

File #:

62-116395

Serial Scope:

1406, 1407

1409 THRU 1411

1412

1413 THRU 1416

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1422, 1423

1425 THRU 1428

1431, 1432

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1436 THRU 1439X

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1992 (44 USC 2107 Note). Case#:NW 55156
Date: 11-18-2017

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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 26, 1976

Mr. David Ryan
Federal Bureau of Investigation
J. Edgar Hoover Building
Washington, D.C. 20535

0
Senstudy

Dear Dave:

This is to confirm (belatedly) in writing what I told you several months ago. On November 5, 1975, I gave pp. 2-9 of your deposition of October 21 to Mr. Schwarz and Mr. Smothers, with a memorandum setting forth our agreement and your request that Committee members be told of your concern.

Since it appears that the Senators did not actually see your deposition, I have copied pp. 2-7 and 60-62 (which contain your final statement) and will see that the Committee members receive them when they are given the draft COINTELPRO report. If you have any objections to this, please let me know.

[Handwritten signature]

Sincerely,

[Handwritten signature]

Barbara Ann Banoff

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/02 BY SP2ALM/efj

with 3/15/76 DR:WJ

UNRECORDED COPY FILED IN 62-116395-1439X

REC-100 2-116395-1439X

APR 8 1976

[Handwritten initials]

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

The Attorney General

March 23, 1976

Director, FBI ^{REC-113} 62-116395-1439X
 1 - Mr. F. J. Cassidy
 1 - Mr. S. F. Phillips
 1 - Mr. D. Ryan

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

Reference is made to my letter dated January 22, 1976, enclosing copies of a memorandum of the same date, with enclosures reporting interviews conducted by the Senate Select Committee (SSC) staff with Special Agent David Ryan of the Intelligence Division, FBI, on October 16 and 21, 1975.

Enclosed for your information is a copy of an SSC letter dated February 26, 1976, which was directed to Special Agent David Ryan by Miss Barbara Ann Banoff of the SSC staff. This letter was apparently sent in accordance with an agreement made by Banoff with Ryan that he would continue his interview relating to this Bureau's discontinued Counterintelligence Programs (Cointelpros) only if his concern regarding the preoccupation of the SSC staff in an area of sensationalism was communicated to the Chief Counsel and Minority Counsel of the Committee.

Enclosure

62-116395

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

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

1 - 62-116009 (Cointelpro)

- 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 _____

DR:lfj
 (12)

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

TO BE DELIVERED BY OFFICE
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- Comp. Syst. _____
- Ext. Affairs _____
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- Intell. _____
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- Legal Coun. _____
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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR002 SU PLAIN

3:55 AM NITEL FEBRUARY 26, 1976 ABN

FEB 26 1976

TELETYPE

TO: DIRECTOR, FBI (62-116395)
FROM: SALT LAKE CITY (100-11635)

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
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Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

SENSTUDY 75.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/77 BY SP2/aw/dj

REBUNITEL FEBRUARY 23, 1976.

FORMER SA STEVEN L. CHRISTENSEN CONTACTED FEBRUARY 25, 1976
BY SAC AND SA JOSEPH C. CWIK AND ADVISED OF CONTENTS OF RETEL.

CHRISTENSEN ADVISED HE HAD RECENTLY BEEN CONTACTED BY
MICHAEL MADIGAN, COUNSEL FOR THE SENATE SELECT COMMITTEE. HE
STATED HE HAD TOLD MADIGAN HE DID NOT WANT TO GO TO WASHINGTON
AND THAT PRIOR TO ANY INTERVIEW HE WOULD NEED A RELEASE FROM
EITHER THE FBI OR JUSTICE DEPARTMENT. HE SAID MADIGAN TOLD HIM
IT WAS NOT NECESSARY TO HAVE A RELEASE FROM THE FBI OR JUSTICE
AND THAT THEY HAD RECENTLY INTERVIEWED SA C. JORDAN NAYLOR,

SA EARL PETERSEN AND SA (FNU) OLSEN. HE SAID HE BELIEVES MADIGAN
ALSO STATED THEY HAD INTERVIEWED FORMER SAC REX I. SHRODER AND
SAC CLARK F. BROWN (NOTE THEY HAVE NOT INTERVIEWED BROWN NOR
HAS BROWN BEEN CONTACTED BY THEM). HE ALSO STATED MADIGAN SAID
HE WOULD PREFER THAT CHRISTENSEN APPEAR ON A VOLUNTARY BASIS
BUT THEY DID HAVE SUBPOENA POWER AND WOULD USE IT.

END PAGE ONE

Handwritten signatures and initials on the right side of the page, including a large signature at the top right and several initials below it.

REC-100 62-116395-1439

MAR 4 1976

Handwritten signature and initials in a circle, possibly 'R. B. Brown'.

Handwritten note: (Profile from SA Christensen)

Handwritten signature and initials in a circle, possibly 'R. B. Brown'.

84 MAR 11 1976

NECESSARY. HE INDICATED TO CHRISTENSEN THEY HAD BEEN IN CONTACT WITH (FNU) BAILEY AT THE BUREAU. MADIGAN WAS SUPPOSED TO RECONTACT CHRISTENSEN FEBRUARY 24 LAST BUT DID NOT.

CHRISTENSEN CONTINUED THAT IF MADIGAN HAD CALLED FEBRUARY 24 HE HAD INTENDED TO TELL HIM THAT IF INTERVIEWED HE WANTED IT TO BE IN THE PRESENCE OF HIS OWN COUNSEL AND THAT HE COULD NOT AFFORD TO PAY HIS COUNSEL'S FARE TO WASHINGTON. SO THEY WOULD HAVE TO MEET HIM IN SALT LAKE CITY. HE ALSO INTENDED TO ADVISE THEM HE WOULD NOT CONSENT TO AN INTERVIEW UNLESS THEY HAD A LETTER FROM THE BUREAU OR DEPARTMENT OF JUSTICE GRANTING HIM CLEARANCE.

HE SAID SINCE THEY HAD NOT RECONTACTED HIM, HE ASSUMED THEY WERE NOT GOING TO INTERVIEW HIM; HOWEVER, IF CONTACTED HE WOULD PROMPTLY CONTACT THE OFFICE OF LEGAL COUNSELING DIVISION IN ACCORDANCE WITH RETEL.

END.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 26 1976

TELETYPE

T-SSC GEN INTERVIEW

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	<i>W.L.H.</i>
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

Chaffin

FEBRUARY 26, 1976.

... ELBERT T. TURNER CONTACTED BY THE ASAC ON
FEBRUARY 26, 1976, AND INSTRUCTIONS IN REPLY FOLLOWED.

... HAD NO CONTACT WITH STAFF MEMBERS OF THE SENATE
SINCE HIS LAST INTERVIEW. **REC-100 62-116395-1438**

7. MAR 4 1976

... WOULD CONTACT THE SENATE'S LEGAL COUNSEL OFFICE
... CONTACTED BY SENATE SELECT COMMITTEE STAFF

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/02 BY SP2/ALM/ELJ

P.V. Doherty

S. H. ... (Leat)

LEB SJ
4 50 PM '76
66-67-

(pers. file Turner)

LEB SJ 2 13 PM '76

JAN 20 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 26 1976

TELETYPE

T-SSC GEN INTERVIEW

Assoc. Dir.	_____
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Dep.-A.D.-Inv.	_____
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Ident.	_____
Inspection	_____
Intell.	_____
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Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR003 CO PLAIN

4:49 PM URGENT FEBRUARY 26, 1976 JDH

TO: DIRECTOR (62-116395)

FROM: COLUMBIA

SENSTUDY 75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP4/MLD/jg

REBUNITEL FEBRUARY 26, 1976.

FORMER ASSISTANT DIRECTOR FLETCHER D. THOMPSON CONTACTED

THIS DATE AND ADVISED TO BE ALERT FOR A POSSIBLE CONTACT BY

THE SENATE SELECT COMMITTEE (SSC). FURTHER, HE AGREED THAT

BEFORE CONSENTING TO INTERVIEW WITH SSC HE WOULD CONTACT THE

BUREAU'S LEGAL COUNSEL DIVISION CONCERNING RIGHTS, PARAMETERS OF

INTERVIEW AND ANY RELEASE OF CONFIDENTIALITY AGREEMENT. IT

IS NOTED THAT THOMPSON IS PRESENTLY PRACTICING LAW WITH OFFICES

AT 240 MAGNOLIA STREET, SPARTANBURG, S. C., OFFICE TELEPHONE

NUMBER 803-573-7575. HE IS ALSO EMPLOYED AT THE SPARTANBURG

METHODIST COLLEGE, SPARTANBURG, S. C., TELEPHONE 803-576-3911.

THOMPSON ADVISED THAT SUBSEQUENT TO APRIL 1, 1976, HIS NEW

RESIDENCE WILL BE RIVERAGE DRIVE, MOORE, S. C. 29369.

END

TKR FBIHQ

*RECEIVED
FEB 27 4 50 PM '76
cc 67*

file Thompson

S. M. [unclear] (lead)

C. [unclear]

sa

P. [unclear]

REC-100 62-116395-1437

MAR 4 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 26 1976

TELETYPE

SSC GEN INTERVIEW

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/02 BY SP4WJ/ldj

FEBRUARY 23, 1976.

... CONTACTED THROUGH PHOENIX ...
 ... CONTACT OF ...
 ... ADVISING IN ACCORDANCE WITH ...
 ... HE HAS ALREADY BEEN ...
 ... AND HE ...
 ... TO HIS QUESTIONS ...
 ... TALKING ...
 ... OFFICE OF CONGRESSIONAL AFFAIRS ...
 ... CONTACT ...
 ... IN REFERENCED COMMUNICATION ...
 ... ALL PERTINENT MATTERS.

COPY REPRODUCED IN ...

REC-100 62-116395-1436

MAR 4 1976

cc 67- per see Rudd

5- [Signature] (Rudd)

Rudd contacted 2/21/76 [Signature]

FEB 25 11 25 AM 1976

RECEIVED
COMMUNICATIONS SECTION
FEB 25 1976

84 MAR 9 1976

UNITED STATES GOVERNMENT

Memorandum

- 1 - Mr. J. B. Adams
- 2 - Mr. D. W. Moore
- (1 - H. A. Boynton)

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

H
TO

TO : Mr. W. R. Wannall

DATE: 2/25/76

FROM : W. O. Cregar *WOC*

- 2 - Mr. J. A. Mintz
- (1 - P. V. Daly)
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar

SUBJECT: SENSTUDY 75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP3AM/klj

This memorandum reports the review by Section Chief William O. Cregar of the Senate Select Committee (SSC) draft of the Huston Report.

On 2/20/76, Mr. Loch Johnson, SSC Staff, telephonically contacted Cregar advising that the draft report of the SSC on the Huston Report was completed. Johnson requested somebody from the Bureau review the draft for accuracy and for classification purposes. Contact was made with Supervisor Paul V. Daly of the Legal Counsel Division to determine what the ground rules were for reviewing draft reports. After consultation with the General Counsel of the SSC, Daly advised that the draft report had to be read in the SSC space and that no notes describing the content of the report could be taken.

REC-100 62-116395-1434

On the morning of 2/23/76 and the afternoon of 2/24/76, Cregar reviewed the narrative portions of the draft amounting to 127 pages. No effort was made to review the footnotes or supportive documents to the report.

Basically, the report engaged in a historical review of the facts leading up to the request by the President for a meeting with Mr. Hoover and other officials at which time he designated Mr. Hoover chairman of an ad hoc committee responsible for preparing a report subsequently known as the Huston Plan. The SSC draft develops in some detail the sequence of events leading up to the preparation of the report; the signing of the report in Mr. Hoover's office;

MAR 3 1976

62-116395

WOC:lhb/lhb
(8)

CONTINUED - OVER

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84 MAR 8 1976

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

the transmittal of the report to the President; the subsequent receipt of a letter signed by Tom Charles Huston implementing the Plan; the meeting of Mr. Hoover with then Attorney General John Mitchell; the reaction of Attorney General Mitchell to the Plan; and the subsequent recall of Huston's letter by the White House.

Throughout the report, there are reflected statements made by various senators of the SSC during hearings of the Committee on the Huston Plan. In addition, there are portions of testimony by former Attorney General Mitchell, former Director of CIA Richard Helms, and former Chief of the Counterintelligence Staff, CIA, James Angleton, as well as the exchanges which occurred between Senator Church and Mitchell, Helms and Angleton. Throughout the report, there are references to Bureau officials testifying without naming these officials. Mr. Loch Johnson agreed that these officials would be named and identified them as being William C. Sullivan and Charles D. Brennan.

The report highlights the fact that there was considerable collusion between Sullivan and Huston during the early stages of the preparation of this report. It also highlights the fact that Sullivan changed his tactic upon the resignation of Cartha D. DeLoach, former Assistant to the Director, stating that Sullivan's tactic was to ensure that he would be designated as DeLoach's replacement. It particularly notes that Sullivan engaged in duplicity in that he was telling Tom Charles Huston that he was in favor of all recommendations contained in the Huston Plan while advising Mr. Hoover that recommendations in the Huston Plan could cause problems for the Bureau.

CONTINUED - OVER

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

The draft report makes the observation that, even though the Huston Plan was recalled by the President, certain of its recommendations were still put into effect, namely, the continuation of a covert mail opening program by CIA (the Hunter Program); the intensification of the National Security Agency's monitoring of American citizens' overseas telephone calls; the reduction by the Bureau of the permissible age of FBI campus informants from 21 years to 18 years and the intensification of FBI investigations in the internal security field.

It was pointed out to Johnson that the reduction in the age of FBI campus informants was certainly not a violation of the law and would appear to be ludicrous to highlight when in fact it was nothing more than an internal change by the FBI. Johnson recognized that it did not have the same impact that CIA and NSA programs had and said he would probably tinker with the language to recognize the fact that the reduction of the informant's age from 21 years to 18 was in no way a violation of any law or an impropriety of any kind.

NEW INFORMATION SURFACED IN THE SSC DRAFT

The only information which appears in the SSC draft not previously known by the Bureau is the fact that the Intelligence Evaluation Committee of the Department, created subsequent to the rejection of the Huston Plan, submitted a memorandum dated 1/19/71 by an unknown author wherein it was suggested the Huston Plan be implemented. The SSC draft speculates that the author of this 1/19/71 memorandum was Robert Mardian, former Assistant Attorney General, Internal Security Division. Additionally, John Dean, who was transferred from the Justice Department to the White House, advised SSC Staff Members that Robert Haldeyman

CONTINUED - OVER

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

wanted Dean to attempt to reinstitute the abortive Huston Plan. Dean alleges in the draft that he went along with Haldeyman purely for cosmetic purposes but that he never intended to make an effort to reinstitute the Huston Plan. The only thing Dean agreed to was the creation of the Intelligence Evaluation Committee with the Department.

RECOMMENDATIONS OF THE SSC

The draft concludes with a series of recommendations. Loch Johnson observes that most of these, if not all of the recommendations, will probably be eliminated inasmuch as he readily recognizes some of them are not practical and others have been preempted by the President's new Executive Order. However, for the benefit of the record, the following recommendations appeared on the draft report:

- (1) Any expansion of intelligence collection operations should require (a) consultation with the agencies', bureaus' or departments' legal counsel before implementation; (b) approval by the head of the agency as well as the Department of Justice; (c) both the President and appropriate committees of Congress be informed in advance of implementation.
- (2) Congress should provide guidance for agencies, bureaus or departments in any intelligence collection operation.
- (3) There should be better face-to-face coordination between the heads of agencies, bureaus or departments.
- (4) There should be monthly meetings of a Monthly Intelligence Forum made up of representatives of the Congress, the President, the Department of Justice and leading citizens.
- (5) There should be penalties for ignoring any of the above provisions.
- (6) Each agency, bureau or department should have within their ranks an Inspector General System.
- (7) Appropriate committees of Congress should review intelligence collection methods with the heads of the agency, bureau or department under oath.

CONTINUED - OVER

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

ISSUES

There are no issues surfaced by this draft report which have not been aired previously. From an FBI standpoint, the Bureau comes out fairly well. If there is any criticism of the Bureau, it appears to rest solely on William C. Sullivan's shoulders. There are several references to Mr. Hoover that describe him as being angry but certainly, in the main, it points out that Mr. Hoover was the sole Government official to recognize the danger of the Huston Plan and insisted that it be brought to the Attorney General's attention for resolution. It is not recommended that we prepare any press statement regarding the Huston Plan other than that which we have previously used.

OBSERVATIONS:

Cregar spent approximately six hours reviewing this draft. He made approximately 3 1/3 pages of suggested changes in the report, all of which were accepted by Mr. Johnson. In the main, the suggested changes were cosmetic or designed to cast the Bureau in an accurate light. In certain portions of the draft, Mr. Johnson was told that the White House should be consulted particularly when the draft quoted from the Huston Plan and, in another instance, the NSA should be consulted particularly when the Plan made reference to the National Security Council Intelligence Directive Number 6 (communications intelligence). In both instances, Mr. Johnson assured Cregar that this would be done.

ACTION:

That no press response be developed regarding the draft report of the SSC on the Huston Plan, inasmuch as no issues were identified which warrant the Bureau's comment.

wras for p's
OK *mac* *get* *per* *Jim*

UNITED STATES GOVERNMENT

Memorandum

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

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

TO : Mr. J. B. Adams

DATE: 2-24-76

FROM : Legal Counsel

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 4/1/00 BY SP2/HML/ky

SUBJECT: SENSTUDY 75

Michael Epstein, staff member, captioned Committee requested that Unit Chief Seymour F. Phillips be released for a voluntary deposition concerning his knowledge of the FBI's investigation concerning Martin Luther King, Jr., Southern Christian Leadership Conference, Cominfil, Stanley David Levison, and matters relating to these investigations. Epstein noted that SA Phillips had previously been interviewed concerning these topics but not under oath and the purpose of this request was to place SA Phillips under oath for testimonial purposes.

By memorandum dated 8-1-75 SA Phillips was released from his employment agreement for purposes of a staff interview concerning his knowledge of the FBI's investigation concerning Martin Luther King, Jr. Since the topic of this particular interview will be wider in scope, it is necessary that a new waiver of the employment agreement be secured.

During the prior interview of SA Phillips based on a self-imposed restriction by the Senate Select Committee, no information was to be given concerning information developed through wiretaps or microphone surveillance. This was based on discussions between Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination, and Inspector John B. Hotis of the Legal Counsel Division. On 2-24-76 the aforementioned facts were brought to the attention of Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, and he stated that SA Phillips could give any information concerning these topics to the Senate Select Committee and if they did not desire to hear the products of electronic surveillance that that was their decision. He noted that this self-imposed restriction by the Senate Select Committee concerning the Martin Luther King matter was prompted by their anticipation of entering into an agreement with attorneys of the King family and the Department of Justice concerning the King investigation.

- 1 - Mr. Wannall
- 1 - Mr. Mintz
- 1 - Mr. Cregar
- 1 - Mr. Phillips
- 1 - Mr. Daly
- 1 - Personnel File SA Seymour F. Phillips

REC-100

7 MAR 2 1976

RECOMMENDATION
CONTINUED - OVER

LEGAL COUNSEL
 FILE

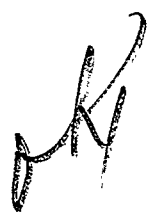
84 MAR 8 PVD (7)

Legal Counsel to Adams Memorandum
Re: SENSTUDY 75

RECOMMENDATION:

That SA Phillips be released from existing employment agreement for purposes of this interview and that he be advised his appearance is, of course, voluntary in nature.

PLM



- 1 - Mr. P. Callahan
- 1 - Mr. J. B. Adams
- 1 - Mr. D. W. Moore, Jr.
- 1 - Mr. J. A. Mintz
- 1 - Mr. W. R. Wannall

The Attorney General

February 23, 1976

Director, FBI

- 1 - Mr. W. O. Cregar
- 1 - Mr. J. G. Deegan
- 1 - Mr. J. P. Graham
- 1 - Mr. E. F. Glenn

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

Within the past several months newspapers in the San Diego, California, area have been denouncing the Federal Bureau of Investigation (FBI) because of allegations that the FBI promoted guerrilla-type warfare against blacks and political dissidents and the FBI's involvement with the Secret Army Organization (SAO).

On January 28, 1976, Special Agent in Charge (SAC), San Diego, furnished a copy of an article from the January 27, 1976, "San Diego Union" Newspaper which attributes to Michael Madigan, an SSC investigator, the statement that ". . . his four-day visit to California has confirmed most news reports about FBI involvement with the SAO's guerrilla war against political dissidents in San Diego during the early 1970s." The news report referred to in this statement includes a nine article series printed by the "San Diego Union" which contains allegations of illegal conduct by the FBI in connection with the SAO.

As you are aware there have been allegations the FBI created, financed and controlled the SAO, a now defunct anticommunist, paramilitary organization that was headquartered in San Diego and these allegations have been furnished to you. Our inquiries into this matter disclosed no information indicating these allegations are true and by letter dated February 18, 1976, captioned "San Diego Operations" you were furnished results of these inquiries.

On January 30, 1976, Mr. Madigan, accompanied by Mr. John T. Elliff, Director, Domestic Intelligence Task Force, SSC, attended a conference regarding this matter at FBI Headquarters. Mr. Madigan admitted participating in an off the record conversation with a "San Diego Union"

①- 62-116395 **DUPLICATE YELLOW**

JPG/EFG:lek
(14)

NOT RECORDED

46 FEB 27 1976

SEE NOTE PAGE 3

56 MAR 10 1976

ORIGINAL FILED IN 157-23577-101

The Attorney General

reporter; however, the information in the news account of that conversation was inaccurate. Mr. Madigan stated that this conversation took place over breakfast while in San Diego. He indicated that he did not make the statements attributed to him as published in the "San Diego Union." He stated quite to the contrary that he told the reporter in this conversation that his investigation to date had disproved some of the allegations that had appeared in the "San Diego Union." Mr. Madigan stated that he was upset over the distortions and inaccurate information appearing in this article and that he had called the editor of the "San Diego Union" for the purpose of demanding that a retraction be printed.

On February 2, 1976, Mr. Elliff advised that Mr. Madigan had telephonically contacted the editor of the "San Diego Union" to protest his being misquoted. The "San Diego Union" editor promised to retract the statements previously attributed to Mr. Madigan on receipt of a letter confirming the telephone call. The editor also stated that an unspecified disciplinary action would be taken against the reporter.

This is to advise that in a letter dated February 2, 1976, addressed to Mr. Gerald Warren, Editor, "San Diego Union," from Michael J. Madigan, Counsel, Senate Select Committee, (copy attached), Mr. Madigan points out inaccurate portions of the article that appeared in a January 27, 1976, issue of Mr. Warren's newspaper. This letter also contains comments reporter Dillon allegedly made which imply he overstated his case against the FBI in his series of articles.

The above is for information.

Enclosure

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

The Attorney General

NOTE:

See memorandum J. G. Deegan to Mr. W. R. Wannall, 2/3/76, captioned "SENSTUDY 75," JPG:eks, which set forth the same information as above and to which Mr. J. B. Adams attached routing slip stating "Attach a letter to AG w copy to Deputy."

