

File #:

62-116464

Serial Scope:

203 - RBF

HSC

9/30/75

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10/15/75, items
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UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. A. H. Belmont

FROM : Mr. W. C. Sullivan *WCS*

SUBJECT: SECURITY INDEX

DATE: December 11, 1963 *WCS*

- 1 - Mr. Belmont
- 1 - Mr. Sullivan *WCS*
- 1 - Mr. Gale *12/17*
- 1 - Mr. Branigan
- 1 - Mr. Bland
- 1 - Mr. Smith
- 1 - Mr. Baumgardner *Baumgardner*
- 1 - Mr. Wannall
- 1 - Mr. Rushing *Rushing*

The essential question for determination as to whether a subject's name should be included in the Security Index is "Does this individual represent a potential danger to the national security of the United States in time of a national emergency?" The present Security Index criteria, established in 1955, reviewed and concurred in by the Department as falling within the basic terms of the Presidential Proclamation that would trigger the Emergency Detention Program calling for the arrest of Security Index subjects, are utilized as guidelines in arriving at an answer to the essential question quoted above.

We have found that the Security Index criteria afford practicable and workable assistance in arriving at a conclusion and are sufficiently elastic so that when applied with the necessary judgment the complex questions which arise can be resolved. These criteria are well devised for this purpose. They were not intended to be nor can they or any other criteria be rigid rules since the ultimate point to be determined is not whether a case fits a particular rule but whether the subject of the case represents a danger. The breadth of these criteria is demonstrated by Criterion (D) which reads: "Although investigation has failed to establish overt acts or statements on the part of a subject within the time limits set out above, facts have been developed which clearly and unmistakably depict the subject as a dangerous individual who could be expected to commit acts inimical to the national defense and public safety of the U. S. in time of emergency." A copy of the Security Index criteria is attached as Exhibit A.

What we really need is a broadening of the factors which must be considered in evaluating an individual's dangerousness. In evaluating a security case for the purpose of determining whether the subject thereof falls within the Security Index criteria, Section 87D of the Manual of Instructions contains 17 specific factors that must be taken into consideration in arriving at a determination as to whether a subject represents a potential threat, including such factors

Encs.

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Memorandum to Mr. Belmont
RE: SECURITY INDEX
100-358086

as "constant support of the Soviet Union in acts and utterances" and "violations of penal laws arising out of activities as a subversive." The Manual specifically points out that the above factors are not all inclusive and will vary with each case in some degree. We propose to enlarge upon the specific factors that must be taken into consideration by the addition of 6 other factors relating primarily to Soviet-satellite internal security matters and including a factor dealing with individuals who have defected, revoked or sought revocation of their United States citizenship in favor of the Sino-Soviet-bloc countries who have returned to the United States and who have taken no positive steps to counteract such action. These new factors as well as those already listed will not automatically result in individuals engaging in such activity being included on the Security Index but our listing of them in the Manual will make it mandatory that anyone engaging in such activity be considered for the Security Index and that activities in these categories will be evaluated in connection with the individual's over-all sympathies and actions in deciding whether he should be included in the Security Index. The Manual will still point out that the factors enumerated are still not all inclusive; however, as has been indicated, the proposed additions will afford field personnel as well as supervisory personnel at the Seat of Government a more detailed guideline for consideration in arriving at a determination as to whether subject represents a potential danger in time of an emergency and thus should be included in the Security Index. The additional 6 factors are attached as Exhibit B.

ACTION:

Submitted in accordance with the Director's request. A proposed SAC Letter and appropriate manual changes are being forwarded under separate cover.

pk
yes
J

WES

kept
Oh but the original criteria would have included Oswald if the minimum of common sense interpretation had been applied.
J

CRITERIA FOR PLACING AND RETAINING
NAMES IN THE SECURITY INDEX

- (A) Subject has had membership or participation in the activities of a basic revolutionary organization within the last 5 years as shown by overt acts or statements established through reliable sources, informants, or individuals.
- (B) Subject has had membership or participation in the affairs of one or more front organizations, which adhere to the policies and doctrines of a revolutionary group, in a leadership capacity or by active substantial participation in the furtherance of the aims or purposes of the front organizations within the last 3 years as shown by overt acts or statements established through reliable sources, informants, or individuals.
- (C) Investigation has developed information that an individual, though not a member or a participant in the activities of a subversive organization, has anarchist or revolutionary beliefs and is likely to seize upon the opportunity presented by a national emergency to endanger the public safety as shown by overt acts or statements within the last 3 years established through reliable sources, informants, or individuals.
- (D) Although investigation has failed to establish overt acts or statements on the part of a subject within the time limits set out above, facts have been developed which clearly and unmistakably depict the subject as a dangerous individual who could be expected to commit acts inimical to the national defense and public safety of the U. S. in time of emergency.

100-358086-396
EXHIBIT A

ENCLOSURE

ADDITIONAL FACTORS TO BE TAKEN INTO
CONSIDERATION IN ARRIVING AT A DETERMINATION
AS TO WHETHER A SUBJECT REPRESENTS A
POTENTIAL THREAT TO THE INTERNAL SECURITY
IN TIME OF AN EMERGENCY

1. | Contacts with Sino-Soviet-bloc establishments (including Cuba) where purpose of contact cannot be determined or contact indicates communist sympathies.
2. | Contacts with Sino-Soviet-bloc, Cuban or Yugoslav intelligence agents where purpose of contact cannot be determined or contact indicates communist sympathies.
3. | Individuals who have defected, revoked or sought revocation of their United States citizenship in favor of a Sino-Soviet-bloc country, who have returned to the United States, and who have taken no positive steps to counteract such action.
4. | Statements or activities on a subject's part establishing reasonable grounds to believe that his loyalty would lie with communist nations in the event of armed conflict between the United States and communist nations.
5. | Training and/or participation in espionage, sabotage, or intelligence activities.
6. | A history of emotional instability or irrational behavior on the part of an individual with a subversive background whose prior acts depict a propensity for violence and hatred against organized government.

100-358086-3265
EXHIBIT B
ENCLOSURE

~~PERSONAL AND CONFIDENTIAL~~

The Attorney General

March 8, 1946

John Edgar Hoover - Director, Federal Bureau of Investigation

As a result of recent developments internationally and in the Canadian and other Russian espionage cases, the FBI has found it necessary to intensify its investigation of Communist Party activities and Soviet espionage cases.

The Bureau is now taking steps to list all members of the Communist Party and any others who would be dangerous or potentially dangerous in the event of a break in diplomatic relations with the Soviet Union, or other serious crisis, involving the United States and the U.S.S.R. I wanted you to know this so that you can advise me whether such action meets with your approval.

Very few of the members of the Communist Party are aliens, and of the small number who are aliens not all are of Russian nationality. Very nearly all of the members are citizens, either naturalized or native born. Since most, if not all, of the members of the Communist Party would undoubtedly adhere to the Soviet Union and would constitute a very serious threat to the security and interests of this country in the event of a crisis, a situation may conceivably arise wherein it will be necessary to the existence and safety of this country to immediately detain a large number of American citizens.

In view of this situation, you may desire to initiate a study to determine what legislation is available or should be sought to authorize effective action of a general and precautionary nature in the event of a serious emergency.

ENCLOSURE

cm

100-3560-2-X
1326

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&
INDEXED

9/11/46
MAR 11 1946

*Personally handed
to a g. Clark.
sh.*

[Handwritten signature]

THE ATTORNEY GENERAL

August 5, 1946

Director, FBI ~~CONFIDENTIAL~~ 100-356062-X1
PERSONAL AND CONFIDENTIAL
BY SPECIAL MESSENGER 8-1-46

DEFENTION OF COMMUNISTS IN THE
EVENT OF SUDDEN DIFFICULTY WITH RUSSIA

Reference is made to your memorandum of July 18, 1946, which forwarded a memorandum to you dated July 11, 1946, from Mr. Theron L. Caudle, Assistant Attorney General, Criminal Division.

Mr. Caudle's memorandum was a reply to my memorandum to you of March 8, 1946, in which it was pointed out that very nearly all of the members of the Communist Party in this country are citizens of the United States, either naturalized or native-born, and that most, if not all, of those individuals would undoubtedly adhere to the Soviet Union in the event of a serious crisis involving the United States and that country.

It was suggested that you might desire to initiate a study to determine what legislation is available or should be sought to authorize effective action of a general and precautionary nature in the event of a serious emergency.

With regard to the adequacy of legislation, with which Mr. Caudle's memorandum is primarily concerned, it is noted that except for the possibility of a declaration of martial law which might have to extend over the entire United States, there is no existing legislation which could be invoked with the exception of a possible application of 18 U. S. Code, Section 97a or the suspension of the writ of habeas corpus.

It would, of course, be dangerous to the security of this country should we have to wait until paratroop divisions were landing in our industrial areas or until armed rebellion of Communist elements occurred before we could take action under any suspension of the writ. Acts of sabotage by Communists must be prevented by prompt measures against them in an emergency. We cannot afford to wait until their acts of sabotage are carried out before proceeding against them.

With regard to the application of Section 97a in its present form, it would be necessary in order to take action against Communist Party members to declare the greater part of the United States a military area and to set up a relocation procedure under Executive Order.

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Carson
- Mr. Egan
- Mr. Gurnea
- Mr. Harbo
- Mr. Hendon
- Mr. Pennington
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

LH:alo'd

SEP 3 1946

BY

As Mr. Caudle pointed out in his memorandum, nothing could be done at the time of its writing looking toward new legislation until 1947 although he points out that if sudden trouble develops during the adjournment of Congress, Section 97a could be utilized until a special session of Congress could be convened.

I agree with Mr. Caudle that the next war will dwarf all previous conflicts and bring into utilization new weapons and bombing techniques.

The lack of effective legislation under which Federal authorities and particularly the Federal Bureau of Investigation could swing into action against adherents of the Soviet Union in all parts of the United States at a moment's notice might seriously jeopardize this country's recovery from the first offensive blow launched by the Soviet Union which logically and militarily might be directed at the Seat of Government in Washington.

The confusion and disruption caused by bomb or rocket attack upon Washington with the possible attendant casualties among the administrative heads of the Government seems to point to the necessity for a definite pre-arranged program of procedure throughout the United States.

I strongly recommend, first, that you consider the issuance of definite and specific instructions as to procedure which shall be followed in the event of an emergency involving the United States and the Soviet Union and that those individuals responsible for the carrying out of such procedure be appropriately instructed without delay. Secondly, I strongly recommend that appropriate legislation to correct the present lack of statutory backing for detention of persons dangerous to the security of the United States be immediately prepared for submission either to a special session of Congress which might be called in the event of such an emergency or to the next regular session which will convene in January, 1947.

Mr. Caudle's memorandum is returned herewith.

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. J. EDGAR HOOVER
 FROM : DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
 PEYTON FORD
 THE ASSISTANT TO THE ATTORNEY GENERAL
 SUBJECT:

DATE: September 13, 1949

PERSONAL AND CONFIDENTIAL

Will you please indicate for the information of the Attorney General the standards upon which decisions are based to incorporate names in the ⁰ security index list or to remove them therefrom.

-GENERAL

PERSONAL AND CONFIDENTIAL

*Delivered personally
 by Col. W. U. Warramore
 of the Dept. at 4:50 pm
 9-13-49. FJB.*

*100-257036-291
 66-6-30-1-1056*

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*Warramore
 9-15-49*

SEP 28 1949

Mr. Peyton Ford
The Assistant to The Attorney General

September 16, 1949

~~66-6700-100-1056X3~~
Director, FBI

PERSONAL AND CONFIDENTIAL

100-358086-20X1
SECURITY INDEX

RECORDED - 78

Reference is made to your personal and confidential communication dated September 13, 1949, wherein you desired information for the benefit of the Attorney General as to the standards upon which individuals are included in the security index.

The basic qualification required for inclusion of an individual in the security index is that such an individual is potentially dangerous or would be dangerous in the event of an emergency to the internal security of this country. The elements going into measuring an individual's potential dangerousness or dangerousness in the event of an emergency consist of two broad elements: (1) membership, affiliation or activity indicating sympathy with the principal tenets of the Communist Party or similar ideological groups and the Nationalist Party of Puerto Rico; and, (2) a showing of one or more of the following:

- a. activity in the organization, promoting its aims and purposes;
- b. training in the organization, indicating a knowledge of its ultimate aims and purposes;
- c. a position in a mass organization of some kind where his affiliation or sympathy as set forth in element one will determine the destiny of the mass organization;
- d. employment or connection with an industry or facility vital to the national defense health and welfare;
- e. possessing a potential for committing espionage or sabotage.

No individual is included in the security index until such an individual has been investigated by this Bureau.

For your information, copies of reports of investigations of all individuals included in the security index have been furnished to the Department.

Deletions from the list are, of course, made when an individual no longer fits the standards for inclusion, as set forth above.

Tolson _____
 Ladd _____
 Clegg _____
 Glavin _____
 Nichols _____
 Rosen _____
 Tracy _____
 Harbo _____
 Mohr _____
 Tele. Room _____
 Nease _____
 Gandy _____

HT:ed

Office Memorandum • UNITED STATES GOVERNMENT

TO: The Director, Federal Bureau of Investigation

DATE: June 1, 1951

FROM: Peyton Ford, Deputy Attorney General

SUBJECT: Program for apprehension and detention of persons considered potentially dangerous to the national defense and public safety of the United States.

- Mr. Tolson ✓
- Mr. Ladd ✓
- Mr. Clegg ✓
- Mr. Glavin ✓
- Mr. Nichols ✓
- Mr. Rosen ✓
- Mr. Tracy ✓
- Mr. Harbo ✓
- Mr. Alden ✓
- Mr. Belmont ✓
- Mr. Laughlin ✓
- Mr. Mohr ✓
- Tele. Room
- Mr. Nease
- Miss Gandy

CONFIDENTIAL

Reference is made to your memorandum of May 11, 1951, entitled as above, wherein you requested a definite expression of the Department's opinion with respect to the standards, set out in your memoranda of September 16, 1949 and July 27, 1950, applied by the Bureau in determining those individuals whose past or present activities, or training, showed them to be a potential danger to this country in time of emergency so as to warrant their inclusion on the Security Index.

As has been indicated in previous memoranda from the Department and pointed out at conferences between Department representatives and those of the Bureau, the Department feels it is advisable that, insofar as possible, the provisions of the detention program should parallel the provisions of the Emergency Detention Act of 1950. Accordingly, it has revised the Security Index standards so as to conform more closely to those of the Act and in so doing has to good extent utilized the language of the statute. Enclosed are copies of the standards as so revised. You will note that in result the scope of the Bureau's standards is not appreciably altered.

Inasmuch as the Department is now prepared to go forward with the review of the Security Index, it will appreciate receiving your views with respect to the revised standards at your earliest convenience. In accordance with your request, you will be advised in advance as to the attorneys who will be engaged in this work and will also be advised as to the results of such review in each individual case as such reviews are completed. With the exception of particular cases as to which you request special notification, as illustrated by your memorandum of May 24, 1951, you are advised that the Department presently contemplates first reviewing the files on Federal Government employees, including Atomic Energy personnel, who are included on the Security Index.

Under date of May 22, 1951, a memorandum was addressed to you in original response to your memorandum of May 11, 1951. It has been pointed out that the language there employed is susceptible to far broader interpretation than was intended. Accordingly, you are advised that the Department's memorandum of May 22, 1951, may be disregarded.

Examine this letter and attached "Standards" pulled + attached to memo, Baumgardner to Belmont 1/11/55 "EDP" This file.

Baumgardner
ELK

*6-8-51
Memo to Belmont of PL*

6/28/51 Enclosures
Memo. Mr. Tolson
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COPIES DESTROYED
NW 55305 DocId:32989697 Page 14

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PL

In this general connection, however, you are again reminded, as was pointed out in my memorandum of December 27, 1950, that in the event of occurrence of an emergency which requires the use of the detention program, all of the persons now or hereafter included by the Bureau on the Security Index should be considered subjects for immediate apprehension, thus resolving any possible doubtful cases in favor of the Government in the interests of the national security.

CONFIDENTIAL

proved by Mr. Ford
May 31, 1951)

STANDARDS

The test to be applied is whether there is reasonable ground to believe that the person (subject) probably will engage in, or probably will conspire with others to engage in, acts of espionage or sabotage.

In deciding the question of the existence of reasonable ground to believe a person probably will engage in, or conspire with others to engage in, espionage or sabotage, each attorney is authorized to consider evidence of the following:

- TSBUC
819 (1)
10412
1. Whether such person has knowledge of, or has given or received instruction or assignment in, espionage, counter-espionage or sabotage, except where such knowledge was obtained for lawful purposes.
 2. Participation in any past act of espionage or sabotage or conspiracy so to do.
 3. Activity at any time in the espionage or sabotage operations of the Communist Party or the world communist movement, unless such activity has been offset by subsequent cooperation with the United States Government.
 4. Membership in the Communist Party after January 1, 1949.
 5. Membership in the Communist Party at any time prior to 1949, which membership is not shown to have been discontinued, AND
 - (a) Activity or receipt of training in the organization, thereby acquiring knowledge of its ultimate aims or purposes; or
 - (b) A present position of importance in, or a substantial contribution to, any organization which is or can be used for Communist purposes; or
 - (c) Present employment in or connection with a government or an industry or facility vital to the national defense, health and welfare; or
 - (d) Despite the lack of present organizational ties, support and sympathy with the aims of the world communist movement.
- 100-35-6062-795

6. Action and influential membership subsequent to January 1, 1949 in two or more Communist dominated or infiltrated organizations and conduct therein indicative of substantial adherence to the objectives of the Communist Party.

2d

