

File #:

62- 116464

Serial Scope:

59- Bulky

62-116464-59

BULKY ENCLOSURE

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HQ-116464

BULKY

Serial 59



62-HQ-116464-59

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~~MEMORANDUM FOR THE DIRECTOR~~
~~DATE: 7-22-75~~

- I LEGAL AUTHORITIES
- II JURISDICTIONAL AGREEMENTS
- III ORGANIZATIONAL CHART
- IV POLICIES AND PROCEDURES

REQUEST 7-22-75 HSC

7-22-75 T. F. ...
on ... HSC

(MATERIAL MUST NOT BE REMOVED FROM OR ADDED TO THIS FILE)

CLASSIFICATION NO.

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FEDERAL BUREAU

of

INVESTIGATION

Bureau File Number

[Lined area for Bureau File Number entry]

See also Nos.

[Lined area for 'See also Nos.' entry]

Serials

Volume Number

[Lined area for Serials and Volume Number entry]

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9-4-75

TJM:lhb 9/4/75

The Attorney General U.S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTVTS (HSC)

ReHSClet 7/22/75 req'nd materials & documnts pre-
viously provided by this Bu to SSC. Enclsd for
ur aprovl & forwrng to Committee is orig of memo
w/enclsr which is proffered as partial response
to abov-cited req of the HSC. A cc of this memo
is being furnshd for ur records. "K."

LEGAL AUTHORITIES



Office of the Attorney General
Washington, D. C.

September 14, 1967

MEMORANDUM FOR THE DIRECTOR, FEDERAL
BUREAU OF INVESTIGATION

Although the bulk of criminal offenses occurring in the course of recent riots have been local rather than federal in nature, the question as to whether there was an organization which (a) had made advanced plans for, and (b) was active during any of the riots in the summer of 1967 is one that cannot always be readily resolved by local authorities. In view of the seriousness of the riot activity across the country, it is most important that you use the maximum available resources, investigative and intelligence, to collect and report all facts bearing upon the question as to whether there has been or is a scheme or conspiracy by any group of whatever size, effectiveness or affiliation, to plan, promote or aggravate riot activity.

In this connection the following federal statutes could be applicable depending, of course, upon the factual situation that develops:

Title 18, USC, Section 2383, which proscribes the inciting or engaging in any rebellion or insurrection against the authority of the United States.

Title 18, USC, Section 2384, which proscribes conspiring to overthrow or to destroy by force the Government of the United States or to oppose by force the authority thereof or by force to prevent, hinder or delay the execution of any law of the United States.

Title 18, USC, Section 2385, which proscribes, inter alia, advocacy of overthrowing the Government of the United States or the Government of any state, territory, District or possession thereof, or the Government of any political subdivision therein by force or violence.

Activities Affecting Armed Forces, 18 USC 2388

Selective Service, 50 USC (App.) 462

Travel and Interstate Transportation,
18 USC 1952 (Arson)
18 USC 831-33 (Explosive)

Assault and Killing of Federal Officers and Employees, 18 USC 111, 114 and 2231

Destruction of Government Property, 18 USC 1361 et al

Federal Firearms Act, 15 USC 901-909

Crimes on Federal Reservations, 18 USC 13, 81 et al.

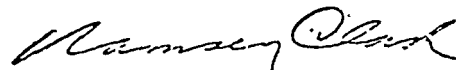
I appreciate that the Bureau has constantly been alert to this problem and is currently submitting intelligence reports to us about riots and about the activity of certain groups and individuals before, during and after a riot. Indeed, the President has said both publicly and privately that the FBI is conducting extensive and comprehensive investigations of these matters.

There persists, however, a widespread belief that there is more organized activity in the riots than we presently know about. We must recognize, I believe, that this is a relatively new area of investigation and intelligence reporting for the FBI and the Department of Justice. We have not heretofore had to deal with the possibility of an organized pattern of violence, constituting a violation of federal law, by a group of persons who make the urban ghetto their base of operation and whose activities may not have been regularly monitored by existing intelligence sources.

In these circumstances, we must be certain that every attempt is being made to get all information bearing upon these problems; to take every step possible

to determine whether the rioting is pre-planned or organized; and, if so, to determine the identity of the people and interests involved; and to deter this activity by prompt and vigorous legal action.

As a part of the broad investigation which must necessarily be conducted, it is requested that all available information be reported and analyzed regarding each sniper caught in any riot or extremist activity and regarding those arrested during the course of a riot or significant racial disturbances who were not residents of the general area. Moreover, sources or informants in black nationalist organizations, SNCC and other less publicized groups should be developed and expanded to determine the size and purpose of these groups and their relationship to other groups, and also to determine the whereabouts of persons who might be involved in instigating riot activity in violation of federal law. Further, we need to investigate fully allegations of conspiratorial activity that come to our attention from outside sources such as those reported regarding Newark in Life Magazine for July 28, 1967, and those regarding the Detroit riot which were furnished to the Department by Walter Sheridan of the National Broadcasting Company (summary of latter is attached).



RAMSEY CLARK
Attorney General

Federal Bureau of Investigation
United States Department of Justice

Washington, D. C.

August 24, 1936.

CONFIDENTIAL MEMORANDUM

This morning, in accordance with the request of the President conveyed to me personally by him last Wednesday in New York City, I called at the White House at 9:15 and was with the President until 10:15.

He was desirous of discussing the question of the subversive activities in the United States, particularly Fascism and Communism. He had previously received the memorandum which I had prepared covering my conversation with General Smedley Butler and the effort of Father Coughlin to have General Butler head an expedition to Mexico. I informed the President concerning certain recent developments in the Communist activities in the country, particularly the efforts of the Bridges organization in San Francisco and their progressive control of the shipping on the Pacific Coast, the Gulf Coast and their recent expansion to shipping operations on the Atlantic Coast. I told him that while their contract will expire on September 30, 1936, they are endeavoring to have it temporarily extended until April 1, 1937, in order to conform to the same date that the United Mine Workers' contract expires, which organization is headed by John L. Lewis. I told him that the Bridges organization was practically controlled by Communists and that the Communists had now decided to make very definite plans to get control of the Lewis organization.

I called his attention to the activities of the Newspaper Guild headed by Heywood Broun, which has strong Communistic leanings, and which has been responsible for putting out of operation the Seattle Post Intelligencer. I told him that my information was that the Communists had planned to get control of these three groups and by doing so they would be able at any time to paralyze the country in that they could stop all shipping in and out through the Bridges organization; stop the operation of industry through the Mining Union of Lewis; and stop publication of any newspapers of the country through the Newspaper Guild.

I also related to him the activities which have recently occurred within Governmental service inspired by Communists, particularly in some of the Departments and in the National Labor Relations Board.

o. ROOSEVELT

I likewise informed him that I had received information to the effect that the Communist Internationale in Moscow has recently issued instructions for all Communists in the United States to vote for President Roosevelt for reelection and against Governor Landon because of the fact that Governor Landon is opposed to class warfare.

The President stated that he had been considerably concerned about the movements of the Communists and of Fascism in the United States and that while the Secret Service of the Treasury Department had assured him that they had informants in every Communist group, he believed that if that was true it was solely for the purpose of getting any information upon plots upon his life, whereas what he was interested in was obtaining a broad picture of the general movement and its activities as may affect the economic and political life of the country as a whole. I told him that there is at the present time no governmental organization which is getting any so-called "general intelligence information" upon this subject. He inquired what suggestions I might offer relative to this matter. I told him that the appropriation of the Federal Bureau of Investigation contains a provision that it might investigate any matters referred to it by the Department of State and that if the State Department should ask for us to conduct such an investigation we could do so under our present authority in the appropriation already granted. He stated that he is reluctant to have a formal request come through the State Department because of the many leaks therein, but that what he would do would be to put a handwritten memorandum of his own in his safe in the White House, stating he had instructed the Secretary of State to request this information to be obtained by the Department of Justice. He stated he would have the Secretary of State at the White House tomorrow afternoon, and asked me to call at the White House at 1:45 p.m. to see him, the President, and the Secretary of State, at which time the matter could be further discussed and an oral request could be made of me by the Secretary of State for investigation so as to avoid any possibility of any leak.

He suggested that I endeavor to coordinate any investigation along similar lines which might be made by the Military or Naval Intelligence Services. He stated that the Secret Service was not being brought in on this investigation as they should confine themselves strictly to the matter of protecting his life and the survey which he desired to have made was on a much broader field.

John Edgar Hoover.

Federal Bureau of Investigation

United States Department of Justice

Washington, D. C.

August 25, 1936.

CONFIDENTIAL MEMORANDUM

Today, in line with the request of the President, I called at the White House at 1:45 p.m., and present at the conference were the President, the Secretary of State and myself. The President related to the Secretary of State his concern relative to Communist activities in this country, as well as Fascist activities. He stated that he was very desirous of having a survey made of these conditions and informed the Secretary of State that this survey could be made by the Department of Justice if the Secretary of State requested the Department to conduct the inquiry, as under the Appropriation Act this Bureau would have authority to make such investigation if asked to do so by the Secretary of State. The President pointed out that both of these movements were international in scope and that Communism particularly was directed from Moscow, and that there had been certain indications that Oumansky, attached to the Russian Soviet Embassy, was a leading figure in some of the activities in this country, so consequently, it was a matter which fell within the scope of foreign affairs over which the State Department would have a right to request an inquiry to be made.

The Secretary of State inquired if a request should be made in writing. The President indicated that it should not be since he desired the matter to be handled quite confidentially and that it would be sufficient that the President, the Secretary of State and I should be the ones aware of this request.

The Secretary of State asked that the investigation be made and then made several suggestions - one, relative to the making of a protest, either formally or informally, to the Russian Government relative to its interference with affairs in this country. Discussion was also had as to the information obtained indicating that the Third Internationale had indicated preference for Roosevelt as against Landon. It was the opinion of the President that some statement should be made along this line by the Attorney General at an early date. The President asked that I speak to the Attorney General, upon his return to the city, about this matter, and he suggested to the Secretary of State that he talk over the technique to be followed in this particular aspect, with the Attorney General.

John Edgar Hoover.

X *Subversive activities investigations*

JMH:103

September 10, 1953.

Strictly Confidential

MEMORANDUM FOR MR. Tamm

In talking with the Attorney General today concerning the radical situation, I informed him of the conference which I had with the President on September 1, 1953, at which time the Secretary of State was present, and at which time the Secretary of State, at the President's suggestion, requested of me, the representative of the Department of Justice, to have investigation made of the subversive activities in this country, including communism and fascism. I transmitted this request to the Attorney General, and the Attorney General verbally directed me to proceed with this investigation and to coordinate, as the President suggested, information upon these matters in the possession of the Military Intelligence Division, the Naval Intelligence Division, and the State Department. This, therefore, is the authority upon which to proceed in the conduct of this investigation, which should, of course, be handled in a most discreet and confidential manner.

Very truly yours,

John Edgar Hoover,
Director.

DIRECTIVE OF THE PRESIDENT OF THE UNITED STATES

SEPTEMBER 6, 1939

"The Attorney General has been requested by me to instruct the Federal Bureau of Investigation of the Department of Justice to take charge of investigative work in matters relating to espionage, sabotage, and violations of the neutrality regulations.

"This task must be conducted in a comprehensive and effective manner on a national basis, and all information must be carefully sifted out and correlated in order to avoid confusion and irresponsibility.

"To this end I request all police officers, sheriffs, and all other law enforcement officers in the United States promptly to turn over to the nearest representative of the Federal Bureau of Investigation any information obtained by them relating to espionage, counterespionage, sabotage, subversive activities and violations of the neutrality laws."

REPORT SECURITY MATTERS TO FBI

"On September 6, 1939, I issued a directive providing that the Federal Bureau of Investigation, of the Department of Justice should take charge of investigative work in matters relating to espionage, sabotage and violations of the neutrality regulations, pointing out that the investigations must be conducted in a comprehensive manner, on a national basis, and all information carefully sifted out and correlated in order to avoid confusion and irresponsibility. I then requested all police officers, sheriffs, and other law enforcement officers in the United States, promptly to turn over to the nearest representative of the Federal Bureau of Investigation any such information.

"I am again calling the attention of all enforcement officers to the request that they report all such information promptly to the nearest field representative of the Federal Bureau of Investigation, which is charged with the responsibility of correlating this material and referring matters which are under the jurisdiction of any other Federal agency with responsibilities in this field to the appropriate agency.

"I suggest that all patriotic organizations and individuals likewise report all such information relating to espionage and related matters to the Federal Bureau of Investigation in the same manner.

"I am confident that all law enforcement officers, who are now rendering such invaluable assistance toward the success of the internal safety of our country will cooperate in this matter."

Franklin D. Roosevelt

January 8, 1943

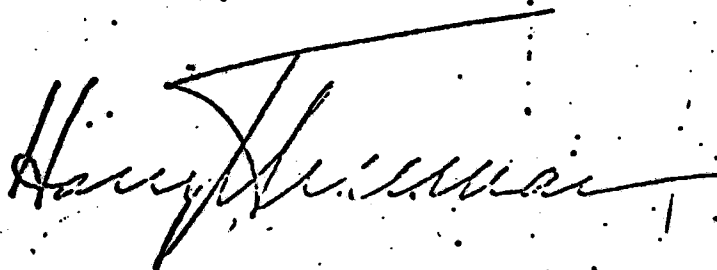
THE WHITE HOUSE
WASHINGTON

July 24, 1950

INFORMATION RELATING TO DOMESTIC ESPIONAGE,
SABOTAGE, SUBVERSIVE ACTIVITIES AND RELATED MATTERS

On September 6, 1939 and January 6, 1943 a Presidential Directive was issued providing that the Federal Bureau of Investigation of the Department of Justice should take charge of investigative work in matters relating to espionage, sabotage, subversive activities and related matters. It was pointed out that the investigations must be conducted in a comprehensive manner on a National basis and all information carefully sifted out and correlated in order to avoid confusion. I should like to again call the attention of all Enforcement Officers, both Federal and State, to the request that they report all information in the above enumerated fields promptly to the nearest Field Representative of the Federal Bureau of Investigation, which is charged with the responsibility of correlating this material and referring matters which are under the jurisdiction of any other Federal Agency with responsibilities in this field to the appropriate agency.

I suggest that all patriotic organizations and individuals likewise report all such information relating to espionage, sabotage and subversive activities to the Federal Bureau of Investigation in this same manner.



DIRECTIVE OF THE PRESIDENT OF THE UNITED STATES

DECEMBER 15, 1953

"On September 6, 1939, January 8, 1943, and July 24, 1950, Presidential Directives were issued requesting all enforcement officers, both Federal and State, to report promptly all information relating to espionage, sabotage, subversive activities and related matters to the nearest field representative of the Federal Bureau of Investigation.

"The Federal Bureau of Investigation is charged with investigating all violations of the Atomic Energy Act, including the illegal export or import of fissionable material, the illegal possession or transportation of fissionable material and the illegal production, transfer, or possession of any equipment or device utilizing fissionable material or atomic energy as a military weapon. 'Fissionable material' means plutonium, uranium-235 or other material which the Atomic Energy Commission has determined to be capable of releasing substantial quantities of energy through nuclear chain reaction. I am requesting that all enforcement officers both Federal and State, report all information relating to violations of the Atomic Energy Act to the nearest field representative of the Federal Bureau of Investigation.

"I suggest that all patriotic organizations and individuals likewise report all such information to the Federal Bureau of Investigation in the same manner."

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Dalbey

DATE: 5/16/72

FROM : J. A. Mintz *JAM*

SUBJECT: FBI JURISDICTION: CRIMINAL
INTELLIGENCE INFORMATION

You requested analysis of the legal authority for FBI criminal intelligence collection and its relationship to our statutory jurisdiction in criminal matters.

"The gathering of criminal intelligence information" describes activity not subject to precise definition. However, its general objective is well understood by those engaged in law enforcement. There exist individuals and groups whose daily occupations are directed toward profit without regard to the restraints of the law. Yet, by the very nature of their associations, little actual participation in criminal acts may be observed by the most astute law enforcement observer. Their existence and contribution to the sum of criminal behavior has been detected and to some degree measured by the collection of data concerning their personal life-styles, property holdings, associates, influence, and access to capital. Such information has been characterized as "criminal intelligence."

For years, the FBI has been aware of the need to identify these resources of the criminal element. Congress responded to this need through the Organized Crime Control Act of 1970. The Congressional findings were that organized crime in the United States is a highly sophisticated, diversified, and widespread activity that annually drains billions of dollars from America's economy by unlawful conduct and by the illegal use of force, fraud and corruption. Legitimate business and labor unions are infiltrated and corrupted and our democratic processes are subverted. The problem was declared to be of national concern both as to our economy and the domestic security.

JAM:deh
(2)

CONTINUED - OVER

