager both deny making such statement to Williams. Williams claims he told Councilman Morrow at the time and Morrow claims he recalls being so advised.

SAC Ronald L. Maley, San Diego, telephonically contacted by Intelligence Division Night Supervisor F. Anthony Tansey, stated San Diego FBI personnel knowledgeable of facts do not recall any such incident or notice to former officials or Williams; and, if FBI had knowledge of such a plot, all knowledgeable employees believe Williams, himself, would have been notified directly.

San Diego is currently reviewing pertinent files for any information to prove or disprove Williams' statement and a teletype will be submitted with pertinent facts on 1/29/76.

Upon receipt of the teletype from San Diego, you will be advised whether or not San Diego did have knowledge of any plot against Williams and whether anyone, including Williams, was alerted to such information.

WAFAT

ICD

~~me~~

Per

WRP
JEF

Jm

PLAINTEXT

TELETYPE

1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Cregar
1 - Mr. Daly
1 - Mr. Miller

TO: ADIC, NEW YORK

2/12/76

FROM: DIRECTOR, FBI

SENSTUDY 75

MDR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/8/00 BY SP-3 ALM/EHL

SA DANIEL A. FLYNN GAVE DEPOSITION ON SEPTEMBER 10, 1975, TO THE SENATE SELECT COMMITTEE. JAMES DICK, COMMITTEE STAFF MEMBER, DESIRES TO HAVE SA FLYNN ATTEST TO THE ACCURACY OF DEPOSITION BEFORE NOTARY PUBLIC. MR. DICK WILL CONTACT SA FLYNN IN THE NEW YORK OFFICE AND MAKE ARRANGEMENTS IN THIS REGARD. BUREAU APPROVAL IS GRANTED FOR SA FLYNN TO ATTEST TO THE ACCURACY OF THE DEPOSITION.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

1 - Personnel File - SA Daniel A. Flynn

REC-65
ST 112

FEB 12 1976

EMS 8:24 PM

TELETYPE

1385

FEB 18 1976

NOTE: On 2/11/76, James Dick, Staff Member of the Senate Select Committee, advised SA Flynn (NYO) gave deposition on 9/10/75 on the subject of mail openings. The deposition was not under oath. Dick requested SA Flynn attest to accuracy of his deposition before a notary public. SA Flynn furnished a summary of his deposition to the Bureau which was furnished to the Department and the White House by memorandum dated 10/1/75.

JDM/PVD:lad
(10)

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 ☐

GPO : 1975 O - 569-920

NCO/Pickett
Rm 9170 5/6/99
Section 3
11/8/00

- 1 - Mr. N. P. Callahan
- 1 - Mr. J. B. Adams
- 1 - Mr. D. W. Moore, Jr.

2/10/76

Mr. W. R. Wannall

J. G. Deegan

- 1 - Mr. J. A. Mintz
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. G. Cregar
- 1 - Mr. J. G. Deegan
- 1 - Mr. E. F. Glenn

SECRET ARMY ORGANIZATION
(SAO)

EXTREMIST MATTER

MDR 1b
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DATE 4/8/60 BY SP2ALM/EHL

In previous memorandum J. G. Deegan to Mr. W. R. Wannall dated 1/30/76, captioned as above, the allegations against the FBI and former informant Howard Barry Godfrey were refuted. These allegations appeared primarily in the "San Diego Union" Newspaper in a series of articles written by Patrick Dillon, which commenced 1/11/76. Allegations included: The SAO was an extension of the Counterintelligence Program (COINTELPRO), the FBI gave Godfrey between \$10,000 and \$20,000 worth of explosives and weapons for use by the SAO, Godfrey paid SAO expenses, the SAO was used by the FBI to disrupt anti-war demonstrators and get local activists on the run, the FBI organized, financed and controlled the SAO, and Godfrey conspired and attempted to commit murder.

Instant memorandum relates to certain allegations made by former SAO members and associates when interviewed by newspaper reporter Dillon in preparation of the above-mentioned series of articles. Extensive review of all pertinent Bureau and San Diego Field Office files as well as pertinent transcripts of court and grand jury proceedings regarding SAO members has produced no information to either substantiate or refute the allegations. Allegations included:

- (1) Godfrey assigned SAO members to kidnap antiwar demonstrators during the 1972 Republican National Convention planned for San Diego,
- (2) Godfrey threatened and pressured SAO members into committing acts of violence,
- (3) Godfrey was involved in criminal acts which included breaking into school offices, firebombing vehicles, and making threatening calls.

① 62-116395 (SENSTUDY 75 Project)

EFG:eks (10)

62-116395-
NOT RECORDED

46 FEB 23 1976
CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
Re: Secret Army Organization (SAO)

(4) Godfrey had an obsession with regard to long haired, New Left types. He talked of bombing them with an airplane, dropping mortar rounds on them, and beating them up.

These allegations were made by individuals who had previously expressed a desire to the news media to discredit Godfrey and those who were found guilty following legal proceedings in which Godfrey was an important witness. Additional inquiry is not warranted since information to document or substantiate these allegations has not been produced and all available files and documents have been reviewed.

In a letter dated 1/21/76, the Attorney General (AG) was advised that the FBI was conducting an inquiry into allegations that the Bureau acted improperly while investigating the SAO. The AG will be advised of results of the inquiry into all allegations by separate communication.

A work paper containing all back-up material regarding the allegations made and the results of transcript reviews and the review of Bureau and San Diego Field Office files has been prepared and made available to the External Affairs Division.

ACTION:

None. For information.

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. D. W. Moore
1 - Mr. W. R. Wannall

Mr. W. R. Wannall

2/10/76

F. J. Cassidy

COINTELPROS

1 - Mr. W. O. Cregar
1 - Mr. J. G. Deegan
1 - Mr. R. L. Shackelford
1 - Mr. F. J. Cassidy
1 - Mr. D. Ryan

This is to advise of our interpretation of analytical information relating to our discontinued Counterintelligence Programs (Cointelpros) prepared by the Senate Select Committee (SSC).

On 2/2/76 the Department made available for our review a number of FBI documents the SSC intends to publish in connection with its forthcoming report. Included with the material were three SSC prepared charts (copies attached) analyzing the same five basic domestic Cointelpros which were reviewed in 1974 by the Department Study Committee on FBI Cointelpros (Petersen Committee). The statistics utilized by the SSC in compiling the charts differ from those reported by the Petersen Committee, and the SSC has also established different categories for characterizing Cointelpro actions than used in the Petersen report. The following is a description of the three SSC charts.

1. Cointelpro Composite (SSC Exhibit 10). This chart lists seven basic categories for the 2,679 total Cointelpro actions tabulated by the SSC, it being noted this is 310 more actions than calculated by the Petersen Committee. The first three categories, (1) Attacks on Speaking, Teaching, Writing, and Meeting; (2) Interference w/Personal and Economic Rights; and (3) Abuse of Government Processes, place approximately 925 of the Cointelpro actions in an area indicating FBI violation of constitutional rights with possible criminal and civil liability. The fourth category, Third Party Hostile,

Enclosures
62-116009

CONTINUED - OVER

1 - 62-116395 (Senstudy)

DR/AGP:lfj
(11)

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ENCLOSURE

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Memorandum to Mr. W. R. Wannall
Re: Cointelpros
62-116009

apparently indicates Cointelpro actions directed to cause hostile action to a target, probably by third parties. Categories 5 and 6, Factionalization and Propaganda, represent approximately 1,550 of the total actions, appear to relate to efforts of the FBI to cause dissension within organizations or to expose through publicity the activities of a targeted group or individual. The seventh category, Cominfil, undoubtedly is a reference to FBI efforts to expose or disrupt communist efforts to infiltrate a noncommunist organization, it being noted this category is only tabulated for the Communist Party, USA, Program.

The SSC categories differ from those of the Petersen report in that the first three clearly are in terms indicating a violation of First Amendment rights with possible criminal and/or civil liability. The four other categories do not necessarily indicate criminal or civil wrongdoing, but probably indicate actions outside the charter of the FBI. Regarding the Cominfil category, the SSC has been critical of our use of "Communist Infiltration" which the Committee views as a pretext for such investigations as those involving the Southern Christian Leadership Conference, Martin Luther King, Poor Peoples March, and Women's Liberation Movement.

2. Cointelpro Categories by Program (SSC Exhibit 11).
This chart consists of five individual charts representing the basic domestic Cointelpros and graphically illustrates the characterizations of actions conducted in each program.

The five charts illustrate the differences in the figures for Cointelpro actions as tabulated by the Petersen Committee and the SSC. These are as follows.

CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
Re: Cointelpros
62-116009

<u>Program</u>	<u>Petersen</u>	<u>SSC</u>	<u>Percent Difference</u>
CPUSA	1388	1636	17.8
SWP	46	57	23.8
White Hate	255	287	12.5
Black Nationalist	362	379	4.9
New Left	289	291	1.0
Totals	2340	2650	13.24

3. Cointelpro Activity (SSC Exhibit 22). This chart endeavors to tabulate the number of Cointelpro actions for each program on a quarterly basis for each year from 1956 to 1971. The chart indicates approximately 60 percent of all Cointelpro actions were conducted in the Communist Party Program which in two quarters reached approximately 75 actions and which was most active during the period 1960 to 1967. The chart also indicates all the programs except the Black Nationalist commenced to taper down in terms of actions beginning in or before 1969. The Black Nationalist Cointelpro was active up until 1971 with some 40 actions effected in the last quarter of 1970.

OBSERVATIONS:

While the Petersen Committee report attempted to place Cointelpro activity in 12 descriptive categories, the SSC, according to the Cointelpro composite chart, obviously is endeavoring to characterize the actions to highlight alleged abuses and possible criminal or civil liability. Categories 1, 2 and 3 place approximately

CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
Re: Cointelpros
62-116009

34 percent of all Cointelpro actions within areas of constitutional or statutory violation, obviously indicating possible criminal or civil liability. This indicates the thrust of the forthcoming SSC report, as relates to our discontinued Cointelpros, will either criticize the Petersen Committee report as an inadequate review or one possibly based on incomplete information. The SSC very likely intends to dispute the Petersen Committee report conclusion that the "overwhelming bulk of these activities were clearly legitimate and proper undertakings, within the scope of the FBI's ongoing responsibilities," and to characterize the activities as criminal or civil violations of individual rights or outside the mandate or charter of the FBI.

We may expect the SSC, in its forthcoming report, as was done in public hearings, to highlight FBI Cointelpro abuses using selected documentation from FBI files to support its conclusion. It is likely the SSC will recommend legislation to preclude future Cointelpro-type activities and it is possible it will recommend criminal or civil prosecutions. As was done with the Petersen Committee report, the subjective characterization of an action as falling within one of several arbitrarily described categories is not only a matter of individual interpretation, but raises questions which cannot be objectively answered. Whether or not these actions are truly thought to be prosecutable offenses, the innuendo arising from their characterization is in itself damaging.

ACTION:

None. For information.

EX 10 11/18
TAB 7 P. 163

COINTELPRO COMPOSITE

TOTAL 2679
(2340)

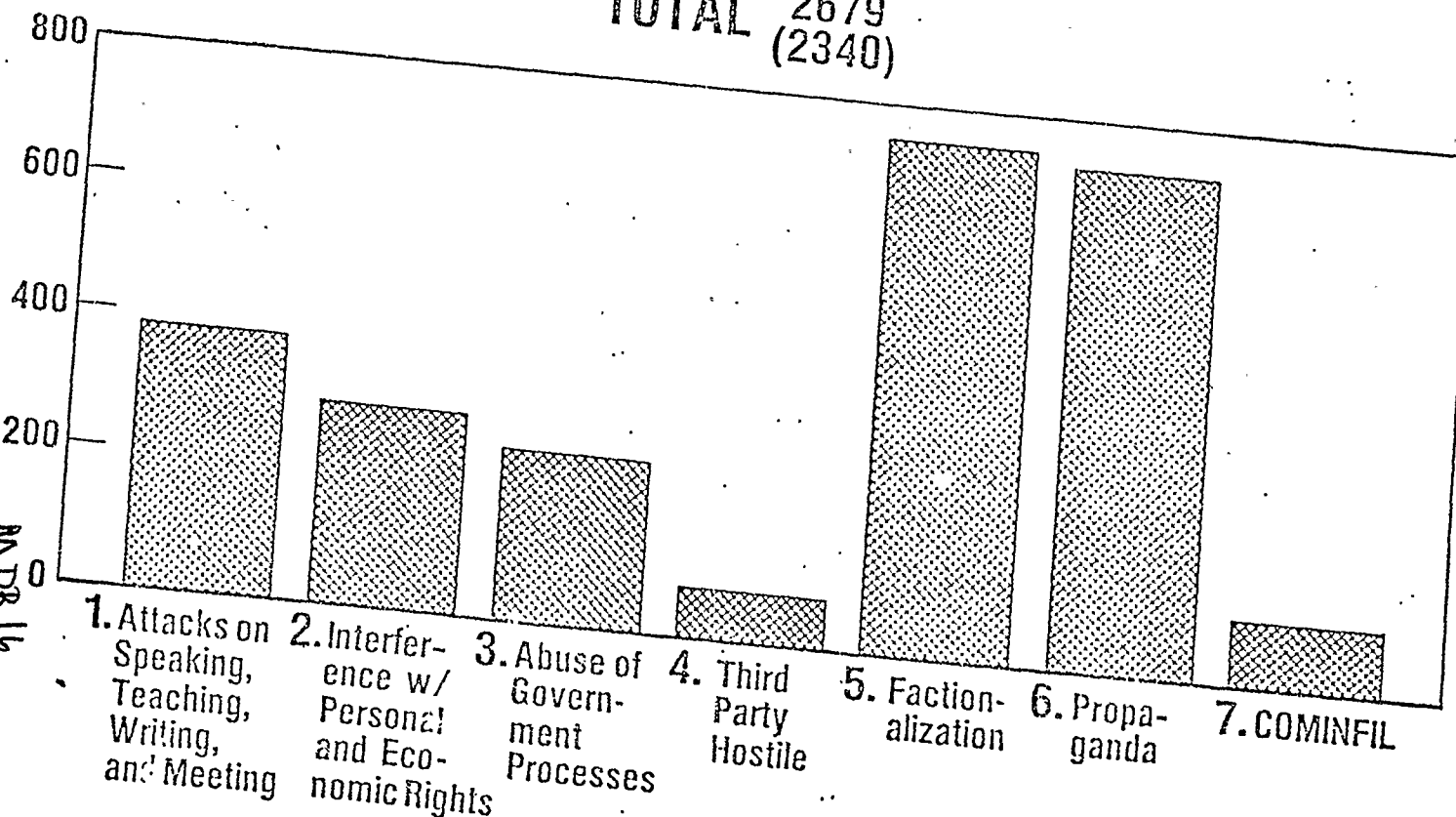


EXHIBIT 10

ENCLOSURE

62-116395-

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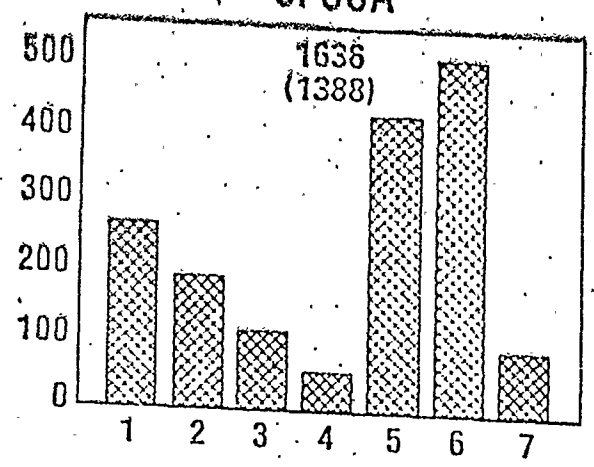
MDR 16

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P. 162
7 BCL
EX 9

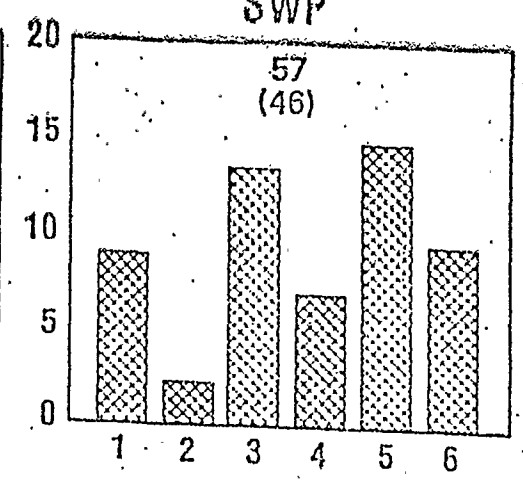
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DATE 11/6/00 BY SP2 AEM/ELC

MDR/b

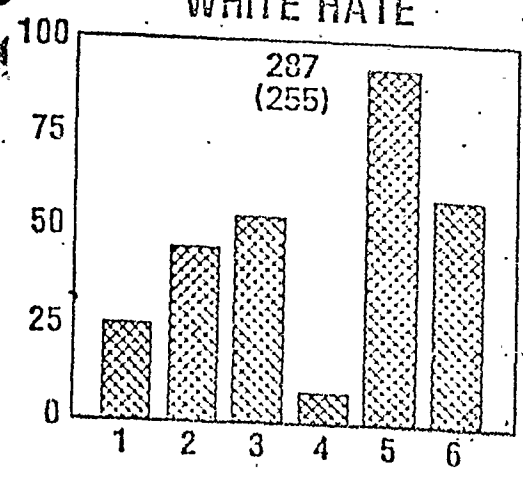
CPUSA



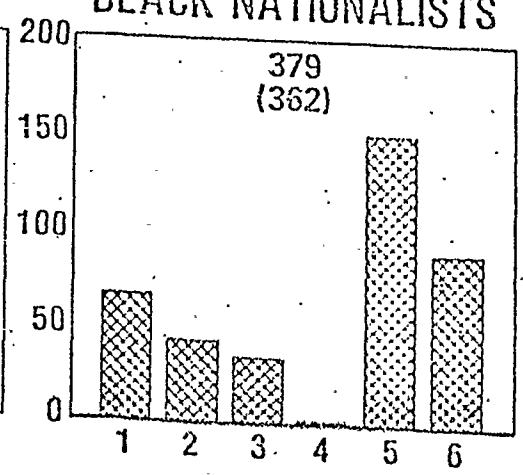
SWP



WHITE HATE



BLACK NATIONALISTS



NEW LEFT

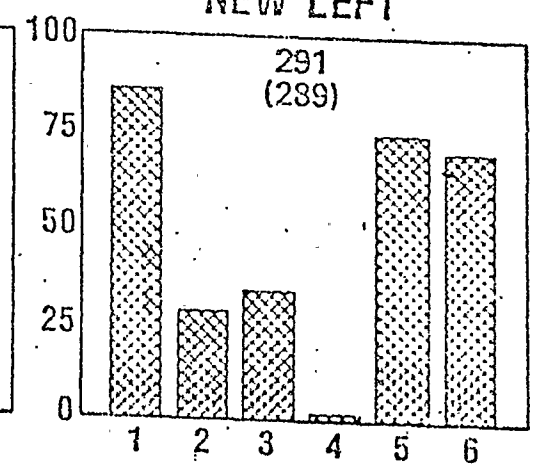


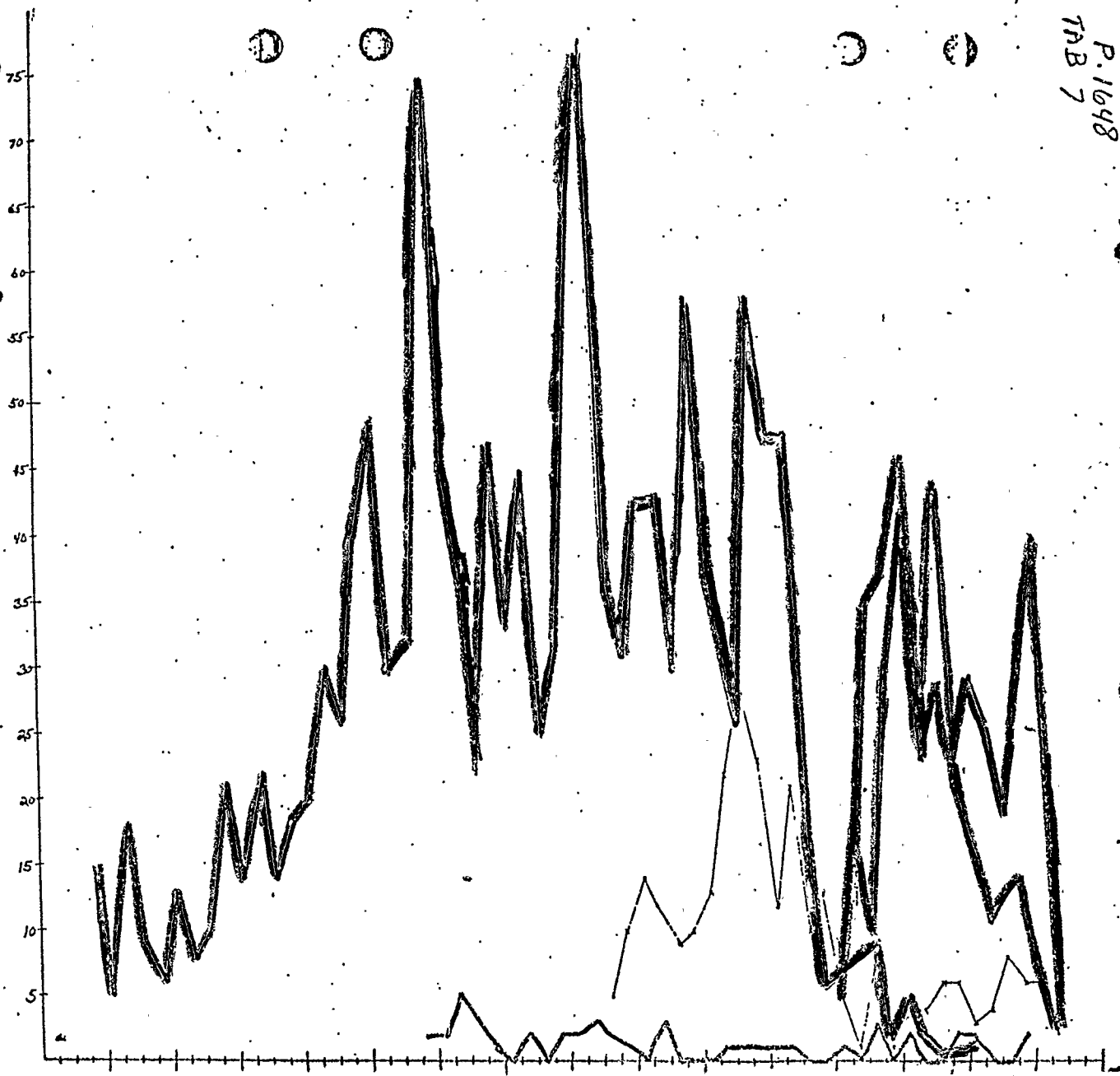
EXHIBIT II

EX-33
P.1648
TAB 7

EXHIBIT 22

Cointelpro Activity

CPUSA
SWP
White Hate
New Left
Black Nationalists



MDR 16

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ENCLOSURE

62-116393-

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall

FROM : W. O. Cregar *WOC*

SUBJECT: SENSTUDY 75

- 1 - Mr. J. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. R. L. Shackelford
- DATE: 2/9/76
- 1 - Mr. J. G. Deegan
- 1 - Mr. S. S. Mignosa
- 1 - Mr. F. J. Cassidy
- 1 - Mr. W. O. Cregar
- 1 - Mr. T. J. McNiff

Assoc. Dir. ☒
Dep. Asst. Dir. ☒
Dep. Asst. Dir. ☒
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 ☒

PURPOSE:

To advise that, at Senate Select Committee (SSC) Executive Session concerning "Domestic Intelligence Investigations" held 2/6/76, it was decided that an additional Executive Session would be scheduled for a future date to more fully discuss the role FBI should play in intelligence-type investigations of domestic organizations and citizens believed to pose long-range threat to internal security of country.

DETAILS:

Reference is made to my memorandum 2/2/76 advising that Bureau representatives would appear at SSC Executive Session concerning "Domestic Intelligence Investigations" on 2/6/76.

Above SSC Executive Session was held as scheduled between the approximate hours 10:00 a.m. to 1:00 p.m. Representing the SSC were Senators Walter F. Mondale and Robert Morgan who were accompanied by numerous SSC Staff personnel. Bureau representatives offering sworn testimony at this Session were Assistant Director W. Raymond Wannall, Inspector-Deputy Assistant Director Hunter E. Helgeson, Section Chiefs Joseph G. Deegan, Sebastian S. Mignosa and Robert L. Shackelford, all of the Intelligence Division, and Inspector John B. Hotis, Legal Counsel Division.

62-116395

TJM:1hb/hb
(11)

MDR 16
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5- *Training*
CONTINUED - OVER

84 FEB 23 1976

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

Senator Mondale explained at the outset that the purpose of the Session was for Bureau representatives to furnish information which would assist the SSC in drafting legislation outlining Bureau responsibilities in the domestic intelligence area. He requested that Bureau representatives highlight operations in this field and support, by specific examples, why the Bureau believes there is a continuing need for this type investigation.

Between the approximate hours 10:00 a.m. to 12:00 noon, Bureau representatives offered statements and answered questions concerning the following topics: suggested legislation based on both the "Stone" language and the proposed Attorney General guidelines; definition of Governmental interests as basis for "Domestic Intelligence Investigations;" extent of terrorist activity (both foreign and domestic oriented) in this country; value of intelligence-type investigations in deterring terrorist activity; and assessment of potential for terrorist activity during the forthcoming year.

At approximately 12:00 noon, Senators Mondale and Morgan departed because of other commitments. Before departing, Senator Mondale stated he believed the Session to be helpful but noted the discussion had not included intelligence investigations of so-called subversive domestic organizations and individuals who do not appear to pose an immediate threat to this country's internal security. Senator Mondale proposed, and it was agreed, that discussion in this area would continue with Staff Members during the week of 2/9-13/76 and conclude with another Executive Session at a date yet to be decided subsequent to 2/13/76.

CONTINUED - OVER

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

Upon Senator Mondale's departure, SSC Chief Counsel Frederick A. O. Schwartz, Jr., acted as chairman. Mr. Shackelford read into the record a statement concerning the need for continued Bureau investigations of domestic organizations and individuals calling for illegal overthrow of the Government even though the threat is not imminent. Following numerous questions and answers in this area, the Session was adjourned at 1:00 p.m., with no date set for further discussion.

OBSERVATIONS:

While present, Senator Mondale from his comments appeared to acknowledge that in any proposed legislation some verbiage would have to be included allowing for investigations in the domestic intelligence area. He seemed most concerned, however, and expressed cognizance of the difficulty in drafting legislation permitting such investigations yet preventing investigations based upon political beliefs and also preventing the FBI from being misused by Government officials at some future date in this sensitive area. Senator Morgan verbally claimed he recognized the need for intelligence-type investigations but only when violence was present. He further declared that, in investigations of organizations calling for violence, such investigations should be limited only to that segment of the organization which actually participated in or advocated violence. Senator Morgan was critical of Bureau investigations of the Klan and certain COINTELPRO actions against Martin Luther King, Jr., and other segments of the black nationalist movement. He was also critical of current Bureau leadership and expressed the belief this

CONTINUED - OVER

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

leadership should be replaced as it follows the traditions established by Mr. Hoover. From statements made by Mr. Schwartz, supra, and other SSC Staff Members present, with the possible exception of Mr. Mark Gitenstein, it would appear these individuals are unalterably opposed to legislation authorizing Bureau investigations in the domestic intelligence area unless the threat of violence is imminent.

RECOMMENDATION:

*discussion
held
2/12/76
puz* That Legal Counsel Division, upon approach by SSC Staff Members, arrange for proposed informal discussion during week of 2/9-13/76, and determine the date of proposed second session of SSC Executive Hearing concerning "Domestic Intelligence Investigations."

TM

[Signature]

*W. R. Wannall
H. R. [unclear]*

puz

[Signature]

K

UNITED STATES GOVERNMENT

Memorandum

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

FROM : W. O. Gregar *WOG*

SUBJECT: SENSTUDY 75

1 - Mr. J. B. Adams
1 - Mr. T. J. Jenkins
1 - Mr. J. A. Mintz
DATE: 2/6/76
1 - Mr. D. W. Moore
1 - Mr. W. R. Wannall
1 - Mr. W. O. Gregar

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

This memorandum briefly reviews the speech made on the floor of the Senate by Senator Frank Church entitled "Government Adherence to the Law: A Call for a Temporary Special Prosecutor on Intelligence Abuses." The speech (attached) received some press coverage, most of which dealt with Senator Church's proposal that a special prosecutor be designated to look into the so-called intelligence abuses.

In brief, the statement by Senator Church reviews that information which was the subject of testimony by the majority and minority counsels of the Senate Select Committee (SSC) before the full Committee on 11/18/75. No new so-called abuses were identified by Senator Church and the speech was merely a rehash of those activities conducted by the intelligence community over the years which the SSC now describes as abuses. Specifically, the Church statement makes reference to the following:

COINTELPRO:

The COINTEL Program has been the subject of extensive press inquiries and many documents have been made public under the Freedom of Information Act. It was the subject of an extensive investigation by the Department of Justice. The Bureau made all COINTEL files available for the Department's review. Its investigation culminated in a report by former Assistant Attorney General Petersen which concluded that "the overwhelming bulk of the activities carried out under the Program (COINTEL) were legitimate and proper intelligence and investigative practices and techniques."

62-116395

WOG:mjg

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ENCLOSURE

MDR 16

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84 FEB 25 1976

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

MARTIN LUTHER KING, JR:

Senator Church's allegations concerning the FBI's investigation of Martin Luther King, Jr., are replete with inaccuracies, untruths, half-truths, exaggerations, distortions and opinions masquerading as facts. The Senator's allegations illustrate his disregard for facts as duly sworn to and documented (the testimony of Mr. Adams on 11/19/75) preferring instead to persist in certain fixations and preconceptions of the SSC Staff. The entire King matter is currently under intensive Departmental review which includes Departmental access to all FBI files.

INTERNAL REVENUE SERVICE:

This refers to the fact that in 1969, the Internal Revenue Service (IRS) established a special staff used to gather intelligence on dissident groups. The legitimacy of this procedure is something for the IRS to answer.

OPERATION CHAOS:

Senator Church criticizes the special operation group formed in CIA to explore possible ties between hostile foreign nations and domestic dissent within the U. S. CIA's defense to this operation has been the fact that they were doing this in response to direct instructions from the President.

ILLEGAL MAIL OPENING PROGRAMS:

Much has appeared in the press regarding the so-called illegal mail opening programs conducted by both CIA and FBI. This is currently the subject of a very intensive investigation by the Department of Justice and both the FBI and CIA are cooperating with Departmental attorneys in an effort to determine whether there is any criminal culpability on the part of FBI and CIA employees.

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

THE HUSTON PLAN:

Here again, considerable information has appeared in the press regarding the Huston Plan. This Plan originated in the White House during former President Nixon's administration. After a series of meetings which culminated in an implementing order from the White House, Mr. Hoover objected to the Attorney General which resulted in the White House recalling the implementing letter.

NSA WATCH LIST:

The NSA Watch List also has been the subject of some press coverage. It involves a list of American citizens maintained by the National Security Agency for the purpose of monitoring messages carried over international communications. This procedure is also the subject of a current investigation by the Department.

The call for a temporary prosecutor by Senator Church is not being addressed in this memorandum but will be the subject of a separate memorandum prepared by the Office of Legal Counsel.

ACTION:

For information.

[Handwritten signatures and initials: "Jmw", "per", "Jmw", "Jma", "K", "used"]

GOVERNMENT ADHERENCE TO THE LAW:

A. CALL FOR A TEMPORARY SPECIAL PROSECUTOR ON INTELLIGENCE ABUSES

By

Senator Frank Church

MDR 16
ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/7/00 BY SP2 ALM/EHL

A year ago the Select Committee on Intelligence began its investigation of the American intelligence service. Since then, the road we have traveled has been long and hard. But now the end of the journey is near. Soon the Committee will present its final recommendations.

We have sat neither as judges nor jurors in this inquiry. It has not been our function to act as a Grand Jury. Our purpose, rather, has been to obtain information to aid the legislative process. In particular, we have sought the knowledge and understanding, based on a close review of intelligence activities over the past three decades, which could help us develop sound legislative remedies to reform the intelligence agencies and prevent abuses of power in the future.

The criminal investigation and prosecution of officials within the intelligence service who may have violated the law is not the task of this, or any other, Congressional committee. Yet all Members of Congress, and the citizens they represent, should be concerned that justice takes its proper and impartial course in this matter.

The Senate Select Committee has spent the better part of a year ferreting out the facts and has established that many laws have indeed been violated. The list is extensive:

From 1956 to 1971, the Federal Bureau of Investigation carried out five counterintelligence programs, or "COINTELPROs," against a variety of organizations involved in peaceful protest. Among these organizations were the Southern Christian Leadership Conference, most black student groups, and various antiwar groups.

ENCLOSURE

The FBI program against the New Left was the most wide-sweeping of all. Its targets included underground newspapers, students protesting various university policies, the antiwar Inter-University Committee for Debate on Foreign Policy, and several colleges and universities.

The FBI tactics included the use of anonymous letters and telephone calls designed to disrupt families, friendships, careers, and organizations; the use of agents provocateurs to sow dissension and fragment groups; the dissemination of fake information about individuals to employers, credit bureaus, and creditors; the instigation of tax investigations against certain citizens for harassment purposes, alone; the investigation of the private life of group leaders for whispering to the press; and an almost endless list of equally deplorable assaults on First Amendment rights.

From 1962 until his death, Dr. Martin Luther King was the target of a vicious campaign by the FBI to discredit him as the most prominent black activist in America. The full array of the Bureau's sophisticated devices of technical surveillance was turned against Dr. King. He was illegally bugged, tapped, and followed. Information on his private life was then delivered by agents of the FBI to clergymen, Members of Congress, the White House, United States Ambassadors, newsmen, the National Science Foundation, and the British Government, among others. Agents were sent to colleges to persuade them not to grant Dr. King honorary degrees.

Information obtained from microphone coverage of Dr. King was hand-carried to prominent clergymen throughout the country. As one agent recalls:

[Hoover] sent me...to talk to an Episcopalian Bishop. He instructed me to tell this Episcopalian Bishop, who had been speaking for King ...all sorts of details. It was not a pleasant assignment. But it was an order, an instruction, and I did go.....[The Bishop] led me to believe that we could have done a much more honorable thing if we had stayed in Washington and not carried that tale out there, and I'm inclined to think that he was right.

Thirty-four days before Dr. King was to fly to Norway to receive the highest honor an American can earn, the Nobel Prize for Peace, the Federal Bureau of Investigation even sent him a message urging him to take his own life. The unsigned note read:

King, there is only one thing left for you to do. You know what it is. You have just 34 days in which to do it. (This exact number has been selected for a specific reason.) It has definite practical significance. You are done. There is but one way out for you.

The FBI has engaged in a host of other questionable activities, including the collection of intelligence on critics and political opponents of incumbent Presidents.

In 1969, the Internal Revenue Service established a Special Service Staff (SSS). For the next five years the SS Staff was used by the IRS and, indirectly, the FBI to gather intelligence on dissident groups. Its 11,458 files included dossiers on anti-war leaders, black political leaders, writers, labor organizers, tax reform groups, civil rights groups, women's liberation groups, clergymen, and many more.

In 1967, a Special Operations Group was formed in the Central Intelligence Agency. Its purpose was to explore possible ties between hostile foreign nations and domestic dissent within the United States. The project received the codename "Operation CHAOS." Over a six-year period, CHAOS accumulated more than 13,000 files, including 7,200 on American citizens. Through this program the CIA became a storehouse for the stockpiling of large quantities of data on citizens of this country.

From 1940 to 1973, various illegal mail-opening programs were conducted intermittently by the CIA and the FBI. The CIA program ran -- off and on -- from 1952 to 1973, and involved the opening of mail to and from American citizens. This mail was intercepted in five major cities within the United States, with the largest operation taking place in New York City. In that metropolis alone, 9,000 letters were opened and read by CIA agents

in the first year of the program. Among the individuals and organizations whose mail was examined were Arthur Burns, Mrs. Martin Luther King, Jr., Richard Nixon, Senators Humphrey and Kennedy, the Ford Foundation, Harvard University, and the Rockefeller Foundation.

The FBI mail-opening program ran from 1940 to 1966, with Federal agents in seven American cities reading and photographing letters written by citizens of the United States. The FBI also cooperated with the CIA mail program in New York City, receiving copies of more than 50,000 intercepted letters from the Agency between 1958 and 1973. Military intelligence units shared the CIA take, too.

In the Summer of 1970, the so-called Huston Plan was drafted for and approved by the President. Based on a sweeping review of intelligence collection methods prepared by officials of the CIA, the FBI, the National Security Agency (NSA), the Defense Intelligence Agency (DIA), and the separate military service units, the Huston Plan outlined a series of illegal proposals. The Plan, approved by President Nixon, invested the intelligence agencies with Presidential authority to monitor the international communications of U.S. citizens; intensify the electronic surveillance of domestic dissidents; read the mail of American citizens; break into the homes of domestic dissenters; and increase the coverage of college students.

Although the Plan was rescinded five days after its initial approval, several of the programs continued -- just as they had gone on before the Presidential appointment. They had a life of their own, apart from higher authority. The CIA mail program is but one example.

Among the programs approved by the President in the Huston Plan was a "watch list" maintained on American citizens by the National Security Agency. Messages carried over international communications facilities which were to, from, or about individuals

JFK Act 6 (4)

This is, by no means, a comprehensive list of unlawful conduct by the intelligence agencies. The possibility of perjury by intelligence officers before the Congress is not the least of several questions which have yet to be resolved by a thorough investigation of the evidence. This is an issue of utmost importance, since the Congress cannot hope to arrive at useful remedial legislation on the intelligence service -- or any other public policy concern -- if it is not told the truth.

The issue, then, is not whether laws have been violated, but rather when and how justice will be served. The "when" ought to be as soon as possible; the "how" is a more tangled problem.

An argument can be made in favor of allowing the usual processes and institutions to take their course. The Justice Department has begun to conduct criminal investigations of several cases uncovered by the Rockefeller Commission and the committees of Congress. It can be argued that these investigations should not be interrupted since they have already begun.

Certainly, the present Attorney General is a man of integrity. He has voiced his concern several times over regarding the abuses which have come to light through the investigations of the past year. He has been helpful to the Select Committee by providing documents and other information. I have full confidence in his good intentions and his respect for the law.

Nonetheless, the Attorney General faces an unfortunate dilemma. Since the Federal Bureau of Investigation is a subdivision of the Justice Department, it lies within the administrative responsibility of the Attorney General. He is thus placed in a position of investigating the very house over which he must preside.

It is not only the actuality of impartiality which is at stake. The appearance of impartiality is just as important. The American Bar Association Standards for Criminal Justice provide that a prosecuting officer should have no conflict of interest or the appearance of a conflict of interest. As Chesterfield Smith, past president of the ABA, has noted, "Under the Standards, it would be improper for an investigation...of the Executive Branch of the Federal Government to be conducted by a prosecutor subject to the direction and control of the President."

The fact that the FBI is a part of the Justice Department is not the only troubling aspect of this situation -- though it is serious enough since, over the years, senior FBI officials and Justice personnel have had close contact in their daily work and have shared knowledge of the dubious activities brought to light by the Select Committee inquiry. The Justice Department and the CIA have also had a unique relationship. A secret agreement between the two was in effect for twenty years which exempted the Agency from the usual requirements of reporting to Justice any violations of the law among CIA personnel.

Moreover, it is the Justice Department which is supposed to represent intelligence officials who may be sued for civil damages as a consequence of the disclosures brought about by the Congressional investigations. How can the Justice Department investigate and prosecute these officials, on the one hand, and defend their interests in civil suits on the other? It just will not work.

It is obvious that the public is deeply troubled by the findings of the investigations into the intelligence service. In a recent Harris Survey, 80 percent of those interviewed agreed "it was wrong for the FBI to send a note to Martin Luther King suggesting that he commit suicide." 74 Percent agreed "it was wrong for the CIA to work out a deal with Mafia characters to try to assassinate Castro." And 61 percent agreed "it was a violation of basic rights for the CIA and FBI to conduct spying on prominent Americans here at home."

The government must move decisively. To avoid charges of a whitewash, it is in the best interests of the Justice Department to disqualify itself in this case.

What is vital now is to guarantee a full, thorough and independent investigation. A special prosecutor should be enlisted for this purpose, and given sufficient authority to fully perform the task.

Last year, the American Bar Association Committee to Study Federal Law Enforcement Agencies addressed itself in a preliminary report to the question of a special prosecutor. The Committee rejected the establishment of a permanent special prosecutor, but noted that "the public must be assured that crimes committed in high places will be investigated and prosecuted fearlessly and with integrity." To this end, the ABA Committee properly concluded:

There may be exceptional circumstances requiring a special prosecutor from outside the Department of Justice who is not dependent on the Attorney General or the President for future promotion or other preferment. The primary obligation to appoint such an attorney should reside in the Attorney General.

The relationship between the Justice Department and the intelligence service unquestionably presents us with an exceptional circumstance.

The person chosen to perform the task of special prosecutor must possess the same impartiality and strength of resolution which Leon Jaworski demonstrated during his appearance before a committee of Congress in 1973. The following exchange occurred that year in hearings before the Senate Committee on the Judiciary:

Senator Tunney. So as I understand your statement today, you feel that if there is evidence of criminal activity which is indictable, that you would be prepared to move ahead with an investigation and indictments despite the fact that the defendants involved might be prepared to claim that national security required them to do what they did?

Mr. Jaworski. That is right, sir. And they would have the burden of sustaining that position. I would not assume the burden. I would contest it.

The special prosecutor, moreover, should be imbued with the same faith in the law that possessed John Adams, who knew that the law "without any regard to persons, commands that which is good and punishes evil in all, whether rich or poor, high or low -- 'tis deaf, inexorable, inflexible."

The basic machinery of a special prosecutor's office is already in place as a legacy of the Watergate affair. It should not be too difficult to modify this machinery in the appropriate manner to carry out the investigation of unlawfulness in the intelligence agencies.

It may be argued that we should concentrate on the reform of the intelligence agencies for the future, not on the punishment of individuals for misdeeds of the past. This is a beguiling argument. But the truth is that we can ill-afford to overlook the lawlessness of the past if we wish to avoid a repetition in the future. As two scholars from the Center for National Security Studies, Jerry J. Berman and Morton H. Halperin, noted in a recent New York Times article:

One key element in bringing the intelligence agencies under democratic control is to insure that officials of intelligence agencies are prosecuted when they violate the law. Unless there is a thorough investigation by an impartial prosecutor followed by indictments and a report, the threat of criminal penalties will not deter future abuses.

I find it utterly deplorable that the President in his State of the Union message failed completely to say even a word about the need to make our intelligence agencies obey the law. As the journalist Anthony Lewis has commented, "It is easy to denounce private crime, as Mr. Ford did. But it is more important, now, for Government to commit itself to law."

And so I must conclude that, in the present situation, resort to a temporary special prosecutor is both proper and necessary. Leon Jaworski, a former Special Prosecutor himself, and others in the legal community agree with this conclusion.

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

The Attorney General

January 29, 1976

1 - Mr. S. F. Phillips

Director, FBI

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

Reference is made to SSC letter dated January 20, 1976, requesting access to or delivery of specified FBI materials.

Enclosed for your approval and forwarding to the SSC is the original of a memorandum in response to Item 1 of referenced request. Also enclosed is a copy of the memorandum for your records.

Enclosures (2)

MDR 16

62-116395

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2 ALM/EHL

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

SFP:1hb 1hb
(9)

REC-112

12-116395-1379

FEB 19 1976

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. _____

3 ENCLOSURE

woc/ka

woc/B

gma

gch

plm

gma

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

62-116395

January 29, 1976

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

Reference is made to SSC letter dated
January 20, 1976.

Item 1 of referenced letter requested access
to all material furnished to the FBI "by the CIA from
a source known to the FBI as 'COLGS' and who was handled
as a source under the heading 'racial extremist matters.' "
It was indicated in Item 1 that CIA had already given
the Committee Staff access to the material in its
possession relating to this source.

In view of the Third Agency considerations
present, this request was discussed on January 23, 1976,
by a representative of this Bureau with Mr. Walter Elder
of the CIA Review Staff. Mr. Elder advised that CIA
had no record of "COLGS" but that it did have information
concerning [REDACTED]

JFK Act 6 (1) (A)

JFK Act 6 (1) (A)

JFK Act 6 (1) (A)

According to Elder, the SSC
has seen everything which CIA has in its files concerning
"CLOGS," including the approximate 30 memoranda which CIA
had furnished to the FBI. Elder expressed the preference
that this Bureau respond to the referenced request by
referring the SSC back to CIA.

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 _____

FBI files contain a single reference to "CLOGS,"
that being a CIA memorandum dated May 17, 1971, [REDACTED]

JFK Act 6 (1) (A)

JFK Act 6 (1) (A)

SFP:1hb/hb
(8)

ORIGINAL AND ONE COPY TO AG

SEE NOTE PAGE 2

MAIL ROOM ☐

TELETYPE UNIT ☐

GPO : 1975 O - 569-820

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

On January 26, 1976, Special Agent Seymour Fred Phillips of this Bureau conferred with Mr. John T. Elliff, Director, Domestic Intelligence Task Force, SSC, and told Elliff of our findings both as to what our files contained and what Elder had told us. Inquiry was made of Elliff as to the necessity or pertinence of the SSC requesting of the FBI access to materials which CIA had furnished to the FBI inasmuch as the SSC had already had access to such material at CIA. Mention was made of the Third Agency consideration which Elliff indicated he was cognizant of, but he stated the SSC's purpose in making the request was in the form of a double check to insure the SSC gained access to all of the material it desired.

It was explained to Elliff that this request, in light of the factors involved, would place an undue burden on the FBI as there might not be any way to retrieve the information it was requesting to see. This point was emphasized by the fact that FBI indices contained only a single reference to "CLCS," that referred to above.

Elliff responded that he would check with the member of the SSC Staff handling this matter and further advise.

On January 27, 1976, Elliff advised Phillips that he had checked out the matter and, in view of all the factors present, it would be unnecessary for the Bureau to take any further action on Item 1 of the January 20, 1976, request other than to submit the instant memorandum.

1 - The Attorney General

NOTE: Contact with Elder at CIA was by Supervisor Andrew J. Duffin of the Senstudy 75 Project.

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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 1/29/76

U. S. Senate Select Committee (SSC).
Caption of Document: (SSC Letter 1/20/76, Item 1)

Originating Office: FBI

Delivered by: J. O. Stamper Date: 2/3/76

Received by: Lynsey Oster
Title: Clerk

Return this receipt to the Intelligence Division, FBI

MDR-16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2 AEM/EHL

100 11-395-1379

CLASSIFY AS APPROPRIATE

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

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

1/29/76

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

☒ SSC☐ HSC4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer,
interviewee, testifier and subject)

Memorandum

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

SSC request 1/20/76, Item 1

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

U

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

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

Information requested regarding "Clogs," a source handled
under heading "Racial Extremist Matters." Request
withdrawn as handled by CIA previously.MDR
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP8 ALM/ETH

62-116395

AJD:lhb
(4)ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75.

TREAT AS YELLOW

5-78

3791 (6-75)

CLASSIFY AS APPROPRIATE

62-116395-1379

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

FEB 12 1976

5/18
TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

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

SUBJECT: SSC Request for Interviews of Additional FBI Agents

Attached is a letter from the Senate Select Committee requesting the names of the authors of various FBI memoranda and that the SSC be allowed to interview these individuals. Please arrange for an appropriate and prompt response.

A similar request from the SSC concerning the authors of a memorandum from the Chicago field office is expected shortly. *See*

2/13/76 - assigned Shahan

MDR 16
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/17/00 BY SP2 ALM/EHL

cc: Paul Daly

9 *See*
ENCLOSURE
ENCL BEHIND FILE

REC-100

62-116395-1374

FEB 18 1976

LEGAL COUNSEL

5-TM



84 MAR 23 1976

FEB 12 1976

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

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

SUBJECT: SSC Request for Interviews of Additional FBI Agents

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cc: Paul Daly

MDR/6

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP3 ALM/EHL

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN

PHILIP A. HART, MICH.
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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

February 11, 1976

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

MDR 16
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2ALM/EHC

Dear Mr. Attorney General:

As a part of the Select Committee on Intelligence's preparation of a final report on FBI intelligence operations, we are seeking to take the testimony of persons whose memoranda and statements might be quoted in that report.


In our investigation into the FBI's role in the "gang war" between the Black Panther Party and the U. S. organization, certain portions of Bureau Memoranda and Airtels may be quoted. The following is a list of these documents. Actual copies, received by the Select Committee from the FBI, are also enclosed.

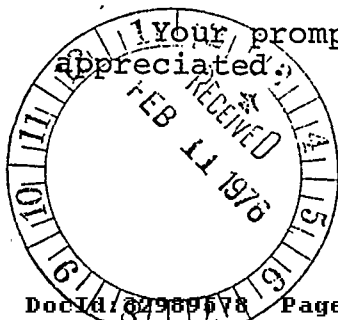
Memorandum SAC, Los Angeles to Director FBI 11/29/68
Memorandum Director, FBI to SAC Los Angeles 10/31/68
Memorandum SAC, Los Angeles to Director, FBI 3/17/69
Memorandum SAC, San Diego to Director, FBI 6/5/69
Memorandum SAC, San Diego to Director, FBI 6/6/69
Memorandum SAC, Los Angeles to Director, FBI 9/3/69
Memorandum SAC, San Diego to Director, FBI 9/18/69
Memorandum SAC, San Diego to Director, FBI 10/6/69
Memorandum SAC, San Diego to Director, FBI 11/10/69
Memorandum SAC, San Diego to Director, FBI 12/3/69
Memorandum SAC, San Diego to Director, FBI 11/12/69

The Select Committee staff would greatly appreciate your forwarding to us the names of the FBI personnel responsible for the preparation of these Bureau memoranda. We would also greatly appreciate your making the necessary arrangements for Select Committee staff to be able to interview these persons.

Your prompt attention to this matter will be greatly appreciated.

Yours very truly,


Frank Church
Chairman



UNITED STATES GOVERNMENT

Memorandum

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

FROM : W. O. Cregar *WOC*

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

1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. P. E. Nugent

DATE: 2/12/76

MDR 16

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2ALM

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 _____

Purpose of this memorandum is to advise of delivery of the attached documents to the captioned committee on authorization of Mr. Steven Blackhurst, Deputy Special Counsel for Intelligence Coordination, Department of Justice.

By way of background, the SSC previously requested access to all Bureau materials in the Martin Luther King, Jr., file relating to the Poor People's Campaign and the Sanitation Workers Strike, Memphis, Tennessee, from 1/1 - 4/4/68, as well as all materials in the latter two files pertaining to King for the same period.

A partial proffer of materials requested was made available to SSC Staff Member Michael T. Epstein for review on 2/9/76.

The attached documents were thereafter designated by Epstein for delivery to the SSC. On 2/9/76 Mr. Steven Blackhurst, Deputy Special Counsel for Intelligence Coordination, Department of Justice orally authorized SA Seymor F. Phillips to make delivery of the requested items to the SSC. It should be noted the Department by memorandum dated 1/27/76 was furnished a complete set of the documents from which Epstein selected those to be delivered on 2/9/76.

ACTION:

REC-100

62-116395-1373

For information and record purposes **FEB 17 1976**

17
ENCLOSURE
62-116395

Enclosures

PEN: adn *adn*

(4)

PEN
ENCL BEHIND FILE

ENCL BEHIND FILE

5-603

UNITED STATES GOVERNMENT

Memorandum

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

FROM : W. O. Cregar *WOC*

SUBJECT: SENSTUDY 75

1 - Mr. R. J. Gallagher
1 - Mr. W. R. Wannall

DATE: 2/12/76

1 - Mr. W. O. Cregar
1 - Mr. A. J. Duffin

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

On 2/10/76, Supervisor Jack Hagerty, Tampa Division, telephonically advised Senstudy Project that one Jack Bauman, 600 Lake Martha Drive, N. E., Winter Haven, Florida, had received a subpoena to appear before the Senate Select Committee on Intelligence (SSC) on 2/19/76.

For background information, Bauman, an ex-CIA employee, was a witness for the Government during the Watergate investigation and was interviewed extensively by the Bureau during same. Due to a serious heart condition, he did not travel to Washington to testify in 1973, but then AUSA Earl Silbert, Washington, D. C., flew to Florida for Bauman's deposition.

Prior to Bauman's scheduled appearance before the SSC, Michael Madigan, an SSC Staff Member, and Jack Dempsey of CIA's Review Staff (CIA's Senstudy Project counterpart) are to interview Bauman at his residence in Florida in the presence of his attorney, Wallace L. Storey. In this regard, Bauman has requested SA Brooke D. Roberts of Lakeland, Florida, RA (who interviewed Bauman during Watergate) presence during this interview, along with any documents which may refresh his (Bauman's) recollection of prior statements as his memory is failing.

Hagerty desired to know whether or not Roberts should sit in on upcoming interview and have FD-302 of his prior interview of Bauman available.

62-116395

AJD:1hblhb
(5)

MBR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2 ALM/LEHL

CONTINUED - OVER

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

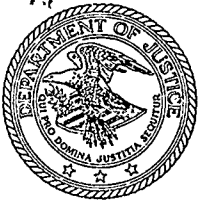
SA Andrew J. Duffin, through Mr. Walter Elder, CIA Review Staff, on 2/10/76, determined that CIA was in fact to participate in an interview of Bauman with an SSC Staff Member in the near future. He is to be interviewed regarding his prior contact with E. Howard Hunt and Project Merry Mack, acronym for CIA's efforts to prevent any electronic penetration of their building during its construction. CIA hopes that interview will negate the necessity of Bauman having to answer SSC subpoena, as they feel it will show he will not be the "hot" witness that SSC anticipates.

Subsequently, Hagerty was advised of above and that Roberts should not participate in interview, as it was an SSC interview and only concerned them and CIA.

ACTION:

None. For information.

Just
Ad *W. R. Wannall*



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

FEB 10 1976

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

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

SUBJECT: Senate Select Committee Request
dated February 4, 1976

Attached is a letter from the Senate Select Committee dated February 4, 1976. It is my understanding that the FBI has already declassified the documents in question and that this letter is for record keeping purposes only.

MDR 16

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP3 ALM/EHL

cc: Paul Daly

ENCLOSURE

REC-100

62-116395-1371

FEB 17 1976

Q-5

11/12/01



84 MAR 23 1976

FEB 10 1976

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

FROM: Steven W. Blackhurst
Assistant Special Counsel for
Intelligence Coordination

SUBJECT: Senate Select Committee Request
dated February 4, 1976

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MDR 16

ALL INFORMATION CONTAINED
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DATE 11/7/00 BY SP-2 ALM/EHL

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN

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WALTER F. MONDÁLE, MINN.
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ROBERT MORGAN, N.C.
GARY HART, COLO.

HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

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

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

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

WASHINGTON, D.C. 20510

February 4, 1976

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 that those documents which are to be exhibits to the public hearings on domestic intelligence activities be declassified for public release.

These exhibits have been submitted to Mr. William O. Cregar of the Bureau and the previously agreed upon criteria are being used in the excision process.

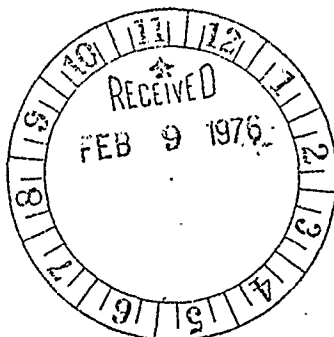
Your cooperation in this matter is again appreciated.

Sincerely,

John T. Elliff

John T. Elliff
Director

Domestic Intelligence Task Force



MDR 16
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DATE 11/7/00 BY SP2 ALM/EHL

ENCLOSURE

62-116395-1371

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W.R. Wannall

FROM : J.G. Deegan

SUBJECT: SENSTUDY '75

DATE: 2/9/76

1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Daly
1 - Mr. Cregar
1 - Mr. Shackelford
1 - Mr. Grigalus
1 - Mr. Newman

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 _____

Memorandum from Legal Counsel to Mr. J.B. Adams dated 1/29/76 (copy attached) recorded authority for Inspector-Deputy Assistant Director Hunter E. Helgeson, Number One Man Homer A. Newman, Jr., IS-1 Section, and Unit Chief Edward P. Grigalus, IS-2 Section, Intelligence Division, to appear to give a deposition before Staff Member Robert Kelly of captioned Committee. This deposition would be for the purpose of further elaborating on information previously furnished to the Committee regarding the handling of security and extremist informants.

As was previously agreed, Mr. Kelly telephonically advised Supervisor Newman on 2/6/76 that this deposition would be taken in Room G-308 of the Dirksen Building at 10:30 a.m. on Tuesday, 2/10/76.

He indicated that the purpose of this deposition was merely to clarify certain points in connection with information previously furnished regarding security and extremist informants. These areas were indicated as being: (1) explanation of the difference between confidential sources, informants and panel sources; (2) statistics as to the number of confidential sources as of 6/30/75 compared with some available figure, if possible 1971; (3) what problems are being encountered in connection with the utilization of confidential sources in view of the Privacy Acts; (4) an explanation of American Legion Contact Program and Plant Informant Program, background on these programs and the dates they were in existence; (5) a brief explanation of how informants are paid, i.e., paid on authority of the SAC as opposed to FBIHQ approval of pay.

Enclosures

HAN:tdp (8)

CONTINUED - OVER

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Memorandum to Mr. W.R. Wannall
RE: SENSTUDY '75

ments and whether there is a limit on the amount FBIHQ can approve, and (6) bring for review a teletype to all SACs dated 12/23/74 (see attached) dealing with the conduct of informants.

If approved, the employees as indicated above will appear as requested and furnish the deposition regarding the above numerated areas of informant operations.

This matter has been coordinated with the Legal Counsel Division.

ACTION:

For approval.

WRW
JEF

JAM
JEF

NO NEED FOR
REPRESENTATIVE FROM
L.C.D. to be present
PER MR. HELGESON
ON 2/6/76 JEF

PLN

Jmm

Memorandum

1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Cregar

DATE: 1/29/76

1 - Mr. Hotis
1 - Mr. Daly

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

: Mr. J. B. Adams

DM : Legal Counsel *[Signature]*

SUBJECT: SENSTUDY 75

Robert Kelly, Staff Member of captioned Committee, requested that the Bureau make available a representative or representatives to give a deposition to captioned Committee concerning security ~~in~~ extremist informant matters. Kelly suggested that SA Edward P. Grigalus and SA Homer A. Newman, Jr., would be the Bureau's witnesses who would logically have the information the Committee is seeking through this deposition.

In this regard, SAs Grigalus and Newman have previously briefed Mr. Kelly concerning Bureau informant matters. Kelly stated that as soon as the Bureau witness or witnesses have been determined, he would furnish additional details concerning the type of information he desires to be furnished in the deposition.

RECOMMENDATION:

That the Intelligence Division designate the appropriate Bureau witness or witnesses to give a deposition concerning informant matters.

*Representative of Legal Counsel
will attend if necessary.*

ADDENDUM: INTELLIGENCE DIVISION: HEH:enm 2/2/76

Inspector - Deputy Assistant Director Hunter E. Helgeson, #1 Man Homer A. Newman, Jr., IS-1 Section; and Unit Chief Edward P. Grigalus, IS-2 Section, Intelligence Division, will be available for depositions in this matter.

PVD:lad

(7)

MDR 16
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ENCLOSURE

62-116395-1369

CODE

TELETYPE

1 - Mr. Adams

URGENT

1 - All Assistant
Directors

DECEMBER 23, 1974

1 - Mr. Shackelford

1 - Mr. Grigalus

TO: ALL SACS

FROM: DIRECTOR, FBI

CONDUCT AND ACTIVITIES OF EMPLOYEES.

BY MEMORANDUM TO ALL SPECIAL AGENTS IN CHARGE, DATED
DECEMBER 5, 1973, CAPTIONED "CONDUCT AND ACTIVITIES OF
EMPLOYEES," YOU WERE ADVISED THAT AS MEMBERS OF A FEDERAL
INVESTIGATIVE AGENCY, FBI EMPLOYEES MUST AT ALL TIMES
ZEALOUSLY GUARD AND DEFEND THE RIGHTS AND LIBERTIES GUARANTEED
TO ALL INDIVIDUALS BY THE CONSTITUTION. FBI EMPLOYEES WERE
REMINDED THAT THEY MUST NOT ENGAGE IN ANY INVESTIGATIVE ACTIVITY
WHICH COULD ABRIDGE THE RIGHTS GUARANTEED TO A CITIZEN OF THE
U.S. BY THE CONSTITUTION AND UNDER NO CIRCUMSTANCES SHALL
EMPLOYEES OF THE FBI ENGAGE IN ANY CONDUCT WHICH MAY RESULT IN
DEFAMING THE CHARACTER, REPUTATION, INTEGRITY OR DIGNITY OF ANY
CITIZEN OR ORGANIZATION OF CITIZENS OF THE U.S.

YOU ARE REMINDED THAT THESE INSTRUCTIONS RELATE TO BUREAU
INFORMANTS IN INTERNAL SECURITY FIELD AND NO INFORMANT SHOULD
BE OPERATED IN A MANNER WHICH WOULD BE IN CONTRADICTION OF
SUCH INSTRUCTIONS.

EPG:djr
(13)

MDR:16
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ENCLOSURE

62-116395-1369

TELETYPE TO ALL SACS

RE: CONDUCT AND ACTIVITIES OF EMPLOYEES

THESE PRINCIPLES MUST BE KEPT IN MIND BY YOU AT ALL
TIMES. AGAIN, THE SPIRIT AS WELL AS THE LETTER OF THE LAW
IS OUR GOAL.

- 2 -

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall

FROM : W. O. Cregar *WOC*

SUBJECT: SENSTUDY 75

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. R. J. Gallagher
- 1 - Mr. W. R. Wannall
- DATE: 1/29/76
- 1 - Mr. R. L. Shackelford
- 1 - Mr. J. G. Deegan
- 1 - Mr. S. S. Mignosa
- 1 - Mr. F. J. Cassidy
- 1 - Mr. W. O. Cregar
- 1 - Mr. T. J. McNiff

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 _____

At the request of the Senate Select Committee (SSC), a briefing session was held between SSC Staff Members and representatives of this Bureau at FBIHQ on 1/28/76 during the approximate hours 1:00 to 5:00 p.m. The purpose of this briefing was to have SSC Staff Members advise the Bureau of the nature of subject matters to be discussed at the SSC Executive Session scheduled to be held 2/2/76 at 10:00 a.m., concerning the subject matter "Domestic Intelligence Investigations." Representing the SSC were John Elliff, Mark Gitenstein and Michael Epstein. Bureau representatives included Assistant Director W. Raymond Wannall, Branch Chiefs Thomas W. Leavitt and Hunter E. Helgeson, Section Chiefs Joseph G. Deegan, Robert L. Shackelford, Sebastian S. Mignosa and Supervisors Homer A. Newman, David Ryan, Arthur G. Pote, Andrew J. Duffin, Donald J. McGarty, Don K. Pettus and Thomas J. McNiff, all of the Intelligence Division, and Special Agent John B. Hotis, Legal Counsel Division.

John Elliff advised that it is expected that the Bureau will, at the Executive Session, open with a prepared statement concerning the potential for violence in this country principally as it pertains to the forthcoming bicentennial celebration as recently publicized by Bureau officials. He then stated topics to be discussed at this scheduled Executive Session will fall into the following four general areas:

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FEB 17 1976

84 FEB 23 1976

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

(1) The type of material upon which FBI bases its assessment of potential for terrorist violence.

(2) Investigative techniques and intelligence gathering activities utilized by the Bureau to collect material upon which above assessments are based.

(3) Examples whereby Bureau intelligence investigations in the past have been responsible for uncovering information subsequently used by this Bureau to prevent violence.

(4) Ultimate threat, as compared to the immediate threat, which basic revolutionary organizations pose to the security of this country.*

Elloff offered that none of the above areas have been prejudged by SSC Members and stated that substantial differences exist in these areas among Senators composing the SSC.

Mark Gitenstein then noted that this Bureau has furnished the SSC with documents pertaining to a number of examples where information, developed as a result of intelligence investigations, was responsible for initiating preventive-type action. He requested, if possible, additional examples of a substantive nature which would help establish the necessity for intelligence investigations. Additionally, he requested further delivery of documents helping to clarify Bureau actions in four of the previously furnished preventive-type actions referred to above.

Handled with Mr. Gitenstein 1/29/76

* Meeting scheduled for afternoon of 1/29/76 by Intelligence Division to formulate Bureau's position in above four - 2 - general areas.

CONTINUED - OVER

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

Elliff also requested that, in preparation of the forthcoming Executive Session, the SSC be furnished with statistics covering the number of bombings which occurred in this country for as far back as 10 years, if such information is available.

Elliff concluded by saying that he intends to present, on 1/29/76, to SSC Members a typed agenda for the scheduled Executive Session and, when approved, he will furnish the Bureau a copy of same on 1/30/76.

OBSERVATIONS:

A large segment of the above briefing was consumed by Elliff expounding on his personal views (and Bureau rebuttal thereto, where applicable) concerning domestic intelligence investigations. Elliff stated that such investigations should only be conducted when a criminal violation or a distinct potential for same is present. For this reason he believes that informants should not be targeted against domestic organizations or individuals unless the potential for criminal violence is present, and that investigations of domestic organizations and individuals should be removed from the Bureau's Intelligence Division and transferred to the Bureau's General Investigative Division. The Intelligence Division would then become the Counterintelligence Division and would handle only intelligence investigations having foreign ramifications which he said would include the Communist Party but not organizations such as the Socialist Worker's Party. Continuing, he stated his belief that valuable intelligence-type information concerning domestic organizations and individuals would

CONTINUED - OVER

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

naturally flow from our criminal investigations in these areas. With regard to determining the potential for civil unrest, Elliff postured that accurate information in this field could be obtained through overt contact with civic leaders and not through covert use of informants. To support the latter position, Elliff quoted unnamed former officials of the now defunct Interdepartment Information Unit (IDIU) who readily stated the majority of the Bureau information furnished that Unit emanated from public sources. In essence, Elliff made the observation that he was opposed to domestic intelligence-type investigations as currently conducted by this Bureau and he advocated that any investigation of a domestic organization or individual be based upon criminal statute. It was noted that Elliff, though not equating "potential" with probable cause, had difficulty specifically defining "potential" in the above context.

RECOMMENDATIONS:

(1) That Legal Counsel Division maintain close liaison with John Elliff to obtain formal copy of approved agenda for scheduled 2/2/76 SSC Executive Session. ✓



CONTINUED - OVER

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

(2) That representatives of Intelligence Division, in concert with Legal Counsel Division, prepare requested opening statement concerning potential for violence in this country to be used at above Executive Session.

(3) That IS-1 Section, Intelligence Division, deliver to Senstudy Unit for referral to SSC documentary material requested concerning four preventive-type cases mentioned above. Identity of specific cases will be furnished separately to IS-1.

(4) That CI-3 Section, Intelligence Division, deliver to Senstudy Unit for referral to SSC statistical information concerning the number of bombings in this country for as many years as such information is readily available but not to exceed 10 years.

able but not to exceed 10 years.

William H. Lawrence
314 Swiss Pine Lake Dr.
Spruce Pine, N.C. 28777
February 7, 1976

Mr. James B. Adams
Deputy Associate Director,
Federal Bureau of Investigation
Washington, D.C. 20535

MDR 16
ALL INFORMATION CONTAINED
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DATE 11/1/00 BY SP2 ALM/ETH

Dear Mr. Adams:

RE: Criticisms of FBI By U.S. Senator,
Robert B Morgan of North Carolina

Reference my letter of January 23, 1976 addressed to you and enclosing data concerning publicly uttered adverse remarks about the FBI made by U.S. Senator Robert B. Morgan (D), N.C., on January 15, 1976 before the Asheville, N.C. Chamber of Commerce, and my letter of rebuttal to Senator Morgan dated January 24.

Since then the "Asheville Citizen" Asheville N.C. printed a portion of my rebuttal in its January 30, 1976 issue, in an article titled: "Retired Agent Questions Morgan's FBI position". A copy of this news item is enclosed.

Also I've received replies from U.S. Senator Jesse Helms, (R), N.C. and from U.S. Representative, Roy A. Taylor, (D), N.C. who represents the Eleventh Congressional District and which includes the Asheville and Spruce Pine areas. I'm enclosing copies of their replies which you will find are supportive and encouraging. In fact, Mr. Taylor went out of his way to support the FBI in his remarks of January 22, 1976 in the Congressional Record. A copy of his remarks is also enclosed.

Finally, on February 5, 1976 I received a reply from Senator Morgan, dated February 3, 1976 which was less than favorable. A copy of his letter is enclosed. Today I am replying to Mr. Morgan in the form of a letter to him dated February 7, a copy of which I'm enclosing for you.

These efforts may prove to have been in vain- but if one convictions as I have and fails to take a stand, he is more remiss than one who is neutral or who has no convictions at all.

With friends like Jesse Helms and Roy A. Taylor let's not give up hope.

sincerely,

William H. Lawrence
William H. Lawrence

Enclosures

10 MAR 16 1976

62-116395-

ENCLOSURE

NOT RECORDED

46 APR 14 1976

FEB 19 1976

CORRESPONDENCE

84 APR 16 1976

DocId:32989578 Page 91

William H. Lawrence
314 Swiss Pine Lake Dr.
Spruce Pine, N.C. 28777
February 7, 1976

Mr. Robert Morgan,
U.S. Senator, North Carolina
United States Senate,
Washington, D.C. 20510

MDR 16
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DATE 11/7/00 BY SP2 ALM/EHL

Dear Senator Morgan:

Reference my letter to you dated January 24, 1976 and your thoughtful and sincere reply dated February 3, 1976.

I can appreciate your due concern with what you sincerely believe to be past abuses and errors of the FBI. I'm sure you have heard some sordid testimony, and I'll be the first to agree that the FBI has had its faults when compared with some theoretical perfection.

I submit, however, that you heard only the worst, the most glaring and most shocking incidents which can only represent the most infinitesimal number of cases, taken from hundreds of thousands of investigations. Much of the testimony heard by you emanated from disgruntled, sometimes disillusioned and less than candid individuals, many of whose sense of values and objectivity has changed, for various reasons, with the passing of time.

What you didn't hear was the testimony of thousands of selfless citizens, many of whom risked their lives and personal safety to work undercover or semi-covertly in a sincere effort to assist the FBI in protecting this country, its citizens and their civil liberties.

You didn't hear of the interminable and consistent FBI investigations which scrupulously went the extra steps to protect the legal rights of individuals under investigation. Nor did you hear the testimony of thousands of fearful and concerned citizens, parents and other close relatives of persons whose warped minds and actions were aimed at destroying our government and thereby the civil liberties of their victims, both black and white.

From a philosophical as well as a pragmatic standpoint perhaps we can agree that the potential harm to privacy must be weighed against the necessity for law enforcement action in relation to social and security needs at any given time.

If only one or the other of these interests is to be considered to the exclusion of the others irrationality results--and, should this irrationality persist protractedly, in either direction, our nation would tend to tyranny, namely, that of anarchy on the one side or tyranny of police agencies on the other.

ENCLOSURE

This might be termed a balancing approach, an approach which has been unrecognized by many of the FBI's Critics.

Moreover, in an effort to balance the right of protection from violations of privacy against other rights don't we have to decide, among other things, how much law enforcement agencies should be allowed to infringe on the privacy of suspects in order to protect the privacy--and all the rights-- of other citizens--above all the rights of those latter citizens not to be victimized by law breakers and/or politically or revolutionary motivated suspects? This is a major dilemma.

I'm not opposed to Congressional guidelines or oversight of the intelligence agencies. But oversight and guidelines are fraught with problems. For example, is it possible for our current or future Congressmen to clearly and decisively predict conditions which may confront the FBI and CIA years or even months from now? For this reason alone some flexibility is paramount.

Another perplexing issue comes to mind. Will Congress be accountable if it is the ultimate judge or decision maker for our intelligence and counter-intelligence operations?

In raising these questions I'm confident that Congress will ultimately pass some guideline legislation for our intelligence agencies and will include therein a certain amount of oversight provisions stipulating some sort of prior restraint on proposed tactics or intelligence strategies.

With this in mind we have to recognize that internationally there has always been a need for this country to learn things that people would not ordinarily tell a foreigner--or that domestically, there are things that a criminal or revolutionary would not ordinarily tell a public official; nor would this type person lay his or her activities bare to public scrutiny. It follows that these natural manifestations of reluctance and secrecy has always implied the use of extraordinary, often covert investigative means. Therefore, can we have that desirable degree of and quantity of oversight without jeopardizing, often in advance, major intelligence efforts?

Can certain necessary operations be taken if public officials, especially elected officials, must stand up and take responsibility for them--or for the failure to take them?

In reality anyone who knows about an intelligence operation in advance will have, in effect, a Veto over it. For the simple decision taken by oneself that "for the country's good" a plan must be made public, will automatically scuttle it.

Moreover, there will be situations when a group of elected officials will be charged with deciding, often after only short emergency briefings, squeezed in between other important and distracting public business, whether to approve or disapprove some audacious emergency covert operation. And, will they want to publicly

accept responsibility if their decision proves to be wrong? This is a sincere and searching question.

Isn't our main paradox perhaps that of the imperfection of human beings-- and, therefore, human institutions which means that we never get the choice between pure virtue and pure vice?

This is particularly true in the intelligence field. The system must be realistically viewed as a proximate solution to an insoluble problem.

There has always been and there always will be some sin, some wrongdoing and some errors of judgement in high places, including intelligence agencies. But it follows that the same imperfections exist and will continue to exist in the remainder of society. It is illusory to wait for a perfect solution. There is none.

Once we can agree on this, those of us of goodwill and perseverance can fight for the better cause lest it lose out to the worse. Once we accept this understanding perhaps some of our imperfections will not occasion the cynicism and self flagellation of our society that exists today.

With this in mind let us assume that the FBI and CIA did, on occasion exceed their authority. Let us not in our efforts to correct the problem think that we can, by a stroke of legislation eliminate any need for covert intelligence operations. For we can rest assured that neither the Russians nor the Chinese will join us in this quest for a Utopian and nobler less secretive international or domestic community. Any hasty, unilateral acts of so-called purification on our part will not insure freedom in the U.S. or stability abroad.

In closing, while you and I do not currently see eye to eye on this issue, we can, by confining our thoughts and statements to the basic issues, as contrasted to denouncing personalities, have a better chance of securing an ultimate meeting of the minds in an effort to solve this complex and often seeming insurmountable enigma.

very sincerely yours,

William H. Lawrence



I THINK IT'S TIME WE FOUND ANOTHER LINE OF WORK, PHILBRICK....

Retired Agent Questions Morgan's FBI Position

4-4-Editorial Page "Asheville Citizen" Asheville, NC January 30, 1976

was appalled to read the story on page 14 of your Jan. 1976, edition, captioned: "Morgan Calls F.B.I. Most Dangerous Threat."

This story reported comments made by U.S. Senator Robert Morgan (D., N.C.) to the Asheville Area Chamber of Commerce on Jan. 15. Mr. Morgan was quoted as saying that he considered the FBI to be the nation's most dangerous threat, adding: "It's just rotten to the core." He elaborated that the FBI has lied, opened mail and wiretaps illegally and conducted organized campaigns to discredit individuals.

He said that the FBI had recordings critical of Martin Luther King Jr., made to be played for audiences that he was addressing.

I am a retired FBI agent, with 27 years service prior to

my 1970 retirement. Twenty-five of these years were spent in domestic and foreign inspired intelligence type operations.

My response is that the charges made by Senator Morgan were not only grossly exaggerated but taken out of context, resulting in his distinguished audience receiving distorted and misleading information.

The abuses alluded to by the Senator must, on reflection, be viewed in context to the times that prompted them: times of bombings, massive riots, destructive confrontations, killings, maimings and peripheral atrocities, many of which were initiated by and led by revolutionary extremists. Nor should we forget the numerous riots, burning and looting of our major cities.

In balance, the nation's need

for internal ^{Security} protection intensified. FBI employees recognized the danger, felt that they had a responsibility to respond and, in good faith, initiated actions designed to neutralize, deter and contain violent activities as well as those threatening impending violence.

The central question for all of us should be: Has the FBI, with the help of countless dedicated local police agencies and concerned citizens, provided necessary and sufficient protection for the public and country in the domestic intelligence field, in context with a recognition that in any free society there is and should be a prejudice favoring all but the most violent attacks on society?

Remember: The framers of our Constitution were not so

sure of the invulnerability of our form of government. Otherwise the preamble thereof would not have provided that our government is to take measures to insure its domestic tranquility and provide for its common defense. This mandate is an endless and often awesome responsibility.

Why is it so necessary for Senator Morgan to castigate and Caviel the current FBI under the enlightened and able leadership of Clarence Kelley? I know Mr. Kelley and was privileged to work under his immediate supervision in 1961, immediately prior to his retirement following which he served as Chief of Police at Kansas City, Missouri. It was only two years ago that he returned to the FBI, this time as its director.

I can certify Mr. Kelley as

an honest, extremely competent, dedicated and fearless man.

This is not to assume a sacrosanct and pious position for no organization is perfect as is no individual. Our respective judgments as to correct methods of meeting solving problems may always be in accord.

It is one thing to try to correct actual shortcomings, tactical errors of our intelligence agencies, including the FBI; but, it is quite another to wreck and demoralize an agency, so vital to this country by publicly labelling it "rotten to the core" and as "the nation's most dangerous threat."

William H. Lawrence
314 Swiss Pine Lake Drive
Spruce Pine

MDR 16

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ENCLOSURE

602-111-395-

Robert Morgan
North Carolina

COPY

UNITED STATES SENATE
Washington, D.C. 20510

February 3, 1976

Mr. William H. Lawrence
314 Swiss Pine Lake Drive
Spruce Pine, North Carolina 28777

Dear Mr. Lawrence:

Thank you for taking time to write me and for your expression of your feelings about the Federal Bureau of Investigation. I admire your loyalty to the organization you served.

We have finished many long hours of hearing testimony regarding the activities of the FBI. Let me say that as a citizen and as Attorney General of North Carolina, I always supported the FBI and defended it when I heard it criticized.

It gives me no pleasure now to hold it in less high esteem than I did before, but after hearing testimony about its activities, especially under Mr. Hoover, I could reach no other conclusion but that the due process clause and the civil liberties of individuals were violated time after time. What may be worse, I got the feeling from the testimony of present FBI officials that they didn't plan to change things much, if at all.

I know that many fine people such as you served the Bureau and their country well, but I cannot disregard the unchallenged testimony I heard during the past several months.

Thank you again for writing and with best wishes..

Sincerely yours,

Robert Morgan

RM/gpb

Reply To: Post Office Drawer 2719, Raleigh, North Carolina 27601
Federal Building-Century Post Office

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ENCLOSURE

62-116395-2

EXTENSION OF REMARKS OF CONGRESSMAN ROY. A. TAYLOR

JANUARY 22, 1976

Mr. Speaker, I would like to call my colleagues' attention to the editorial appearing in the U.S. News & World Report of January 26, 1976, titled "Is America Going Mad?". In line with the editorial are not segments of the press, television commentators, and many spokesmen of the Congress going too far in emphasizing the negative and ignoring the positive--in dwelling on the mistakes of the past rather than the problems of the present and the hopes of the future. Are they not going too far in destroying the confidence of the American people and of people abroad in our American institutions--the FBI, the CIA, the Defense Department, the Congress---and in destroying the confidence in public officials both those serving today and many whose honorable service has ended with death---- J. Edgar Hoover, John F. Kennedy, Franklin Roosevelt.

Are they not tearing our nation to pieces in the eyes of the world and weakening fundamental institutions whose effective services are needed today and will be needed tomorrow. Why dwell so long on the negative and lose sight of the positive accomplishments, thereby giving people a defeatist attitude and placing doubt and mistrust between the people and their government.

This is serious because without public confidence our Democracy cannot operate and it cannot win and maintain respect abroad. I, too, want to know the truth and ~~help~~ help right the wrongs established, but once the truth has been revealed I am content to let the facts take their place in history and agree with the editorial that no useful purpose is served by constantly repeating the mistakes of the past.

The future belongs to the people, communities and nations who have faith in themselves and in what they stand for and in what they are doing. My choice of a motto for the Bicentennial year is "Take pride in America's past and take part in its future."

The editorial follows:

MDR 16
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DATE 11/7/00 BY SP2 AEM/ETHC

ENCLOSURE

62-116398-2

C O P Y

ROY A. TAYLOR
11th District
North Carolina

CONGRESS OF THE UNITED STATES
House of Representatives
Washington, D.C. 20515

January 29, 1976

Mr. William H. Lawrence
314 Swiss Pine Lake Drive
Spruce Pine, North Carolina 28777

Dear Mr. Lawrence:

Thank you for your recent letter, the copy of your letter to Senator Morgan and the newspaper clippings.

I am not among those Members of Congress who have been criticizing the FBI and CIA. In my judgement both agencies are vitally essential. It is coincidental that you included the editorial, "Is America Going Mad" from U.S. News and World Report. This editorial made such sense to me that last week I placed a copy of it in the Congressional Record along with my own comments of agreement. Enclosed is a copy of my remarks for the Record along with a copy of a news release which I mailed to all news media in the Eleventh Congressional District.

I know that Senator Morgan will read your letter very carefully and will welcome the opportunity it affords him to respond to you directly.

Sincerely

Roy A. Taylor
Member of Congress

RAT:ao

Enclosure

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62-116390-

C O P Y

JESSE HELMS
North Carolina

UNITED STATES SENATE
Washington, D.C. 20510

January 30, 1976

Mr. William H. Lawrence
314 Swiss Pine Lake Drive
Spruce Pine, North Carolina 28777

Dear Mr. Lawrence:

Thank you for your letter of January 26 regarding the unfair treatment being received by the F.B.I.. Rest assured, this is one Senator who has not been fooled by all this nonsense. We have had experience enough with so-called ad hoc committees which tend toward sensationalizing of their subject matter, and cater to a press hungry for leaks of sensitive information.

Of course, I'm sure the F.B.I. has made mistakes--who hasn't? What is important is that these mistakes have been few and far between, and the F.B.I. was and is the most honest and efficient law enforcement agency in the world.

When the country is faced with critical problems of inflation, people out of work, and the price of energy going out of sight, Congress does not need to be distracted from these important problems by a sideshow run by left-wing columnists and commentators.

Thanks again for writing. Please continue to share your thoughts with me.

Sincerely

Jesse Helms

JESSE HELMS: Jn

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62 -116395-

UNITED STATES GOVERNMENT

Memorandum

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

FROM : T. W. Leavitt *Leavitt*

SUBJECT: SENSTUDY '75

1 - Mr. N. P. Callahan
1 - Mr. J. B. Adams
1 - Mr. P. L. Mack
1 - Mr. J. A. Mintz

DATE: 1/27/76

1 - Mr. D. W. Moore
1 - Mr. W. R. Wannall
1 - Mr. T. W. Leavitt
1 - Mr. J. G. Deegan
1 - Mr. W. O. Cregar
1 - Mr. F. A. Tansey

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At 6:10 p.m., 1/27/76, at the request of Executive Assistant to Deputy Associate Director (Investigative) Paul L. Mack, Deputy Assistant Director Thomas W. Leavitt requested that we determine facts surrounding a United Press International (UPI) news release 1/27/76 indicating the Senate Select Committee (SSC) was conducting an investigation in San Diego concerning the alleged FBI promoted warfare against blacks. Facts set forth indicating additional SSC members are currently in San Diego and according to news reports are to interview SAC, San Diego, Ronald L. Maley. *Handwritten: L. Mack, T. W. Leavitt, Ronald L. Maley*

Intelligence Division Night Supervisor F. Anthony Tansey subsequently contacted SA Paul V. Daly, Office of Legal Counsel; SA Seymour F. Phillips, Senstudy project; and, IS-1 Section Chief Joseph G. Deegan. It was determined that two SSC investigators, Michael Madigan and Lester Seidel, were both in San Diego last week investigating information concerning the FBI and Secret Army Organization (SAO) involvement in specific activities in the San Diego area. Previous FBIHQ clearance had been obtained and "waiver of confidentiality agreement" authorizations were approved for those two Committee members to speak to two current Agents and two former Agents in the San Diego area concerning SAO investigations. No one was aware of any current Committee investigators being in the San Diego area in connection with any other investigation involving the FBI. *Handwritten: F. A. Tansey, J. G. Deegan*

At 7:21 p.m., SAC Maley was telephonically contacted by Night Supervisor Tansey and was apprised of the UPI dispatch dated 1/27/76 at San Diego. Maley stated this was a new situation (pertaining to the Black Panther Party and the US Organization), different from the matter regarding the SAO wherein two SSC investigators interviewed two current and two former FBI Agents last week. Maley stated the first he learned of this was an article in Monday night's newspaper followed by a clarification in the San Diego "Union" newspaper on Tuesday, 1/27/76. *Handwritten: MDR 16*

Enclosure

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Memorandum to Mr. W. R. Wannall
RE: SENSTUDY '75

Maley stated the article goes into some length that Michael Madigan and Lester Seidel, both members of the investigating staff of the SSC, were in San Diego conducting investigation relative to the FBI and SAO in the past. The article further states that another investigator from the SSC, named Arthur Jefferson, is scheduled to arrive in San Diego today (1/27/76) to begin a probe of FBI attempts to encourage warfare in 1969 between rival black nationalist factions in San Diego and Los Angeles. The article continues that the FBI already has turned over to the Senate panel a "1200-page document confirming that the FBI attempted to foster strife among blacks throughout the nation." An afternoon meeting was scheduled 1/27/76 between Arthur Jefferson and Leon Williams, San Diego's first black City Councilman.

Maley stated the article in the "Union" newspaper did not indicate he, Maley, was to be interviewed. He did locate the Monday night article in the San Diego "Evening Tribune" which indicated that Maley would be interviewed.

Maley stated that under no circumstances would he submit to interview by SSC investigators without first contacting Office of Legal Counsel and securing a waiver of his confidentiality agreement. Maley further stated he had earlier in the day forwarded a clipping to Inspector-Deputy Assistant Director Homer A. Boynton, Jr., External Affairs Division, concerning a press release which had been made by Madigan and Seidel when they were in the San Diego area. Maley expressed considerable concern that the investigators for the SSC seem to spend a great deal of their time making press releases (mostly unfavorable to the FBI) and very little of their time interviewing or investigating the facts. Maley stated that two articles, in Monday night's paper and in Tuesday's paper, were indicative of the type of press releases being made. He stated nobody has contacted him about interviews but he has read their intentions in the paper.

Memorandum to Mr. W. R. Wannall
RE: SENSTUDY '75

Maley was advised to submit pertinent information to FBIHQ by teletype and he reiterated he would not talk to any investigators without first securing specific approval of Office of Legal Counsel.

ACTION:

For information. Copy of the UPI dispatch 1/27/76 attached. When San Diego teletype is received, it will be analyzed and any appropriate action taken.

wrc/ab

ICP

*WRW
BSC*

PLH

dml

Jma

H

SAN DIEGO (UPI) -- THE SENATE INTELLIGENCE COMMITTEE IS INVESTIGATING CHARGES THE FBI PROMOTED GUERRILLA-STYLE WARFARE AGAINST BLACKS AND POLITICAL DISSIDENTS IN SAN DIEGO DURING THE LATE 1960S AND EARLY 1970S. IT WAS REPORTED YESTERDAY.

THE SAN DIEGO EVENING TRIBUNE SAID TWO COMMITTEE INVESTIGATORS HAD BEEN SENT TO SAN DIEGO TO TALK WITH SAN DIEGO POLICE, THE FBI AND AT LEAST ONE ELECTED OFFICIAL.

AMONG THOSE TO BE INTERVIEWED WERE RONALD MALEY, AGENT IN CHARGE OF THE FBI'S SAN DIEGO OFFICE, RICHARD HUFFMAN OF THE DISTRICT ATTORNEY'S OFFICE, FORMER POLICE CHIEF RAY HOOBLER AND CITY COUNCILMAN LEON WILLIAMS, THE NEWSPAPER SAID.9

UPI 01-27 08:55 AES

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