

File #:

62-116464

Serial Scope:

141, 142, 142x

144x THRU 155

157 THRU 165

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. J. B. Adams

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

DATE: 10/31/75

FROM : Legal Counsel

- 1 - Mr. Hotis - Enc.
- 1 - Mr. Daly - Enc.

SUBJECT: HOUSTUDY - 7

By letter dated 10/28/75 addressed to Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination in the Department (copy attached), captioned Committee requested that SAs William Tucker and Terry O'Connor be made available for Staff interview concerning their dealings with Earl Robert Merritt, Jr. Merritt has been identified as a Bureau informant in the past.

On 10/29/75, SA Paul V. Daly of this Division telephonically contacted Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination in the Department, and advised him the topic of the aforementioned interview of SAs Tucker and O'Connor was currently in litigation and that the litigation was being handled by Benjamin Flannagan of the Department. This suit involved the Institute for Policy Studies in Washington, D. C. It was also pointed out that previously the Department had indicated they would furnish legal representation in instances where the topic of interview by Congressional committee members was in civil litigation. Blackhurst acknowledged this and stated he would contact Flannagan of the Department in an attempt to make arrangements for legal representation to be available.

In view of the House Select Committee request, the employment agreement and the provisions of the Code of Federal Regulations for both SAs Tucker and O'Connor should be waived for purposes of this interview. Blackhurst advised the Department was waiving the provisions of the Code of Federal Regulations for purposes of this interview.

Enclosure

- 1 - Personnel File - William Tucker
- 1 - Personnel File - Terry O'Connor

15 NOV 12 1975

ENCLOSURE

RECOMMENDATIONS - OVER

PVD:lad
(9)



LEGAL COUNSEL

Legal Counsel to Mr. Adams
RE: HOUSTUDY

RECOMMENDATIONS:

(1) That existing employment agreements be waived for SAs Tucker and O'Connor for purposes of interview.

(2) That the Agents will be advised by the Office of Congressional Affairs of the Committee's request for interviews and the arrangements made for the interview as soon as the determination for legal representation is made by the Department.

Jef *JMB* *AVD*
Jma *PLM* *JAM*
OK

ROBERT N. GIAMMO, CONN.
JAMES V. STANTON, OHIO
RONALD V. DELLUMS, CALIF.
MORGAN F. MURPHY, ILL.
LES ASEN, WIS.
DALE MILFORD, TEX.
PHILIP H. HAYES, IND.
WILLIAM LEHMAN, FLA.

ROBERT MC...
DAVID S. TREE...
JAMES P. JOHNSON, COLO.
ROBERT W. KASTEN, JR., WIS.

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

28 October 1975

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

Dear Mr. Shaheen:

Further to our investigation of the F.B.I. please arrange for interviews by our staff of Special Agents William Tucker and Terry O'Connor, at the Committee offices, for any time convenient to the agents during the week of November 3, 1975.

The interviews will be under oath and transcribed, and will be concerned with the agents' dealings with one Earl Robert Merritt, Jr. It is suggested that they be represented by counsel, for their own protection.

Please call immediately if there is any problem concerning this request.

Sincerely,

A. Searle Field
Staff Director

ASF/TO/dng

~~NOV 11 1975~~



62-116464-165

FBI



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

OCT 21 1975

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

FROM: Steve Blackhurst
Assistant Special Counsel for
Intelligence Coordination

SUBJECT: House Select Committee Letter dated October 20

Attached is a letter from the House Select Committee dated October 20, 1975. Please prepare an appropriate response to that request.

Legal (info)

[Signature]
(info)

12/16/75
Steve Blackhurst advises attached request should be ignored. HSC will respond in writing if briefing is still desired.
AM

REC-51
EX 104

62-116467-1648

5 JAN 7 1976

[Signature]
ENCLOSURE

cc : Paul Daly

1-Ad Hoc
10-22-75

62-116464

[Signature]

*10/28/75 Mintz to Blackhurst re: 10/22/75. PVD/olby; kind
"1/3/75 HSC representatives failed to appear for briefing. Rescheduled for same date"*



OCT 21 1975

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

FROM: Steve Blackhurst
Assistant Special Counsel for
Intelligence Coordination

SUBJECT: House Select Committee Letter dated October 20

Attached is a letter from the House Select Committee dated October 20, 1975. Please prepare an appropriate response to that request.

cc : Paul Daly

OTIS C. PIKE, N. Y., CHAIRMAN

ROBERT N. GIAMMO, CONN.
JAMES V. STANTON, OHIO
RONALD V. DELLUMS, CALIF.
MORGAN F. MURPHY, ILL.
LES ASPIN, WIS.
DALE MILFORD, TEX.
PHILIP H. HAYES, IND.
WILLIAM LEHMAN, FLA.

ROBERT MC CLORY, ILL.
DAVID G. TREEN, LA.
JAMES P. JOHNSON, COLO.
ROBERT W. KASTEN, JR., WIS.

A. SEARLE FIELD, STAFF DIRECTOR
AARON B. DONNER, COUNSEL

TELEPHONE: (202) 225-9751

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

October 20, 1975

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

Dear Mr. Shaheen:

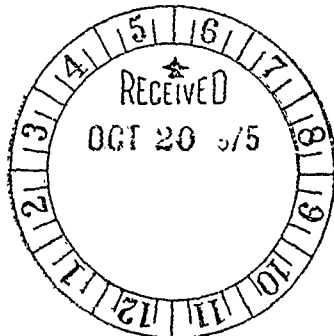
We hereby request a briefing between members of our staff and Mr. William V. Cleveland, Assistant Director in charge of the Special Investigative Division and the Chief of the Organized Crime Section of the Special Investigative Division of the FBI, at your earliest convenience.

Thank you for your cooperation in this matter.

Sincerely,

A. Searle Field
Staff Director

ASF/RV/mas



ENCLOSURE

62-116864-164X



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

FBI

OCT 21 1975

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

FROM: Steve Blackhurst
Assistant Special Counsel for
Intelligence Coordination

SUBJECT: House Select Committee Letter dated October 20, 1975

Attached is a letter from the House Select Committee dated October 20, which requests various FBI materials. Please prepare an appropriate response to this request.

11/14/75 Liby, chm to H.G.; Liby to H.G.; Liby to H.G.;
11/14/75 Liby, chm to H.G.; Liby to H.G.; Liby to H.G.;
11/14/75 Liby, chm to H.G.; Liby to H.G.; Liby to H.G.;
11/14/75 Liby, chm to H.G.; Liby to H.G.; Liby to H.G.;
11/14/75 Liby, chm to H.G.; Liby to H.G.; Liby to H.G.;
11/14/75 Liby, chm to H.G.; Liby to H.G.; Liby to H.G.;
11/14/75 Liby, chm to H.G.; Liby to H.G.; Liby to H.G.;
11/14/75 Liby, chm to H.G.; Liby to H.G.; Liby to H.G.;
11/14/75 Liby, chm to H.G.; Liby to H.G.; Liby to H.G.;
11/14/75 Liby, chm to H.G.; Liby to H.G.; Liby to H.G.;

10/23/75 assigned Dale
10/23/75 agreed with Daly and discuss scope of various request 0.450 m
10/28/75 discussed with Mellen & Dale. We will give all reports during
above time period from CG, BS, WFO (NY)

[Handwritten signature]

ENCLOSURE

cc: Paul Daly

1-Ad Hoc
10-22-75

REC 29 62-116464-164

ST-III

15 NOV 17 1975

11-*[Signature]*

62-116464

5: *[Signature]*



84 DEC 15 1975

OTIS G. PIKE, N. Y., CHAIRMAN

ROBERT N. GIAMO, CONN.
JAMES V. STANTON, OHIO
RONALD V. DELLUMS, CALIF.
MORCEN F. MURPHY, ILL.
LES ASPIN, WIS.
DALE MILFORD, TEX.
PHILIP H. HAYES, IND.
WILLIAM LEHMAN, FLA.

ROBERT MCCLORY,
DAVID C. TREEN, LA
JAMES P. JOHNSON, COLO.
ROBERT W. KASTEN, JR., WIS.

A. SEARLE FIELD, STAFF DIRECTOR
AARON B. DONNER, COUNSEL

TELEPHONE: (202) 225-9731

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

October 20, 1975

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

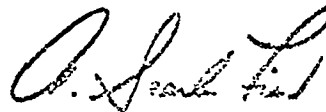
Dear Mr. Shaheen:

We hereby request access to all notes, memoranda, files, reports, and actions directed toward Mr. John Kerry, former head of the Vietnam Veterans Against the War from 1971 to the present.

In addition, we request access to the same materials for the Vietnam Veterans Against the War for the same time period.

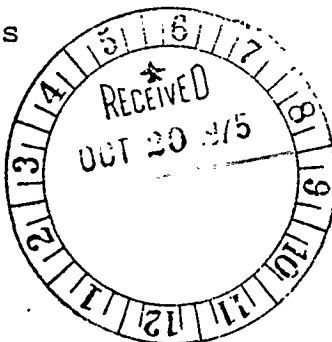
Please provide these materials forthwith.

Sincerely,



A. Searle Field
Staff Director

ASF/EM/mas



62-116464/64

- 2 - M. J. A. Mintz
- (1 - Mr. J. B. Motis)
- 1 - W. R. Wannall
- 1 - W. O. Cregar
- 1 - H. W. Dare, Jr.

The Attorney General

November 14, 1975

Director, FBI

UNITED STATES HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

Reference is made to letters from the HSC dated October 20, 1975, and October 28, 1975, requesting certain information from the FBI.

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

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

Enclosures (2)

62-116464

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

HWD:pal pal
(9)

[Handwritten signature]

RECEIVED BY THE DEPT. OF JUSTICE 11-14-75
 RECORDED TO CORRESPONDENCE 11-14-75

REC 22

62-116464-163

ST-111

15 NOV 17 1975

ENCL BEHIND FILE

3 ENCLOSURE

*Materials in HSC Request
10/20/75 REC 13*

*WPN
HSC
5-608*

*AWJ
TJM*

- 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. _____

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

62-116464

November 14, 1975

UNITED STATES HOUSE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (HSC)

RE: INFORMATION CONCERNING JOHN KERRY

Reference is made to letters from captioned Committee dated October 20, 1975, and October 28, 1975, (Item #5). Letter dated October 20, 1975, specifically requested access to all notes, memoranda, files, reports, and actions directed toward Mr. John Kerry, former head of the Vietnam Veterans Against the War, from 1971 to the present. The October 28, 1975, letter reiterated the October 20, 1975, request.

Pertinent information responsive to the above HSC request has been prepared in accordance with established procedures relating to such matters, and this material is available for review at FBI Headquarters by appropriately cleared personnel of the HSC staff.

1 - The Attorney General

ORIGINAL AND ONE COPY FURNISHED THE ATTORNEY GENERAL

HWD:pal pal
(8)

NOTE:

In addition to the above-mentioned request, the HSC requested access to the same type of materials as mentioned above for the Vietnam Veterans Against the War, from 1971 to the present. This request is being handled by separate communication since it involves the reviewing of 73 volumes.

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

MAIL ROOM

TELETYPE UNIT

ENCLOSURE

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D. C. 20535

House Select Committee

Addressee: _____

LTR LHM Memo Report dated 11/14/75

Caption of Document: Re HSC requests 10/20/75 & 10/28/75
for information concerning John Kerry.
(Item #5)

FBI

Originating Office: _____

Delivered by: J. Williams Date: 11/14/75

Received by: Carolyn M. Lindbeck

Title: A. A.

Return this receipt to the Intelligence Division, FBI

ENCLOSURE

62-116464-16¹¹

Federal Bureau of Investigation
Records Section

10/29, 19

Name Searching Unit, 4543 JEH-FBI Bldg.
 Service Unit, 4654 JEH-FBI Bldg.
 Forward to File Review
 Attention Peters 4147
 Return to Green
 Supervisor Room Ext.

Type of References Requested:

Regular Request (Analytical Search)
 All References (Subversive & Nonsubversive)
 Subversive References Only
 Nonsubversive References Only
 Main _____ References Only

Type of Search Requested:

Restricted to Locality of D.C. Mass
 Exact Name Only (On the Nose) Vietnam
 Buildup Variations

Subject John F. Kerry
 Birthdate & Place 1944
 Address _____

Localities _____

R# _____ Date 10/29 Searcher Initials SC

Prod. _____

FILE NUMBER SERIAL

<u>I</u>	<u>100-469066</u>	<u>✓</u>
<u>NP</u>	<u>100-448092-67</u>	
<u>NP</u>	<u>100-448092-2147op9</u>	
<u>NP</u>	<u>100-448092-5562op9</u>	
<u>NP</u>	<u>100-448287-79</u>	<u>✓</u>
<u>NP</u>	<u>100-460998-159</u>	<u>X</u>
<u>NP</u>	<u>61-7565</u>	
<u>I</u>	<u>100-469066</u>	
<u>NP</u>	<u>40-0-5154</u>	
<u>NP</u>	<u>65-74060 - Wash Post 7/4/71</u>	
<u>NP</u>	<u>65-74060 - Wash Post 9/28/71</u>	
<u>NI</u>	<u>65-8313-5</u>	
<u>NI</u>	<u>65-49055-16</u>	
<u>NP</u>	<u>100-463195-963</u>	
<u>I</u>	<u>100-448092-374</u>	
<u>NP</u>	<u>100-448092-255</u>	
<u>I</u>	<u>100-448092-437</u>	
<u>I</u>	<u>100-448092-415</u>	

NUMEROUS REFERENCE

SEARCH SLIP

Subj: John F. Kerry
 Supervisor: Green/Peters Room: 4147
 R#: _____ Date: 10/29 Searcher Initial: GC
 Prod: _____

FILE NUMBER

SERIAL

	<u>FILE NUMBER</u>	<u>SERIAL</u>
	<u>John</u>	
<u>I</u>	<u>100-448092-483</u>	
<u>I</u>	<u>100-448092-501</u>	
<u>NR</u>	<u>100-448092-548</u>	✓
<u>Imp.</u>	100-448092-556 ep 9	
<u>NI</u>	<u>100-455100-16</u>	
<u>NP</u>	<u>100-448092-1295 p 19</u>	✓
out	<u>100-460998-691 p 3</u>	✓
out	<u>100-466545-19 ep 1</u>	
out	<u>100-466545-20 ep 10</u>	
out	<u>100-470101-15 ep 11</u>	✓
out	<u>100-472008-X</u>	
<u>NP</u>	<u>100-475585-1</u>	
<u>I</u>	<u>100-448092-2105 p 1</u>	
<u>I</u>	<u>100-448092-592</u>	
<u>I</u>	<u>100-448092-457</u>	
<u>I</u>	<u>100-448092-466</u>	
<u>I</u>	<u>100-448092-473</u>	
<u>NP</u>	<u>100-463195-939</u>	
<u>I</u>	<u>100-448092-290 ep 15</u>	
<u>NP</u>	<u>100-448092-N Eben Stars 4/20</u>	
<u>NP</u>	<u>100-448092-175 ep 7</u>	✓
<u>I</u>	<u>100-448092-436</u>	
<u>NP</u>	<u>100-448092-420 ep 21</u>	

NUMEROUS REFERENCE

SEARCH SLIP

Subj: John F. Kerry

Supervisor: Green/Peters Room 4147

R# _____ Date 10/29 Searcher Initial BC

Prod. _____

FILE NUMBER

SERIAL

John

NP	100-460998-190	X
T	100-448092-412	
NR	100-448092-16X	
NP	100-448092-570	
T	100-448092-430	
NP	100-448092-8 NY Times 4/2/71	
T	100-448092-425 ep 12	
NP	100-476992-2	
NP	100-448092-346	X
NP	100-346566-1081	
NP	100-460998-259 ep 8	X
NP	100-448092-421 ep 5	
NP	100-463195-987 ep 15	✓
NP	100-448092-147	X
NP	100-448092-616 ep 5	
NP	100-448092-392	
T	100-448092-67	
NP	100-463195-777	
NP	100-448092-209	X
T	100-448092-448	
T	100-448092-447	
NP	100-448092-A Evening Star 7/23/71	
NR	100-448092-415 Key 10-1	

NUMEROUS REFERENCE

SEARCH SLIP

Subj: John F. Kerry

Supervisor Green Peters Room 4117

R# _____ Date 10/29 Searcher Initial PC

Prod. _____

FILE NUMBER

SERIAL

	<u>FILE NUMBER</u>	<u>SERIAL</u>
<u>NOT PERT</u>	<u>John</u>	
	<u>100-460495-3477</u>	<u>11</u>
<u>NP</u>	<u>100-460495-3344</u>	
<u>I</u>	<u>(100-448092-74)</u>	
<u>NT</u>	<u>100-342972-570</u>	<u>Xep 1827</u>
<u>ND</u>		<u>p# 1845</u>
<u>NP</u>	<u>105-138315-43</u>	<u>116</u>
<u>NP</u>	<u>157-8813</u>	<u>366</u>

TO: Intelligence Community Staff
 ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

11/14/75

FOR REVIEW

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

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

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

Memorandum

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

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

HSC letter 10/20/75 and 10/28/75, item 5

U

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

**Information handling
 Intelligence collection**

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

For review by appropriate HSC Staff Members at FBIHQ all materials concerning John Kerry, former head of the Vietnam Veterans Against the War, from 1971 to the present.

62-116464

FMK: fmk

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

TREAT AS YELLOW

5/18/75

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

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

November 5, 1975

The Attorney General

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)
62-116395

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)
62-116464

Enclosed for your approval and forwarding to the SSC and HSC are two original memoranda, designated for the SSC and HSC respectively, which effect transmittal of a jurisdiction study, dated October 28, 1975, entitled "An Analysis of FBI Domestic Security Intelligence Investigations; Authority, Official Attitudes, and Activities in Historic Perspective."

A copy of this study was furnished to you by my letter, dated November 3, 1975, captioned "FBI Jurisdiction in the Intelligence Field," which also enclosed a copy for the White House.

This study is being furnished to the SSC and HSC in line with their prior requests for all memoranda concerning the legal authority of the FBI to conduct security investigations.

A copy of these memoranda are enclosed for your records.

Enclosures (4)

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

AJD:lhb
(10)

DUPLICATE YELLOW

NOV 10 1975
FBI - NEW YORK
5 -

SECRET MATERIAL ATTACHED

DEC 2 1975

62-116464

ORIGINAL FILED IN 62-116395-1089

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

62-116464

November 5, 1975

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

**RE: FBI JURISDICTION IN THE
INTELLIGENCE FIELD**

The purpose of this memorandum is to effect delivery of a jurisdiction study, dated October 28, 1975, entitled "An Analysis of FBI Domestic Security Intelligence Investigations; Authority, Official Attitudes, and Activities in Historic Perspective."

This study is being furnished in line with your prior request for information concerning the authority of the FBI to conduct security investigations.

1 - The Attorney General

AJD:lhb *lhb*

(8)

ORIGINAL AND ONE COPY TO AG

NOTE:

man
Study, entitled "An Analysis of FBI Domestic Security Intelligence Investigations; Authority, Official Attitudes, and Activities in Historic Perspective," prepared by INTD, IS-3 Section, and sent to Department by letter dated 11/3/75.

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

SECRET MATERIAL ATTACHED
DUPLICATE YELLOW

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

Addressee: _____

LTR LHM Memo Report dated 11/5/75

Effect delivery of jurisdiction study dated
Caption of Document: 10/28/75 "An Analysis of FBI
Domestic Security Intelligence Investigations;
Authority, Official Attitudes, & Activities in
Historic Perspective."

Originating Office: FBI ^{10:45}

Delivered by: Richard J. Taylor Date: 11/7/75

Received by: E. M. Lunderode

Title: Adm. Asst

Return this receipt to the Intelligence Division, FBI

UNITED STATES GOVERNMENT

Memorandum

- 1 - Mr. J.B. Adams
- 2 - Mr. J.A. Mintz
(1-Mr. Hotis)
- 1 - Mr. W.R. Wannall
- DATE: 11/7/75
- 1 - Mr. R.L. Shackelford
- 1 - Mr. W.O. Cregar
- 1 - Mr. L.E. Brunnick
- 1 - Mr. J.P. McMahon

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

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

FROM : Mr. R. L. Shackelford *RS*

SUBJECT: U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE (HSC)

PURPOSE:

To recommend that Legal Counsel Division consult with the Department to seek guidance as to the manner in which the Bureau should respond to HSC requests for materials in Bureau files relating to organizations and individuals currently involved in civil litigation with the Bureau, and to ascertain how Bureau personnel should respond to similar inquiries while giving testimony in either Executive or public sessions.

DETAILS:

In September and October, 1975, the HSC requested among other items, information from Bureau files concerning a number of individuals associated with the Socialist Workers Party (SWP) and information from the file on the Institute for Policy Studies (IPS), as well as the file of former Bureau informant Earl Robert Merritt, Jr.

On 11/5/75, Bureau representatives Mr. W. R. Wannall, Mr. R. L. Shackelford, and Mr. D. Ryan furnished depositions to the HSC concerning numerous matters including Bureau investigations of 5 individuals affiliated with the SWP and this Bureau's investigation of the IPS. HSC representatives indicated at that time, that these topics will be the subject of testimony scheduled for public session 11/18/75. With regard to HSC inquiries concerning the 5 SWP individuals, the thrust of the inquiries centered around this Bureau's authority to investigate the SWP and its members, which is one of the main issues to be resolved in a pending civil suit which the SWP has brought against the Bureau. With regard to the IPS, HSC inquiries centered around this Bureau's authority to investigate this organization, as well as public charges made against this Bureau by

- 1 - 62-116464 (HSC)
- 1 - 100-16 (SWP)

JPM:bmf (12)

EX-100
REC-51
62-116464-162X
1 - 100-447935 (IPS)
1 - 137-28413 (Merritt)

CONTINUED - OVER

JAN 7 1976

84 JAN 14 1976

Memorandum to Mr. W. R. Wannall
Re: U. S. House Select Committee On Intelligence (HSC)

Earl Robert Merritt, Jr., a former Bureau informant who furnished information concerning the IPS. Charges by Merritt have been publicly refuted by this Bureau. It is noted that the IPS is also currently involved in civil litigation with this Bureau charging illegal wiretapping and breaking and entering.

Additionally, on 11/5/75, 2 Bureau Agents, against whom Merritt has levied his unfounded charges, were deposed by HSC members at which time the Agents were accompanied by the Departmental Attorney who is handling this litigation.

OBSERVATIONS:

In view of the pending HSC request for material relating to IPS, as well as information pertaining to Earl Robert Merritt, Jr., who is to be a principal witness in the IPS civil litigation, and because the HSC representatives have indicated that the questioning of Bureau officials scheduled for the HSC public hearing on 11/18/75 will involve matters directly related to the Government's actions in the defense of the civil suits regarding both the IPS and SWP, it is felt that Departmental advice should be sought prior to this Bureau responding to or engaging in further response to the HSC in these areas.

RECOMMENDATIONS:

1) That Legal Counsel Division consult with the Department to obtain advice as to how the Bureau should respond to HSC requests for materials concerning IPS and Merritt, and advise the Intelligence Division by memorandum of the results.

2) Legal Counsel Division should determine from the Department, the parameters to which Bureau representatives should confine their testimony in either Executive or public sessions concerning IPS and SWP and advise the Intelligence Division by memorandum.

JAM
JCF

- 2 -
done 11/11/75
by PVD to 5 Blair Street
Merritt
Shackelford
Counsel
JBA
PLM
WRW
HSC

JAM

