

File #:

62-112-116464

Serial Scope:

EBF 307

W. Raymond Wansell

HOUSE OF REPRESENTATIVES

HEARINGS

BEFORE THE COMMITTEE

on

SELECT COMMITTEE ON INTELLIGENCE

FBI SURVEILLANCE

ACTIVITIES

Tuesday, November 18, 1975

Washington, D. C.

Volume 27

Official Reporters to Committees

GPO 10-75107-1

ENCLOSURE

62-116464-307

C C N T E N T S

STATEMENT OF

PAGE

James B. Adams,
Assistant to the Director, FBI,
accompanied by
W. Raymond Wannall,
Assistant Director,
FBI Intelligence Division,
R. L. Shackelford,
Section Chief
David Ryan,
Special Agent
Hugh Mallet,
Special Agent

4120

Arthur Murtagh,
Retired FBI Special Agent

4177

Robert Hardy,
Former FBI Informant

4190

Peter Camejo
Representative of the
Socialist Workers Party

4205

Kathy Sledge-Lovgren,
Member of the Socialist Workers Party

4214

Robert George Silverman,
President, Peer Enterprises, Ltd.

4218

Further testimony of:

W. Raymond Wannall,
Assistant Director,
FBI Intelligence Division

4242

FBI SURVEILLANCE ACTIVITIES

Tuesday, November 18, 1975

House of Representatives,

Select Committee on
Intelligence,

Washington, D. C.

The committee met, pursuant to adjournment, at 10:00
a.m., in Room 2154 Rayburn House Office Building, the Honorable
Otis G. Pike (Chairman), presiding.

Present: Representatives Pike (Chairman), Dellums,
Stanton, Murphy, Milford, Hayes, Lehman, McClory, Treen,
Kasten, and Johnson.

Also Present. A. Searle Field, Staff Director;
Aaron B. Donner, Counsel; and Peter Hughes, Committee staff.

Rudolph

1 Chairman Pike. The committee will come to order.

2 Today we have a rather interesting hearing in the realm
3 of risk. We are interested, all of us, of course, in preserving
4 our national security.

5 One of the agencies greatly responsible for that is
6 the Federal Bureau of Investigation. In the course of doing
7 so, the role of government sometimes lays a rather heavy hand
8 on the lives of citizens. So what we are going to be looking
9 at today is what the FBI does, what its role is.

10 Then we will be looking at some of the people whose lives
11 it has touched. I think we have a large number of witnesses
12 today: Mr. James B. Adams, the Assistant to the Director
13 of the FBI, Mr. W. Raymond Wannall, the Assistant Director
14 for FBI Intelligence, will be the FBI witnesses. I propose we get
15 the FBI testimony first and ask them any questions that
16 we wish to ask the FBI. We will probably not complete any
17 more than that in the morning session.

18 In the afternoon I propose we go to some of the testimony
19 from the individuals. I would simply ask that the FBI people
20 do stay around during the afternoon session so that in the
21 event they want to offer any rebuttal or in the event
22 that other questions arise which should be addressed to
23 them, that would be possible. Is that a reasonable request?

24 Mr. Adams. We do have one problem. We have testimony
25 scheduled all day tomorrow before the Senate and both of

1 these coming so close together does put somewhat of a burden
2 on us in preparing for both. I think we can work something
3 out where we will have someone available.

4 Chairman Pike. I would simply request that somebody
5 responsible and knowledgeable from the FBI be here this
6 afternoon in order to respond to the questions of the Members
7 and if they desire, to the statements of the other witnesses
8 and the statements of the other witnesses will be made
9 available to you.

10 Mr. McClory. Will the Chairman yield?

11 Chairman Pike. Certainly, Mr. McClory.

12 Mr. McClory. I want to state, Mr. Chairman, that I
13 certainly welcome the testimony we are to receive here
14 from the FBI and from the others that are scheduled to
15 appear before the committee and to state very affirmatively
16 that in my opinion we have a great Federal Bureau of
17 Investigation which does an extremely important job for us.
18 While we may be touching upon some abuses or excesses in the
19 course of this hearing, I don't want that to be interpreted
20 as any diminution of my respect for this law enforcement
21 agency.

22 I do want to say, too, that I feel that the staff
23 has put together a very important bit of testimony here
24 this morning, has organized a very good hearing for us.
25 I have encouraged this. I have wanted it. It has taken

1 a little while to schedule it. But I welcome a review
2 of this aspect of our intelligence activity-and hope that
3 out of it we can in this area as well as other areas of
4 the intelligence activity, find some means by which we can
5 improve the efficiency, the effectiveness, the coordination
6 and other aspects of the entire intelligence community for
7 the benefit of our nation.

8 Thank you very much.

9 Chairman Pike. The FBI statement will be presented
10 by Mr. James B. Adams. You may proceed.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 STATEMENT OF JAMES B. ADAMS, ASSISTANT TO THE
2 DIRECTOR, FBI; ACCOMPANIED BY W. RAYMOND WANNALL,
3 ASSISTANT DIRECTOR, FBI INTELLIGENCE DIVISION;
4 R. L. SHACKELFORD, SECTION CHIEF; DAVID RYAN,
5 SPECIAL AGENT, AND HUGH MALLET, SPECIAL AGENT
6 Mr. Adams. Mr. Chairman and Members of the Committee:

7 I appreciate the opportunity to appear before you today
8 to discuss the FBI's domestic intelligence responsibilities.

9 I think that it would be appropriate for me to begin
10 my presentation by outlining in general terms the purposes of
11 FBI domestic intelligence investigations. To add the
12 historical perspective necessary to fully understand the FBI's
13 role in this field over the years, I will briefly describe
14 for you the circumstances under which the FBI was assigned its
15 present domestic intelligence responsibilities and how the
16 Bureau, in response to ever-changing threats to internal
17 security, has fulfilled these responsibilities.

18 It must be recognized that the FBI's domestic intelli-
19 gence function, as it exists today, derives from the Attorney
20 General's dual responsibility to enforce congressional enactments
21 and perform other duties which have been delegated to him by
22 the President. These other duties include rendering policy
23
24
25

recommendations to the President with respect to matters affecting internal security, administering aspects of the Government's employee security program, and making determinations relative to the deployment of the military by the President, should such action be necessary to quell civil disturbances.

Because the FBI's investigative responsibilities follow the contours of those entrusted to the Attorney General, the Bureau's domestic intelligence investigations are, of necessity, broader than investigations strictly designed to collect evidence for criminal proceedings. The FBI's domestic intelligence responsibilities have a distinct anticipatory, or preventive, purpose, requiring continuing investigative activity in cases wherein criminal conduct remains a future possibility.

Thus, the objective of FBI domestic intelligence investigations is to obtain information concerning activities which are intended to undermine or overthrow the Government of the United States, incite domestic violence or rioting, or deprive individuals of their civil rights. The FBI investigates these threats to domestic security both to develop evidence for legal proceedings and to provide the Attorney General with information upon which to make assessments and policy recommendations pertaining to specific, nonpenal aspects of the Nation's domestic security program which are administered by the Department of Justice.

The FBI's domestic intelligence function today has its origin in instructions issued by President Franklin D. Roosevelt as early as 1934.

On May 8, 1934, President Roosevelt ordered the FBI to conduct an intelligence-type investigation to determine whether there was a connection between the Nazi movement in the United States and German diplomatic and other official representatives in this country. This investigation of the Nazi movement was conducted along the specified guidelines set by the President and was not expanded to include other groups or movements.

However, on August 24 and August 25, 1936, President Roosevelt instructed former FBI Director J. Edgar Hoover to obtain what Mr. Hoover characterized as "general intelligence information" concerning "subversive activities in the United States, particularly Fascism and Communism."

In response to President Roosevelt's request, FBI Director Hoover issued instructions for the development of an investigative program which would be responsive to the requirement imposed upon the Bureau by the President. The investigative program undertaken by the FBI pursuant to these instructions is being continued today in accordance with directives embodied in Title 28, Code of Federal Regulations, Section 0.85, which sets forth the general functions of the FBI.

By 1938, the FBI had developed the broad outlines of a domestic intelligence investigative program to fulfill the President's request for information about subversive activities in the United States. By letter, dated October 20, 1938, then Attorney General Homer Cummings forwarded to President Roosevelt a memorandum from FBI Director Hoover, outlining how the President's 1936 instructions were being implemented by the Bureau.

At this time, President Roosevelt was informed that the FBI was investigating subversive activities and that the results of its investigations were being broken down for ready reference by subject matter, including, "Maritime; government; industry (steel, automobile, coal mining, and miscellaneous); general strike; armed forces; educational institutions; Fascisti; Nazi; organized labor; Negroes, youth; strikes; newspaper field; and miscellaneous."

On November 2, 1938, President Roosevelt advised that he approved of Director Hoover's plan. The investigative program in the field of domestic intelligence which President Roosevelt had instructed the FBI to begin in 1936, and the general scope of which he approved in 1938, was reaffirmed in subsequent years by succeeding Presidents.

Almost from its inception, the FBI's domestic intelligence role was recognized as a functional element in the overall United States national security effort, and appropriate mechanisms were devised to integrate the FBI's investigations in this field with the activities of the military services. Pursuant to a Presidential Directive, dated June 26, 1939, the Interdepartmental Intelligence Conference was formed as an independent committee with FBI Director Hoover as its Chairman. The purpose of the Interdepartmental Intelligence Conference was to coordinate the FBI's foreign and domestic security investigations with the activities of the military intelligence agencies and to facilitate the exchange of information of mutual interest.

When the Congress established the National Security Council to achieve national policy-level coordination of United States security programs, overall policy supervision of intelligence investigations conducted by the FBI as a member agency of the Interdepartmental Intelligence Conference was transferred to the National Security Council.

The National Security Council retained policy-level supervisory responsibility for FBI domestic intelligence programs until President Kennedy ordered this responsibility transferred to the office of the Attorney General, where it has remained since 1964.

With the historical origins of the FBI's domestic intelligence responsibilities in mind, let us review how the FBI has fulfilled these responsibilities over the years in response to ever-changing threats to the domestic security of the United States.

Between 1936 and 1938, as the FBI moved to develop a domestic intelligence investigative program in response to the President's 1936 instructions, the world situation steadily worsened as Adolf Hitler rose to power in Germany, Italy turned to Fascism, and Japan moved toward an expansionist policy in the Pacific. In the United States concern was growing over the danger of potential espionage, sabotage, and subversion.

In 1940, the Congress passed the Smith Act, which was directed against communist subversion. During World War II, of course, the main priorities of the FBI were directed towards thwarting espionage and sabotage efforts intended to undermine the war effort.

After World War II, as the Iron Curtain descended across Europe and the wartime alliance with the Soviet Union changed to cold war, the problem of domestic communism became of grave concern to the American people. Passage of the Labor-Management Relations Act of 1947, the Internal Security Act of 1950, and the Communist Control Act of 1954, represented congressional expressions of this concern.

The FBI reacted too, and the Bureau's investigation of communist activity in this country led to the exposure of the conspiratorial nature of international communism.

The decade of the 1950's brought new threats to our free society as night riders of the Ku Klux Klan sought to terrorize citizens through bombings, burnings, and other acts of violence.

As the Klan's threat to the national welfare grew to a general pattern of organized violence, the FBI moved to provide all-out assistance, including close checks on the activities of Klan members suspected of involvement in criminal activities.

The FBI's intensive investigation of the activities of the Ku Klux Klan echoed the strong determination of our Nation's elected representatives to oppose the type of discrimination that the Klan practiced in its most violent form. During this period Congress enacted the Civil Rights Acts of 1948, 1964, and 1968.

The 1960's brought other forms of threats to the Nation to which both the FBI and the Congress reacted. Rioting in our cities was described as the most difficult intelligence problem in the Department of Justice by the Attorney General in 1968. Congress responded to this wave of violence in that year with the passage of Antiriot Laws. The President of the

United States, in appointing a Special Advisory Commission on Civil Disorder, stated that public officials had "an immediate" obligation "to end disorder" using every means at . . . (their) command." The President warned "if your response to these tragic events is only business-as-usual, you invite not only disaster but dishonor."

In response to this new threat to public order, the FBI conducted extensive investigations of extremist activities, which had, by 1967, become a severe national problem. During the first nine months of 1967, racial violence in 67 cities cost 85 lives, injured 3,200 Americans, and resulted in property damage of over \$100,000,000.

During the late 1960's, college campuses also experienced a "rising tide of intimidation and violence," in the words of University of Wisconsin faculty members. College and university activities were frequently halted by seizures of buildings, detention of faculty and administrative officials, and other outrages. During the 1968-1969 academic year, there were demonstrations on over 200 college campuses, many involving arson, bombings, and other violence.

In 1970, the Congress passed a series of laws aimed at the control of bombings across the country. In September of that year, the President's Commission on Campus

Unrest, noted, "It is an undoubted fact that on some campuses there are men and women who plot, all too often successfully, to burn and bomb, and sometimes to maim and kill. The police must attempt to determine whether or not such a plot is in progress, and, if it is, they must attempt to thwart it."

In response to these threats, FBI Special Agents were already conducting investigations to identify individuals and organizations posing a threat of violence. Organizations whose members' activities were exceptionally violent were the subjects of intensive investigations.

New forms of violence which represent threats to our domestic security have emerged as others pass into obscurity. Today, the FBI faces new, complex, challenges in combating such activities. For example, the Bureau must face the problem of terrorism, or violent criminal activity designed to intimidate for political purposes. From 1971 through 1974 there were 641 reported terrorist incidents, including such acts as bombings, firebombings, ambushes, and police killings.

Violence of this kind has confronted the FBI with the task of investigating small, highly secret and mobile groups of criminals styling themselves in the image of the guerrilla soldier, who have adopted his jargon of urban warfare and his revolutionary political ideology.

Some of these groups have become expert in fashioning false identifications. Their tactics include kidnappings, hijackings, bombings, assassinations, and armed robberies to finance further revolutionary activities. Unfortunately, the law enforcement officer, our first line of defense against such groups and the most visible symbol of Government, is frequently the first target of their violence. Self-styled urban guerrillas have been linked to the murder of 43 police officers in this country since 1971, and another 152 officers have been wounded in related incidents.

You should be aware that terrorists have vowed to "bring the fireworks" to our Nation's Bicentennial celebration next year. I believe some will try who are perfectly capable of fulfilling this threat.

Last January, 4 persons died and 53 others were injured in a bomb explosion at the historic Fraunces Tavern in New York City. Responsibility for this explosion was claimed by a group calling itself the Armed Forces of Puerto Rican Liberation.

Many feel that this savage act in New York could be a prelude to more devastation as July 4, 1976, approaches. The American people may rightfully expect their public officials to anticipate and prevent such violence.

The FBI has no desire to oppose legitimate dissent. Nevertheless, it is our grave responsibility to investigate domestic violence of this kind. It is a difficult assignment, but one which the FBI will continue to perform vigorously with whatever lawful resources are available to it.

Most Americans are genuinely concerned with such threats to our domestic security and recognize the need of their Government, through the exercise of its law enforcement power, to respond. You should also be aware, however, that there are others who have as their ultimate goal the overthrow of our political institutions and economic system. These individuals publicly state that they consider terrorist activity (quote) counterproductive (quote) in today's political climate. Nevertheless, they by no means renounce its use at the right moment to attain their objective.

As I indicated to you at the beginning of my remarks, we in the FBI appreciate the opportunity to offer our observations concerning intelligence investigations by the Bureau designed to protect the domestic security of the Nation. It is our hope that out of the current congressional assessment of the FBI and its proper role, the American people will be assured that their Nation's law enforcement and domestic security interests will be protected effectively and in a manner consistent with the policies declared by their elected officials.

Permit me to conclude my remarks by stating my hope that out of improved communications between the FBI and the Congress, a balanced picture of the Bureau's domestic intelligence role will emerge which, in addition to identifying any weaknesses in its past performance, also recognizes its accomplishments and preserves for the FBI the necessary flexibility to successfully fulfill domestic security responsibilities of ever-increasing complexity.

In this connection, I should reiterate our willingness to report to the Congress concerning our performance in this field and adherence to rules established for us. It is our view that establishment of a joint Senate-House oversight committee would greatly facilitate this process and avoid duplication of testimony and the proliferation of highly sensitive information.

Nevertheless, whatever mechanism is eventually established to maintain communications between the FBI and the Congress, I am sure that we can all agree on the necessity of preserving the Bureau's ability to function effectively as a deterrent to criminal violence by those who seek to undermine our Constitution.

Mr. Chairman, that concludes my statement. I would be happy to answer your questions.

1 Chairman Pike. Thank you very much, Mr. Adams.

2 I think we can all agree on the necessity of preserving the
3 Bureau's ability to function effectively as a deterrent
4 to criminal violence. I think we can also all agree on the
5 desirability of having a balanced picture of the Bureau's
6 domestic activities. I think at this time our next
7 witness would be in order, a retired FBI man who spent 20
8 years with the Bureau. I would like to ask Mr. Arthur
9 Murtagh to take the stand at this particular point
10 and give his testimony.

11 Mr. McClory. Mr. Chairman, may I suggest that we conclude
12 with the examination or questioning of these witnesses and
13 excuse them?

14 Now I understand there was some effort earlier to effect
15 a panel here of representatives of the FBI and dissenters
16 and persons that were subjected to investigation and so on.

17 Chairman Pike. The gentleman is correct. There was
18 an effort to establish such a panel.

19 Mr. McClory. Yes, and the FBI expressed their
20 unwillingness to participate in a panel.

21 Chairman Pike. That is correct.

22 Mr. McClory. I think if we now proceed to call other
23 witnesses that we will be violating the basis upon which
24 the FBI has come here this morning.

25 Chairman Pike. Do you have any objection to having

1 a retired FBI man testify at this particular point, Mr.
2 Adams, before we go into the questioning? I will do it your
3 way.

4 Mr. Adams. Yes, I do.

5 Chairman Pike. Then we will not have the retired FBI man
6 testify at this time.

7 Mr. Adams, you refer to the ever-changing threats.
8 I would agree with you that the threats are indeed ever- changing.
9 The question is how much our techniques change and how much our
10 procedures change to meet these ever-changing threats. You
11 have been investigating the Socialist Workers Party of the
12 United States of America, as I understand it, for 30 years, now.
13 Do you find that their threat is today the same threat that
14 it was 30 years ago?

15 Mr. Adams. Yes, sir.

16 Chairman Pike. What is that threat?

17 Mr. Adams. Well, the threat is in an organization that
18 advocates the overthrow of the government by revolutionary
19 means and that basic philosophy is one that brings it within
20 the investigative purview of the FBI.

21 Chairman Pike. The FBI position is that this party ad-
22 vocates the overthrow of the United States of America by
23 revolutionary means, is that correct?

24 Mr. Adams. Yes.

25 Chairman Pike. During that 30 years of surveillance

1 and investigation, how many members of the Socialist Workers
2 Party have ever been indicted and tried for advocating
3 the revolutionary overthrow of the United States of America?

4 Mr. Adams. There were some earlier in 1940 under the
5 Smith Act. There were 18 under the Smith Act of 1940.
6 Their trials would have been in 1941 or somewhere in that
7 period.

8 Chairman Pike. So, since 1941 there have been no
9 indictments or prosecutions of members of this party, is that
10 correct?

11 Mr. Adams. To my knowledge.

12 Chairman Pike. Now, in the course of investigating the
13 IPS--how long did you investigate them?

14 Mr. Adams. About five years.

15 Chairman Pike. In the course of that investigation, if I
16 had made a phone call to the IPS, would my phone call to the
17 IPS have been recorded? Just for the benefit of anybody
18 who might not know, this is a very liberal group known
19 as the Institute for Policy Studies, a relatively liberal group.
20 I hate to characterize people.

21 Now, would my phone call to this group have been
22 intercepted?

23 Mr. Adams. Mr. Chairman, I would say no to that question.
24 I believe this is a matter of a statement that has been made
25 by us publicly. I do have one problem, according to guidelines

1 given to us by the Department in connection with public
2 testimony, when we get into activities. specific activities
3 of specific organizations or individuals where we do have
4 matters in litigation or under criminal investigation that--

5 Chairman Pike. I'm not aware of any matter under
6 investigation, or under criminal investigation in connection with
7 the question which I am going to ask you next, but it is very
8 specific. Was a phone call from my Administrative Assistant
9 to the Institute for Policy Studies intercepted and recorded
10 by the FBI?

11 Mr. Adams. I have no knowledge of any such interception.

12 Chairman Pike. If I had knowledge of such -- no, I
13 will withdraw that. Was a communication which was not necessarily
14 a phone call -- I believe it was a phone call, but not
15 necessarily a phone call -- from my Administrative Assistant
16 to the Institute for Policy Studies intercepted?

17 Mr. Adams. I don't have any information of such.
18 Do you?

19 Mr. Shackelford. Not to my knowledge.

20 Mr. Adams. I have never heard the allegation. It has
21 never been presented to me prior to this hearing by staff or
22 anybody else.

23 Chairman Pike. I read to you from a document labeled
24 "WFO-100-46784; WFT-4"--- and I don't know what WFT-4 means,
25 you probably do -- "Advised that Mrs. Robert Gale Woolbert,
Administrative Assistant to Congressman Otis G. Pike (D)

1 of the Congressional District of New York, was asked by Byron
2 Johnson, who is another former Congressman, to call Marcus
3 Raskin and did so on 7-26-72. Johnson was running for the
4 Fifth Congressional District of New York and wondered if
5 Raskin would be willing to go around and round up a group of
6 liberal anti-war folks for the evening of August 6 or 12."

7 Is it possible that the document from which I read does
8 in fact represent an interception of a phone call from my
9 Congressional office to the IPS?

10 Mr. Adams. It certainly doesn't sound like it to me.
11 The "4" would be a means of concealing the identity of
12 an individual who furnished us information. It could refer
13 to some other type of means, but normally not.

14 Chairman Pike. It was some other form of surveillance,
15 is that what you are saying?

16 Mr. Adams. It sounds like a live individual who has furnished
17 that information. Had I been aware of it, I could have
18 checked and I will be glad to check at the request of the
19 committee.

20 Chairman Pike. I have some mild interest in the subject.

21 Mr. McClory.

22 Mr. McClory. Thank you, Mr. Chairman.

23 First of all, I wish to say I appreciate the cooperation
24 which the FBI has given this committee in providing us with
25 information that we require in order to carry on this investigation

xxx

1 I personally visited down at the FBI. I know that in
2 addition to the information you provided at that time, much
3 of the classified information, that you have cooperated
4 subsequent to that time with additional material for the benefit
5 of our committee and for this hearing.

6 The thing that concerned me then and concerns me now
7 is whether or not in addition to the activities about which
8 you have testified -- are there any private, sort of ad hoc
9 activities which are carried on by the Director of the FBI,
10 or any other personnel? I know that there were private files
11 that were kept by a former Director of the FBI. Are there
12 any such private files about individuals being kept now?

13 Mr. Adams. Similar to the official confidential files
14 maintained by Mr. Hoover?

15 Mr. McClory. Yes.

16 Mr. Adams. No, sir, not in that context.

17 Mr. McClory. How about the release of information of the
18 FBI? For instance, for a long time there existed a sort of
19 arrangement whereby a President of the United States or others
20 in the White House, just by a telephone call, could receive
21 detailed information about whatever individual they sought
22 information from the private files of the FBI. Has that
23 practice been discontinued?

24 Mr. Adams. Yes, sir. We testified in February concerning
25 various abuses about the FBI. One was concerning certain

1 instances where the President or individuals acting
2 for the President had requested information which on its
3 face would appear to be improper although we did not
4 know the full reason for the request.

5 I would say that the cleansing effect of Watergate has
6 discontinued such practices. I know I have talked with Mr.
7 Kelley and the other members of the executive staff of the
8 FBI. We collectively know of no such improper overtures
9 having been made on the FBI since Mr. Kelley has been Director.

10 Mr. McClory. It is a basic policy now of the FBI
11 that any material in FBI files will not be used for political
12 purposes, is that correct?

13 Mr. Adams. Absolutely.

14 Mr. McClory. I want to inquire about the Internal
15 Security Index or the ADEX. How many people's names are on that
16 list, how do they get there, and how do you get your name
17 off that list?

18 Mr. Adams. Basically the ADEX or Administrative Index
19 is an index to investigations currently being conducted
20 by the FBI where a determination has been made within the
21 FBI that that individual is a threat to the internal security,
22 a current threat at the present time. It is a very small
23 list, relatively small. It involves approximately 1,250
24 names at the present time.

25 Mr. McClory. What is the longest length of time that

1 a name has been on that list?

2 Do you have names that have been on there for 30 or 40
3 years?

4 Mr. Adams. No, sir. The Administrative Index did
5 not come into play until 1971. Prior to that time we had the
6 Security Index, which was a listing which had a different
7 purpose.

8 Mr. McClory. Does membership in the Socialist Workers
9 Party just automatically put you on the Index?

10 Mr. Adams. No, sir, it does not.

11 Mr. McClory. About how many members of that party would
12 you have on the list, do you suppose?

13 Mr. Adams. I can give you that figure. I would prefer
14 that any detailed description of targets and individuals
15 be done in executive session.

16 Mr. McClory. Have you furnished that information already
17 to the staff?

18 Mr. Adams. I do not know that we have a request.

19 Mr. McClory. If not, would you furnish that?
20 I would like to have the number. I don't have to know the
21 names.

22 Mr. Adams. Yes, sir, I have no objection to furnishing
23 it to them.

24 Mr. McClory. You mentioned in your statement that you
25 are not only interested in subversive activity which implied

1 violence but also "undermining." What is the difference
2 between the violent overthrow of the United States and
3 undermining the United States? Have you got two groups that
4 you are interested in?

5 Mr. Adams. No, sir, they are both working toward
6 the same end. It is all inherent in the same idea of
7 activity with the intent or design to overthrow the government
8 of the United States or any subdivision by force and violence.

9 Mr. McClory. My time is up.

10 Thank you very much.

11 Chairman Pike. Mr. Stanton.

12 Mr. Stanton. Thank you, Mr. Chairman.

13 Mr. Wannall, has the FBI ever participated in
14 burglaries in order to obtain information for their purposes
15 of investigation?

16 Mr. Wannall. I think Mr. Kelley at a news conference
17 in July acknowledged that the FBI had participated in
18 surreptitious entries to obtain information.

19 Mr. Stanton. Were they illegal activities?

20 Mr. Wannall. I'm not in a position to render an opinion.
21 The whole thing, as a matter of fact, is under study by the
22 Department of Justice at this time.

23 Mr. Stanton. Could you tell me, from 1945 until the
24 present, how many instances occurred?

25 Mr. Wannall. We have made a very thorough study and have

1 interviewed numerous individuals who might have been
2 knowledgeable in that area. The figure that I recall
3 that we have come up with is about a dozen and a half
4 targets. However, there had been numerous entries against
5 some of those targets. I think we have accounted for something
6 in the neighborhood of 240 entries, none of which have taken
7 place since April of 1968.

8 Mr. Stanton. Since April of 1968?

9 Mr. Wannall. In our domestic area.

10 Mr. Stanton. Do you know what illegal entry is under
11 the law? Are you a lawyer?

12 Mr. Wannall. I think I understand what an illegal
13 entry is, yes, sir.

14 Mr. Stanton. Do any of these fit that definition?

15 Mr. Wannall. I think in the definition, intent to
16 commit a crime within the premises would be included. The
17 entries that were made --

18 Mr. Stanton. Do you know what breaking and entering
19 is under the State law of Maryland or Ohio?

20 Mr. Wannall. Yes, sir.

21 Mr. Stanton. Do you have to have the intent to commit
22 a crime to break and enter?

23 Mr. Wannall. I would say you probably do not have
24 to have an intent to commit the crime on the premises.

25 Mr. Stanton. Intent is not an important element. In

1 other words, if you had the noblest intent in the world
2 but if you are breaking and entering it is still a violation
3 of the state law, correct?

4 Mr. Wannall. I would take your definition of it,
5 Mr. Congressman.

6 Mr. Stanton. I would like to have your definition. I
7 would like to know what a prominent person in the FBI thinks
8 of breaking and entering.

9 Mr. Wannall. I can assure you there are no such
10 circumstances today.

11 Mr. Stanton. That is not the question. The question is,
12 do you understand what breaking and entering is?

13 Mr. Wannall. Yes.

14 Mr. Stanton. Has the FBI illegally entered premises
15 in terms of seeking information?

16 Mr. Wannall. The FBI has entered premises without the
17 knowledge of the owners of the premises for the purpose of
18 seeking information, yes, sir.

19 Mr. Stanton. In other words, they are guilty of
20 breaking and entering and violating the law of the states of
21 this Union, is that correct?

22 Mr. Wannall. Again, I am not going to render an opinion
23 that is in the hands of the Department of Justice at this time.

24 Mr. Stanton. Why did they get involved in breaking
25 and entering?

1 Mr. Wannall. I think basically it had to do with the passage
2 of the Internal Security Law of 1950, Title II.

3 Congress directed the Justice Department to place itself
4 in a position, in the event of a national emergency, to take
5 off the streets individuals who might be placed in detention
6 camps.

7 Mr. Stanton. Is there anything in that act that allows
8 the FBI to break and enter a dwelling?

9 Mr. Wannall. No, sir.

10 Mr. Stanton. Then that is not justification for those
11 illegal entries, is it?

12 Mr. Wannall. The Act itself did not provide for such
13 breaking and entering? *(period rather than question mark)*
wrw

14 Mr. Stanton. So the fact of the matter is that the FBI
15 cannot use that as a basis for illegally breaking and
16 entering an inhabited dwelling.

17 Mr. Wannall. I know of no law which would permit the
18 FBI to do that.

19

20

21

22

23

24

25

1 Mr. Stanton. Then the FBI has been involved in illegal
2 activities?

3 Mr. Wannall. The FBI has been involved in breaking
4 and entering.

5 Mr. Stanton. Have they ever sought the Attorney
6 General's permission prior to 1972 for breaking and entering?

7 Mr. Wannall. Not to my knowledge.

8 Mr. Stanton. Who was the person responsible prior to
9 1972 for approving a breaking and entering?

10 Mr. Wannall. These were approved at the highest level
11 of the Bureau, normally the Director of the FBI.

12 Mr. Stanton. Then Mr. Hoover directed the activities.
13 He did not seek approval from the Attorney General?

14 Mr. Wannall. To my knowledge, he did not.

15 Mr. Stanton. In other words, Mr. Hoover felt that he
16 had the power to violate the law of a State or of this
17 country?

18 Mr. Wannall. Are you asking me what Mr. Hoover's
19 opinion was?

20 Mr. Stanton. Yes. I am asking you if he approved
21 illegal activities.

22 Mr. Wannall. He approved the breaking and entering,
23 yes, sir.

24 Mr. Stanton. Do you think that in terms of the United
25 States Government that for the purposes of the Bureau and for

1 purposes of this government that the activities of the Bureau
2 are going to be improved by virtue of the fact that we have
3 had exposure of some of the illegal activities of the Bureau?

4 In other words, do you feel that the examination of
5 these questions publicly is going to be therapeutic for the
6 Bureau?

7 Mr. Wannall. I think they will be, yes, sir.

8 Mr. Stanton. Thank you.

9 Chairman Pike. Mr. Murphy.

10 Mr. Murphy. Thank you, Mr. Chairman.

11 Mr. Adams, one of the problems we have, I think, with
12 the FBI with regard to wiretapping -- and it is a practice
13 that the FBI has not admitted to but about which we have some
14 information that leads us to believe that it went on in the
15 past and I am wondering if it has been stopped -- is this
16 business of reliable informants.

17 We understand that the FBI will go into a town, say
18 Chicago where I am from; and they will get a local policeman
19 or some local police force to do wiretapping for them. They
20 pass this information on to a strike force then made up of
21 a FBI agent, Justice representative, IRS agent. Then, when
22 they go to court and they are asked where the evidence came
23 from they can properly say we did not have anything to do
24 with the wiretap.

25 Do you get any information that way that you classify

1 as reliable informants?

2 Mr. Adams. Not that particular situation. If the
3 Chicago Police Department is engaged in illegal wiretaps and
4 it came to our attention, we would open an investigation under
5 the interception-of-communication statute.

6 Mr. Murphy. We have been advised by Illinois Bell and
7 they have admitted to the President's Commission on Wiretapping
8 that they never reported in the last three or four years any
9 illegal wiretap they came about except as to the customer
10 whose line they found it on. They said they had no duty to
11 report it to the Federal authorities.

12 I am wondering what your interpretation of their
13 position would be?

14 Mr. Adams. You are talking about the telephone company?

15 Mr. Murphy. I am talking about the Illinois Bell
16 Telephone Company, the only subsidiary of AT&T which does not
17 report wiretaps to Federal authorities or any authorities.
18 The rest of the system all does.

19 I am under the opinion that a citizen if he sees a
20 crime or knows of a crime being committed, he has a duty to
21 report it to the proper authorities.

22 Mr. Adams. I am a little hesitant to comment on their
23 testimony not having read it or being familiar with the exact
24 wording of the statement. But I do agree with you that when
25 information comes to the attention of a citizen -- we urge this

1 of anyone -- that this should be reported to proper law
2 enforcement authorities.

3 Mr. Murphy. Let me ask you a question, Mr. Adams.

4 There was an inordinate number of ex-FBI agents working
5 for the AT&T and its subsidiaries throughout the country.
6 Is there any purposeful connection there?

7 Mr. Adams. No. I think you will find in any major
8 segment of industry that security officers, FBI agents, are
9 employed in many industries as security officers. I think
10 they have demonstrated over the years their qualifications.
11 They do gravitate to good positions in private industry.

12 But there is no concerted effort to penetrate or to
13 control or dominate or do anything of this sort on the part
14 of FBI agents collectively or individually.

15 Mr. Murphy. Was it a practice of your department that
16 when you are summoned before a congressional committee and
17 queries are presented to you as to how many wiretaps are
18 existing today in the United States, was it your practice
19 to then, before the Director came down, to send out a
20 notification, "Take the wiretaps off for a week or two so
21 when I go to the committee I can testify that as of this day
22 there are only 10 or only 4 domestic wiretaps existing"?

23 Mr. Adams. Absolutely not. I believe the information we
24 furnished to this committee, and to the Senate Committee staff
25 would clearly show by checking against appropriations

1 testimony, information of that type. There was no such
2 activity. Mr. Hoover frankly imposed restraints on
3 wiretapping in the FBI, considerable restraints on wiretapping.
4 In fact, some of the material we made available shows that he
5 was one of the loudest voices urging some type of authority
6 and approval in the Attorney General, not only of ours but
7 other agencies.

8 Mr. Murphy. All right. I only have five minutes.

9 Did the FBI ever get information that the IRS was
10 conducting schools on wiretapping?

11 Mr. Adams. I don't recall whether we had any such
12 specific information.

13 Mr. Murphy. We had a former U.S. Attorney General tell
14 us that he acknowledged that the IRS was conducting informal
15 schools on wiretap. They bought the equipment and the
16 Director of the IRS came in and told the agents, "If you get
17 caught, you are on your own but if you bring in good
18 information, we will make a strong case out of it."

19 Are you possessed of that information?

20 Mr. Adams. No, sir. That would be IRS and not the
21 FBI.

22 Mr. Murphy. This was a former U.S. Attorney General
23 who was in charge of your department.

24 Mr. Adams. Any wiretaps requested today, security or
25 under Title III of the Omnibus Crime Control Act would require

1 the approval of the Attorney General.

2 Mr. Murphy. It is interesting that you bring up that
3 Act. There is a Title XII to that Act and this Administration
4 and the last Administration have totally ignored Title XII to
5 that Act. That title requires the Attorney General, the
6 Director of the FBI, and all the agencies that we, the
7 Congress, gave extraordinary powers to -- entries into homes,
8 special grand juries -- they were to convene a special panel
9 to see how these laws were working and if there were abuses.
10 Since that law has been on the books, Title XII has never been
11 acted on.

12 The Speaker of the House has appointed his designates,
13 four Members of the House, to this Commission. The President
14 of the Senate has appointed three Members of the Senate to
15 that Commission. The last two Administrations have never
16 commenced with that Commission.

17 Mr. Adams. The wiretapping commission?

18 Mr. Murphy. This is Title XII of the Omnibus Street
19 Crime Act. It has nothing to do with the wiretapping
20 commission. Title XII has never been implemented. I find
21 that awful strange when Title XII required it.

22 That is what Chairman Emanuel Celler extracted from the
23 police agencies of the Federal Government for passage of that
24 bill. We gave you people extraordinary powers. Yet the
25 Speaker of the House has appointed his Members and so has the

1 President of the Senate and the President has never appointed
2 public members or the chairman. They have come up and talked
3 about it before the Appropriations Committee but that panel
4 has never been implemented.

5 Mr. Adams. It is my understanding that the Commission
6 which was instituted earlier this year was in furtherance
7 of Title XII. I may be mistaken but it is representative of
8 both Houses of Congress and does have Presidential appointees
9 and we have been appearing before that Commission.

10 Chairman Pike. Mr. Treen.

11 Mr. Treen. Mr. Chairman, I ask to reserve my time.

12 Chairman Pike. Mr. Kasten.

13 Mr. Kasten. Thank you, Mr. Chairman.

14 Mr. Wannall, how many years have you or the FBI been
15 keeping the Socialist Workers Party under surveillance, for how
16 many years?

17 Mr. Wannall. We have been investigating the Party, I
18 would say, since 1940, since about 1940.

19 Mr. Kasten. Since 1945, how many violations of law have
20 you in this surveillance discovered?

21 Mr. Wannall. The only ones of which I am familiar are
22 the ones that have been addressed earlier today.

23 Mr. Kasten. If my understanding is correct, those were
24 prior to 1945. In the last 30 years how many violations of
25 law have you through this investigation discovered?

1 Mr. Wannall. I can recall none at this time.

2 Mr. Kasten. For how many years have you kept the
3 Institute of Policy Studies under surveillance?

4 Mr. Wannall. We had an investigation on it which I think
5 was opened in 1968 and closed in early 1973.⁷⁴

6 Mr. Kasten. So for a total of 5-1/2 years, how many
7 violations of law were discovered by your agents during that
8 time?

9 Mr. Wannall. I have no knowledge of any such
10 violations.

11 Mr. Kasten. What about the cost of these kinds of
12 operations, 30 years with the Socialist Workers Party; 5-1/2
13 years with the Institute for Policy Studies. We have the
14 material here of 5-1/2 years of studies for the Institute of
15 Policy Studies. How many agents were involved in this?

16 Mr. Wannall. I cannot give you an estimate of agents.

17 Mr. Kasten. Or informants?

18 Mr. Wannall. I would like to say to you that our
19 investigations in the internal security or domestic intelligence
20 area, as Mr. Adams indicated in his opening statement, are
21 not devoted entirely to the collection of evidence with regard
22 to possible violations of the law. There is an intelligence
23 function which we do perform.

24 Mr. Kasten. Through your 5-1/2 years of study and
25 surveillance of the Institute of Policy Studies, what

1 particular pieces of intelligence did you find that would be
2 valuable to our country?

3 Mr. Wannall. I have some examples here. Would you
4 care for me to include those in the record?

5 Mr. Kasten. Could you briefly summarize?

6 Mr. Wannall. Yes. I have been reminded that some of
7 the information we have here is of a classified nature and
8 also there is litigation involving the FBI and the Institute
9 of Policy Studies.

10 Mr. Kasten. Could you quickly just summarize it as to
11 the type of information that is there? If you would prefer
12 not to, that would be all right, too.

13 Mr. Wannall. I will be happy to summarize it, but I
14 request that it be considered in executive session.

15 Mr. Kasten. All right.

16 How many people were involved in the investigation or
17 the surveillance of the Institute of Policy Studies over that
18 5-1/2 year period?

19 Mr. Wannall. Are you able to give any estimate on that?

20 Mr. Shackelford. I would put it in the vicinity of
21 two or three at the most.

22 Mr. Kasten. Two to three people? How many informers
23 would be involved? In other words, in order to get all this
24 information, it all came through two or three people?

25 Mr. Wannall. I will ask Mr. Schackelford if you don't

1 mind, who had direct supervisory responsibilities on the case
2 to attempt to give you an estimate on that.

3 Mr. Shackelford. I think you would have a situation
4 where the case would be assigned to one agent along with a
5 number of other case matters. At one time or another he may
6 have another agent helping, another agent may contact a source
7 of information he has. But I doubt that any one agent would
8 devote his full time and attention to a particular case such
9 as that.

10 Mr. Kasten. Our information shows that you have eight
11 agents and that you have at least 52 informants. Is that
12 simply incorrect?

13 Mr. Shackelford. I would say it would have to be. You
14 may have had eight different agents at different times handling
15 that case. I am speaking in terms of a continuing pattern
16 of activity. You would not have had eight agents assigned
17 to it.

18 Mr. Kasten. What about the 52 informants?

19 Mr. Shackelford. That does not sound proper. I don't
20 think so.

21 Mr. Kasten. How much would an informant cost?

22 Mr. Shackelford. I would not have any way of answering
23 any question like that.

24 Mr. Kasten. About \$100, \$500, about \$1,000?

25 Mr. Shackelford. I would not attempt to answer that

question.

Mr. Easten. What I am trying to determine is how much that 5-1/2 years cost the taxpayers. How much money that is that particular operation, the investigation of the Institute of Policy Studies, cost the United States taxpayer?

Mr. Shackelford. We don't have figures put together to answer a question like that. I could not answer that question accurately or even estimate it.

Mr. Easten. \$5,000, \$10,000, hundreds of thousand of dollars?

Mr. Shackelford. I would not attempt to answer that question.

Mr. Easten. Mr. Chairman, my time is up.

Chairman Pike. The gentleman's time has expired.

Mr. Milford.

Mr. Milford. Thank you, Mr. Chairman.

Mr. Adams, it is time to bring some of the matters we are discussing into another perspective rather than looking at them in limbo. Civil rights have two different perspectives that should be considered. There have been numerous press and public adverse criticisms against the FBI and the Secret Service for their failure to locate and detain individuals who have recently allegedly threatened the life of the President of the United States.

Isn't it a fact, sir, that discovery of these individuals

Copeland
follows
Rudolph
11:05
11/18/75

4156

1 Mr. Adams: Well, what we are seeking is to obtain a
2 proper balance, and it is a purpose, I think, that these hear-
3 ings do provide, as well as the hearings in the Senate, that
4 we do have to balance the interest of the country and try to
5 satisfy the overall interests of the United States coupled with
6 the least intrusion possible into the rights of the individual.

7 It is true there are twenty thousand people a year murdered
8 in the United States, and there are all sorts of brutal crimes
9 of violence taking place, and at times we sometimes wonder who
10 is the enemy. Are we establishing more restrictive safeguards
11 against the law enforcement agencies to make sure that we don't
12 repeat abuses which have taken place in the past, or are we
13 giving equal concern to the rights of the individuals that are
14 victims of the crime. Is the public afraid of us or the fact
15 that they can't walk the streets at night; they can't enjoy the
16 parks, engage in business without being victims of crime.

17 That is why guidelines which Congress will derive out of
18 hearings such as this will give us a more clear shot at what
19 our role is supposed to be in this area.

20 Chairman Pike. Mr. Hayes,

21 Mr. Hayes. Mr. Milford would like me to yield a half a
22 minute, and I will be glad to do it. .

23 Mr. Milford. I wanted to finalize in this particular
24 colloquy by stating that violations of civil rights is a
25 relative matter so far as I am concerned. It would appear that

1 this nation has a choice. We can violate a few civil rights
2 to apprehend a few violators of our law or allow millions of
3 our citizens' civil rights to be violated.

4 I feel this is a perspective that should be considered as
5 we go through this.

6 Thank you for yielding.

7 Mr. Hayes. Mr. Adams, the development of confidential
8 informants, I think, was one of the tasks you outlined to
9 Mr. Milford.

10 Do you think that the FBI has a problem when among those
11 developments that they have conjured, we find Jack Ruby and
12 Sara Jane Moore? Do you think there might be something wrong
13 with the development techniques in the FBI?

14 Mr. Adams. I don't think there is anything wrong with
15 the development technique. It is such that we develop
16 individuals, try to verify the information they furnish; we
17 try to ensure their stability. We are dealing with human
18 beings, and when you deal with human beings, they don't always
19 go according to plan.

20 Mr. Hayes. From your experience and your carrying out of
21 your particular responsibilities with the FBI, would you say
22 that there is something that happens to the stability of the
23 Rubys and the Moores in the course of being confidential
24 informants? In other words, you have ensured their stability
25 and something cracks them later on.

1 Mr. Adams. This happens... I would like to make a point
2 that Mr. Ruby was not an informant of the FBI. We are hung
3 up on an issue on that point, but he was contacted on nine
4 occasions, which we did duly report to the Warren Commission,
5 for the purpose of furnishing information, because we thought
6 he would be in a position to furnish such, but all of the
7 records show that on none of those occasions did he ever
8 furnish any information.

9 So he was being contacted as a potential in that regard,
10 but actually we were correct in saying he was not an actual
11 informant.

12 But things do happen to informants that we try to guarantee,
13 we try to ensure, and we constantly remind them not to engage
14 in excesses, not to commit illegal acts.

15 Mr. Hayes. What happens that a Sara Jane Moore kind of
16 gets away from all of that care and affection?

17 Mr. Adams. You are dealing with people and ---

18 Mr. Hayes. Just ordinary folks?

19 Mr. Adams. Right; and in the criminal field the informants
20 you develop are not recruited from the Sunday schools. They
21 are recruited from individuals who have knowledge of criminal
22 activity, and they do sometimes present personality problems.
23 But over the years informants are the backbone of obtaining
24 information today. Last year, over 5,000 fugitives, FBI
25 fugitives, were apprehended, and as a result of informants.

1 Another thousand of subjects were arrested in cases as a
2 result of informants' information. Over \$86 million in contra-
3 band and stolen property was recovered through informants.
4 Information furnished the local police departments resulted in
5 another six thousand fugitives or subjects being arrested.
6 They are valuable. They are essential.

7 Mr. Hayes. Mr. Adams, on page 11 of your testimony, the
8 middle paragraph is a call to awareness to us, I assume, be-
9 cause the second sentence begins, "You should also be aware,
10 however, there are others who have as their ultimate goal the
11 overthrow of our political institutions and economic systems."

12 Then you go on to make a quote that some of these just
13 don't like the use of some terrorist techniques at this
14 point; they think they are counter-productive. But they
15 haven't renounced anything.

16 Does that mean that the FBI will, through its policy
17 formation and activities, continue to watch these people to see
18 if they do sometime change their mind in the future about how
19 they would like to bring about economic and political dif-
20 ferences in this country?

21 Mr. Adams. Yes, sir; we feel when an organization states
22 maybe perhaps publicly, don't engage in violence, but yet the
23 organization also states to its members and has as a program
24 that we don't want to do anything that might be counter-
25 productive, wait until the time is right to try to overthrow

1 the government, we feel that we have to monitor the activities
2 of that organization to be on top of the situation when they
3 do determine that because of, say, a hostile attack on the
4 United States by the Soviet Union, or some other foreign coun-
5 try, that this group at that time will say, now is the time.

6 It wasn't productive to engage in an act to overthrow the
7 government and storm the capital in 1975, but in 1977, if the
8 time is right, we will act, and those are the groups that we
9 find no way of ignoring and also discharging our responsibili-
10 ties in connection with providing the necessary domestic
11 intelligence to the President, the Attorney General, the Execu-
12 tive Branch, in order to make these decisions they are required
13 to make.

14 Chairman Pike. The time of the gentleman has expired.

15 Mr. Johnson.

16 Mr. Johnson. Thank you, Mr. Chairman.

17 Mr. Adams, I am an ex-District Attorney, and I have
18 probably experienced the same kind of frustrations you have
19 in trying to deal with crimes that have been committed in the
20 context of Supreme Court decisions that seem to law enforcers
21 sometimes not to make a whole lot of sense. So I can sympa-
22 thize and commiserate with you with the aspects of honest-to-
23 God crime, so I will defend you from that point of view.

24 But when you start talking about the Lori Paton case,
25 the Camden, New Jersey entrapment case, then I don't think that

1 you have any justification for that kind of activity.

2 And it seems to me that there may be an attitude on your
3 part -- and I would like to have you comment on this -- par-
4 ticularly with respect to the Socialist Workers Party, that
5 membership automatically means advocacy of revolution even
6 though the individual might not advocate revolution.

7 In other words, you have said for thirty years you have
8 followed these people. There has been no convictions in the
9 last thirty years. Obviously, if they were advocating revolu-
10 tion and you were following them, you would have some convic-
11 tions, but you continue to follow them because you think they
12 are advocating it and that doesn't make any sense. Why do you
13 stay after them if we don't have any convictions, any evidence
14 that will result in conviction?

15 I can understand an investigation for a short period of
16 time and then withdraw, but a thirty-year investigation, does
17 that make sense to you?

18 Mr. Adams. Well, we have no evidence of a statutory viola-
19 tion of one of the crimes of sedition, insurrection, rebellion.
20 We do have an intelligence function to perform if a group is
21 saying and believing and practicing a belief that when the time
22 is right, when we can combine our activity with other activities
23 such as an attack on the United States --

24 Mr. Johnson. Are they advocating an overthrow of the
25 government? If they are, it is a violation of the law and

1 subject to penalty.

2 Mr. Adams. Getting into questions of the Smith Act,
3 advocacy of the overthrow of the government and the court deci-
4 sions rendered interpreting it, the statute is still on the
5 books. It is a valid statute, but the purpose and the inter-
6 pretations of certain provisions do require far more than
7 mere advocacy. They get into questions of imminency, and
8 actual overt acts. Yet when people knowingly belong to an
9 organization which says, when the time is right, we are going
10 to strike, and they never deviate from this policy, and they
11 work towards it, if Congress feels that we should not investi-
12 gate that organization, out of these deliberations I am sure we
13 will get a mandate that it is not necessary to follow this
14 type of an organization.

15 But under the Presidential directives, and the interpreta-
16 tions of the Attorney General, we have the lawful authority to
17 conduct these intelligence investigations, and this is what
18 guidelines will result, I am sure, if we should not investigate
19 people that say we are going to do something at a given time;
20 when that time comes, we should wait until it happens. Even
21 the Supreme Court has said you don't have to wait until --

22 Mr. Johnson. It seems to me you are searching after a
23 straw man. Maybe you aren't.

24 How old was this little girl when she writes to the
25 Socialist Workers Party for information?

1 Mr. Adams. I don't want to get into the lawsuit exactly,
2 but basically what this boils down to is we had a mail cover
3 on the Socialist Workers Party, a lawful mail cover provided
4 for in the postal regulations.

5 In reviewing the outside of the envelope, the Post Office
6 furnished us the name and address of this person writing -- we
7 don't know whose writing -- ^{is} to the Socialist Workers Party.
8 An investigation was opened to determine. They checked, find
9 out she is a school student; they close the case. No further
10 investigation was conducted, but should we have stopped and
11 never determined, well, is this a legitimate contact or a non-
12 legitimate contact -- no, it stopped right there.

13 Mr. Johnson. It stopped right where?

14 Mr. Adams. At the point where it was determined that
15 this was a high school student writing to the Socialist Workers
16 Party. From that point on, it is evidently --

17 Mr. Johnson. It stopped right at that high-school level?

18 Mr. Adams. Right; we did not continue an investigation
19 of her to follow her activities, determine her beliefs and
20 faiths. It was stopped right there.

21 On the entrapment situation --

22 Mr. Johnson. I would like to know how long did that take
23 and if the Chairman will indulge me, we can go on to the
24 entrapment situation, since my time is up.

25 How long did that take to establish that with respect to

1 Miss Paton?

2 Mr. Adams. Perhaps we have the time limit here and would
3 be glad to give it to you. . . .

4 Mr. Johnson. Then, with the Chairman's permission, would
5 you go on to the entrapment?

6 Chairman Pike. You may respond to the entrapment.

7 Mr. Adams. While he is looking, entrapment is a very
8 difficult legal question, but from our standpoint and from the
9 law, when an individual, as in this case, comes in and says he
10 has been asked to participate in activities against the draft
11 boards of an illegal nature -- we didn't contact him; we didn't
12 direct him. He came to us voluntarily.

13 Mr. Johnson. Have you seen his statements?

14 Mr. Adams. No, I haven't. I haven't been provided any
15 statements. . . .

16 Mr. Johnson. I suggest somebody be here this afternoon,
17 because when that statement is made public, you may want to
18 refute it. . . .

19 Chairman Pike. All of the statements will be made avail-
20 able. I thought they had been made available, and you certainly
21 should have them, Mr. Adams.

22 Mr. Adams. There is going to be testimony scheduled on
23 this at a later date involving our agent who actually handled
24 the informant. I am not familiar with all the details, but
25 in public session this will be fully explored, but in

1 entrapment you are in a situation where if you don't induce
2 someone to go out and commit an act he was not otherwise intend-
3 ing to do, prepared to do, or willing to do legally, it is
4 not entrapment, and we have lost lawsuits before on informants,
5 whether it did constitute entrapment, but I would like to get
6 on the record a statement that we don't use agent provocateurs,
7 we don't tolerate inducing a person to commit a crime who would
8 not otherwise do it, but if he is willing to do it, the law
9 says we can provide him the opportunity.

10 And we consult daily with United States Attorneys on this
11 because we feel it is a legal question and we want to abide by
12 the law as much as we can. ...

13 Chairman Pike. Mr. Johnson's time has expired, but are you
14 able to answer the other half of the question he asked earlier,
15 about how long it took to determine this high-school student
16 was not ---

17 Mr. Adams. We don't have it here, but we will be glad to
18 make it available to the Committee.

19 (The information is to be supplied.)...
20
21
22
23
24
25

1 Chairman Pike. Mr. Lehman.

2 Mr. Lehman. Thank you, Mr. Chairman.

3 In 1972, as Chairman of the Dade County School Board, I
4 was included as part of a kind of leadership coalition to deal
5 with and perhaps prevent any kind of violence that we had
6 anticipated at the Republican Convention, especially on the
7 beach that year, and in our conversations with the public
8 safety people from the beach and from the County, we at that
9 time were more concerned with provocateurs leading the violence
10 and causing the violence than actually the people in the
11 various organizations that many people thought would be the
12 problems.

13 One of the indications was that some administrative people
14 or something was going on that would do the kind of provocateur
15 work that would turn public opinion strongly against anti-war
16 groups, especially the group such as the Viet Nam Veterans
17 Against the War. Actually, the Viet Nam Veterans seemed to
18 be at that time on the beach one of the primary targets to
19 focus anti-public opinion. . . .

20 Not related to the beach, but I have heard from reliable
21 sources that in the VVAW that in New Orleans most of the people
22 in that chapter were people on the FBI payrolls.

23 Now the Florida chapter of the VVAW in Gainesville was
24 certainly a major target, and this resulted in the well-
25 known trial of the Gainesville Eight, and according to the

1 trial information, the chief government witness was an agent
2 provocateur and apparently the jury found out that the
3 provocateur was the source of most of the problems and not
4 the Gainesville Eight, which resulted, of course, in finding
5 them not guilty.

6 Now my problem is I have no quarrel with informers, but I
7 do have a problem with the possible use of provocateurs, which
8 are certainly counter-productive, and I would like to ask two
9 questions.

10 The question I would like to ask is, you mentioned before
11 that you do not use them, but from the information I have
12 there has been use of provocateurs in different Federal agencies,
13 and I would like to know whether you have used them and whether
14 you are continuing to use them, and, if so, I would like some-
15 thing in this final report of this Committee that would condemn
16 the use of provocateurs and to make the necessary legislation
17 to prevent the further use of provocateurs.

18 My question to you is, did you use them, and do you use
19 them?

20 Mr. Adams. No, sir; it has never been a policy of the FBI
21 to use provocateurs. We do use informants. We don't use them
22 today. I would have no objection to this Committee going
23 strongly on record in that regard, because it coincides with
24 our policy.

25 Mr. Lehman. Would the gentleman yield? What would you

1 call the chief government witness at the Gainesville trial?

2 Would you call him an informer, or what?

3 Mr. Adams. I believe, and I am calling on this from
4 recollection, but I believe the government's position in that
5 was that he was not a provocateur, and I think it was a factual
6 situation, and where you do get into these, that is what
7 juries are for, but in our view we did not use him in an
8 agent-provocateur relationship, to my knowledge.

9 Mr. Lehman. Thank you, Mr. Adams. I yield back the rest
10 of my time.

11 Chairman Pike. Mr. Treen....

12 Mr. Treen. I would like to yield two minutes to Mr. Kasten
13 and two minutes to the Chair and reserve one minute until
14 after Mr. Field's questions....

15 Chairman Pike. Mr. Kasten.....

16 Mr. Kasten. Thank you, Mr. Chairman. I want to follow up
17 on a question Mr. Johnson had. It seems that the testimony of
18 Lori Paton indicates that in February of 1973 you originally
19 began -- and she is sitting right here in the room -- and
20 it wasn't until July that you, according to a letter we have
21 from Judge Wallace La Prade, that you were still working on it,
22 so it took you from February until July to say whether or not
23 this person was a high-school student.

24 The letter reads: "After carefully reviewing the facts
25 in this matter, I have concluded there was no proprietary --.

1 You may be assured Miss Paton is not the subject of investiga-
2 tion. You deny ---" et cetera " --- you were even involved
3 with her."

4 What is the fact here? Does it take you from February
5 until July to find out whether she is a student or not, and then
6 you deny you even had a mail cover on her.

7 Mr. Adams. We did not have a mail cover on her, but on
8 the Socialist Workers Party. Her name came to our attention
9 through that. We did not investigate her in the sense of
10 going out and conducting neighborhood inquiries and asking
11 people what do you know about Miss Paton.

12 Mr. Kasten. How can it take you six months to find out
13 whether this person was a high-school student in New Jersey?

14 Mr. Adams. I would have to look at the particular file,
15 but I would also like to state we don't have one case per
16 one agent and when a violation or question comes to our atten-
17 tion, a matter within our jurisdiction, that an agent starts
18 out of the door handling that. Each agent in the FBI carries
19 about thirty to thirty-five investigative matters at any one
20 time, and they are handled in orders of priority.

21 So what the actual time limit was, I would have to refer
22 to the file. I would be glad to make it available to the
23 Committee subsequently, but we just don't have people waiting,
24 and this is the only case you have, you go out and handle it.

25 Mr. Kasten. Thank you, Mr. Chairman.

1 Chairman Pike. Thank you. Mr. Treen, I appreciate your
2 yielding a couple of minutes to me.

3 Mr. Adams, I want to get back to this report in which
4 I have a particular interest, because it involves my own
5 office. In this report Ron Johnson was asked to call Marcus
6 Raskin and did so on 7/26/72. I didn't read all of it. I am
7 going to read some more of it now. "Raskin was expected to
8 return the call when he returned to IPS."

9 Now to me that sounds like telephone calls, but I don't
10 know, and I do ask you to check exactly how that report got
11 into this file. Now I read further: "Information copies of
12 this report are being designated for Atlanta, Boston and San
13 Francisco, inasmuch as those offices each have offshoot
14 institutes in their territories and since this report under-
15 scores the IPS attack on the FBI."

16 Now, I am sort of interested when I become a part of a
17 report alleging an attack by the IPS on the FBI.

18 I know what the FBI was doing to the IPS, but would you
19 tell me what the nature was of the attack by the IPS in which
20 I am somehow involved, on the FBI?

21 Mr. Adams. First, from the reading as you gave it to me,
22 there doesn't appear to be any allegation that you were part
23 of any attack on the FBI.

24 Chairman Pike. Well, what is the nature of the attack
25 by the IPS on the FBI?

1 Mr. Adams. Could I consult with one of the gentlemen who
2 may know?

3 He is unable to be of assistance in that regard. I
4 would have to check and see what that particular statement was
5 referring to.

6 Chairman Pike. I yield back Mr. Treen his remaining
7 time.

8 Mr. Treen. I would like to reserve the last minute until
9 after Mr. Field's questions....

10 Chairman Pike. Fine. Mr. Field?

11 Mr. Field. Thank you, Mr. Chairman.

12 Mr. Wannall, I would like to ask you a few questions, and
13 I would like to begin with some of the statements made in
14 Mr. Adams' opening statement.

15 In the opening statement he refers to instructions
16 issued by President Roosevelt in 1934. He refers to 1936
17 instructions concerning the activities of the Fascism and
18 Communism, with a capital "C". He refers to a 1938 approval
19 by President Roosevelt of a Hoover Plan. He refers to a
20 Presidential directive dated in 1939. And he goes on in that
21 tone.

22 In your view, have the subversive threats to the United
23 States, and your authority for investigating them, changed
24 since the wartime climate of the 1940's? Have they changed in
25 the last quarter of a century?

1 Mr. Wannall. Yes, sir; in my view they have.

2 Mr. Field. Do you think that the FBI should have a
3 political philosophy?

4 Mr. Wannall. I don't think the FBI does have a political
5 philosophy.

6 Mr. Field. You don't have a political philosophy. So,
7 in other words, your rationale for investigating the Socialist
8 Workers Party would be based either upon some violation of
9 law or upon some threat to the United States. Would that be
10 correct?

11 Mr. Wannall. Or for the intelligence needs of the
12 Executive; yes, sir.

13 Mr. Field. And the intelligence needs would be based
14 upon a threat to the United States; is that not correct?

15 Mr. Wannall. A potential threat, I would say.

16 Mr. Field. A potential threat to the United States.

17 In thirty years you have never found a violation of any
18 Federal law by the Socialist Workers whom you have surveilled
19 extensively. Could you say the same about the Republican and
20 Democratic Parties?

21 Mr. Wannall. May I, in answer to your question, quote from
22 a special issue of the "International Socialist Review",
23 dated November 7, 1975. This is a monthly magazine supplement
24 to the "Militant", which is the official Socialist Workers
25 Party newspaper, and this special issue is devoted to a single

1 document, a resolution approved by the 26th National Convention
2 of the Socialist Workers Party, entitled "The Decline of
3 American Capitalism; Prospects for a Socialist Revolution".

4 It includes the following statements of the Socialist
5 Workers Party policy: "The world crisis of capitalism does not
6 favor extensive and effective long-term capitalism reform in
7 the United States but development of the requisites for a
8 revolution."

9 That is at page 5, paragraph 1.--

10 Mr. Field. Mr. Wannall, are you aware revolution can
11 take place in nonviolent ways? Are you aware that the
12 Socialist Workers Party has never advocated a violent revolu-
13 tion and witnesses will testify to that this afternoon?

14 You were unresponsive to the question, which was, have
15 you such a record with respect to the Republican and Democratic
16 Parties?

17 Mr. Wannall. No, sir.

18 Mr. Field. Are you aware that the violations of law that
19 you cited back in 1941 were declared unconstitutional, the
20 portions of the Smith Act which you prosecuted Socialist
21 Workers on, were declared unconstitutional subsequently?

22 Mr.-Wannall. There were portions of it in 1969 in the
23 Ohio case which were declared to be unconstitutional.

24 Mr. Field. And the Supreme Court upheld that?

25 Mr. Wannall. That is correct.

1 Mr. Field. Mr. Adams cited that as one of the bases on
2 which we continue to surveil them, because even though there
3 may not be any specific statute any more, there had been viola-
4 tions of the Smith Act. Is that correct?

5 Mr. Wannall. We raised that question with the Department
6 of Justice and in November of 1974 within the past year, we
7 were advised that the Smith Act or portions of it have been
8 declared --

9 Mr. Field. Mr. Adams specifically said something to the
10 effect whereas they had not taken any positive steps --

11 Mr. Wannall. Would you repeat your question, please?

12 Mr. Field. Mr. Adams said something to the effect whereas
13 they had taken no overt acts to violently overthrow the govern-
14 ment of the United States, that the advocacy of these which had
15 been a basis of the Smith Act violations were the reason why
16 you were continuing to surveil. . .

17 You are continuing to surveil on something that has now
18 been declared unconstitutional. Is that correct?

19 Mr. Wannall. No, sir; it is not correct. . .

20 Mr. Field. Why are you continuing to surveil?

21 Mr. Wannall. The Smith Act, in all its parts, has not
22 been declared unconstitutional. . .

23 Mr. Field. The part you refer to and the part that
24 refers only to the nonactivity, advocacy of views, has been
25 declared unconstitutional. Is that the basis on which you

1 surveil this party?

2 Mr. Wannall. No, sir. . . .

3 Mr. Field. On what basis do you surveil it?

4 Mr. Wannall. On the basis of the activity in which it
5 is engaged.

6 Mr. Field. Has it engaged in any violent activities or
7 advocated violent activities, not the word revolution?

8 Mr. Wannall. Not violent.

9 Mr. Field. Thank you, Mr. Chairman.

10 Chairman Pike. Mr. Treen.

11 Mr. Treen. I think I have just one minute.

12 Let me ask you this, sir: Do any of you have information
13 that either the National Republican or National Democratic
14 Parties have ever advocated the violent overthrow of the
15 United States Government?

16 Mr. Wannall. No, sir.

17 Mr. Treen. What is the status of morale within the FBI
18 today as compared to, let's say, five years ago and ten years
19 ago?

20 Mr. Adams. I think morale in the FBI over the years has
21 been fairly high. There have been highs and lows, of course,
22 but based on my contact with FBI employees, I think we gen-
23 erally run a fairly high morale in the FBI. . . .

24 Mr. Treen. Is that true today?

25 Mr. Adams. Yes, sir.

1 Mr. Treen. Are you having any difficulties with recruit-
2 ment of agents?

3 Mr. Adams. Absolutely not. Only in certain areas. Over-
4 all, we have more applicants than we can possibly consider.

5 Mr. Treen. What areas are you having difficulty in?

6 Mr. Adams. We still have difficulty recruiting in the
7 minorities, Blacks, Spanish-speaking, and women. Those are
8 the only categories we encounter difficulty in recruiting.

9 Mr. Treen. Thank you. That is all.

10 Chairman Pike. Thank you, gentlemen. I realize that
11 some of the questioning today was sort of adversary in nature,
12 but I can only say that we tend to be adversary in nature with
13 people whom we agree with as well as with people whom we dis-
14 agree with sometimes, and I do reiterate my request that some-
15 one be available, and I would particularly request, I think,
16 Mr. Wannall to be available for rebuttal later on or for addi-
17 tional questions later on, because we are now going to some
18 other witnesses, and I thank you very much for your testimony.

19 Our next witness will be a former FBI agent, Mr. Arthur
20 Murtagh, and, Mr. Murtagh, when the present witnesses have
21 vacated the table, I would appreciate it if you would go up and
22 take the table.

23 Just for the benefit of the members of the Committee,
24 after Mr. Murtagh, our next witness will be Mr. Hardy, a former
25 FBI informant.

1 Go ahead, Mr. Murtagh, and we thank you for your presence
2 here today.

3 STATEMENT OF ARTHUR MURTAGH, RETIRED FBI SPECIAL AGENT

4 Mr. Murtagh. Mr. Chairman and Members of the Committee:

5 I welcome this opportunity to testify before you as a retired
6 special agent of the FBI who loyally served the Bureau for
7 twenty years and who was assigned to the FBI's Internal
8 Security Intelligence Squad in Atlanta for ten years, from 1960
9 approximately until 1971. I would hope I could give this
10 Committee insight into the Bureau's intelligence practices not
11 from the theoretical viewpoint of a policy-maker but from the
12 practical viewpoint of a field agent....

13 The thrust of my comments will be to attempt to have you
14 see that it is possible for the structure of an organization
15 such as the Bureau to be responsible for much wrongdoing
16 without any measurable culpability on the part of individuals
17 working in the lower levels of the organization. For example,
18 I was at one time asked to obtain through my informants
19 handwriting samples of a gentleman who is now a member of your
20 body, the Honorable Andrew Young of Atlanta. I was also asked
21 to obtain handwriting samples of several of his associates in
22 Dr. Martin Luther King's Southern Christian Leadership
23 Conference. I was an agent with a lot of experience at the
24 time this request came to me from my superior. I was aware
25 that the manner in which the request was made was such that

1 the information was to be used for one of the illegal purposes
2 of the Bureau.

3 The request was made after regular working hours orally
4 to me in private. I turned to my supervisor who was known
5 among the agents as "Colonel Klink" and told him that I flatly
6 refused to comply with his request and that he could tell his
7 counterpart at the Bureau who had called him on the watchline
8 seeking the information that I knew damn well it was going to
9 be used in an unrecorded counterintelligence operation to
10 destroy Mr. Young's chances of getting elected to the House of
11 Representatives. The request came only a few days after
12 Mr. Young had announced that he was seeking a seat in the House.

13 My supervisor's reaction was, "Now don't get excited,
14 Art, we will make some other arrangement." And I responded,
15 "I suppose you will." And I told him that if his counterpart
16 at the Bureau wanted to force the issue, we would do it in
17 the open with lots of publicity. That was the last I heard of
18 that request from my supervisor, and I noticed later that
19 Mr. Young made it to your august body so I must assume that
20 my supervisor had no other source at that time that could get
21 the information for him. You, of course, will find no record
22 of the above incident in the Bureau files.

23 I am cognizant of your mandate to investigate the intelli-
24 gence operations of the Bureau and of the great mass of
25 information that has already been uncovered regarding these

1 operations. I believe, however, that a clear, precise
2 picture of the Bureau's intelligence practices can only be
3 seen by analyzing the Administrative structure, the entrenched
4 biases and the pervasive indoctrinated FBI mentality that
5 command and control their intelligence practices.

6 In the incident involving Representative Andrew Young, if
7 the same request had been made to most agents who had reached
8 the level in the Bureau that I was at that time, and with most
9 of the agents I came in contact with during the period that
10 the Young incident took place, for that matter, they would
11 have routinely complied with their supervisor's request,
12 simply because they would have gone through a process which
13 would have eliminated all those who saw anything wrong with
14 the type of activity contemplated by their supervisor.

15 The oft-times expressed feelings of all of the personnel work-
16 ing in conjunction with me on the intelligence squad in
17 Atlanta during the period that the Young incident took place
18 accounts for the fact that the information requested would
19 have been routinely obtained. The feeling was that the racial
20 movements in which Mr. Young was engaged, although not illegal
21 per se, was inimicable to the value standards that the squad
22 members subscribed to. If it took a little illegal activity
23 to compromise the movement, then so be it. Past experience
24 had made it clear to all agents that Mr. Hoover had no sympathy
25 with any racial movement. . . .

1 You may justly inquire at this juncture how I happened
2 to survive in the Bureau if these selection processes weeded
3 those in opposition out. The answer was and is that I was
4 both stubborn and smart enough to keep my record good and
5 clear and those around me knew it. As an attorney and someone
6 who believed in the rule of law, I wouldn't conform if it re-
7 quired me to be dishonest or to violate the law, and I knew
8 the law. I can sorrowfully say that my views were not shared
9 by my peers universally in the Bureau. At this point, I would
10 like to interject a note that is not in the written section here
11 and say that great numbers of the agents that I worked with
12 were of the highest calibre, fine gentlemen that I have great
13 respect for, and it is not with any pleasure that I come here
14 to relate to you circumstances that I think should be corrected.
15 It is with a seated embarrassment that I have to say that
16 I was a member of this organization for as many years as I was
17 and was unable to come to you during that period.

18 And back to the transcript, I joined the FBI as an agent
19 in 1951 and retired in 1971.

20 By 1957, the weaknesses in the structure of the Bureau had
21 become all too obvious to me. In 1960, as a result of
22 administrative action taken against me by Mr. Hoover, on
23 account of an alleged problem of overweight, I found myself in
24 a YMCA room in Macon, Georgia, away from my family for a period
25 of about five months. During that time, I did a great deal of

1 soul-searching and reading in an effort to make a decision as
2 to whether I should leave the Bureau and attempt to expose the
3 weaknesses in structure, and I underscore structure at every
4 point, because it is the structure that is wrong with the
5 Bureau and not the agent-personnel, whether I should expose
6 the weakness in the structure or stay in the Bureau and wait
7 for a more opportune time when the probability of success in
8 correcting these weaknesses would be greater. I decided to
9 remain and observe, but I resolved that I would under no circum-
10 stances participate in any of the unethical or illegal activi-
11 ties that were by then so prevalent in the Bureau.

12 I was able to observe from my vantage point in the FBI
13 that the Bureau was on a collision course of collapse which
14 would result in Congressional investigation, and I said so
15 openly among agent associates from 1960 onward until the time
16 I left the Bureau in 1971. I counseled with many, yes,
17 practically all, of the agent-personnel with whom I came in
18 contact at this time and for the remaining eleven years that
19 I spent in the Bureau, and found that they were vaguely aware
20 in 1960 of the process of which I speak, and they were acutely
21 aware of it in 1971.

22 The inherent administrative processes within the Bureau
23 which I have alluded to before, which adversely affect the
24 Bureau's intelligence functions can be summarized as follows:

25 Number one is secrecy. Mr. Hoover threw a veil of secrecy

1 over the Bureau at its very inception, though the great mass
2 of information handled by the Bureau could be placed on bill-
3 boards in the middle of Times Square and the public interest
4 would not block the sidewalks, but secrecy served many useful
5 purposes to the Bureau. It made it impossible for the public
6 or Congress to know anything about what was going on inter-
7 nally. It gave the Bureau operation an aura of mystery and
8 created a type of fear and respect for the Bureau which I per-
9 sonally feel is unhealthy in a society that strives to be both
10 democratic and open.

11 Number two: Complete unfettered control of the process
12 of selecting personnel. Gentlemen, I submit this is the most
13 important thing that I will say to you today, complete and
14 unfettered control of the process of selecting personnel.

15 This is an area to which your Committee should direct its
16 greatest efforts, for it was through a selection process exempt
17 from Civil Service under the sole control of the Director that
18 Mr. Hoover was able over a period of nearly fifty years to
19 bring in thousands of carefully selected agent-personnel who
20 were politically disposed to the right as he was and then
21 through a personnel system, which offered no possibility at all
22 for an agent to question Hoover's ethics or methods, to force
23 thousands of those selected to leave the Bureau in utter disgust
24 simply because they had no avenue through which they could air
25 grievances involving unethical or illegal conduct. For example,

1 and I have many, but I will give you one, a young agent whom
2 I know was sent to Albany, Georgia for his first office. His
3 wife was a sociologist. She was offered a position in the
4 Head Start Project in Albany, Georgia that was under the direc-
5 tion of a Black attorney named King. I think his initials were
6 A. B., but I know his last name was King. The agent reported
7 this information to his superior in Albany. He was immediately
8 summoned to Atlanta by the Agent in Charge and told that his
9 wife could not take the job because they did not want FBI
10 personnel or their wives associated with Blacks who were active
11 in the civil rights movements. This agent subsequently
12 resigned in disgust.

13 The third area I want you to take note of is manipulation
14 and control of the press. . . .

15 The examples of this subject are legion. The one that I
16 am most familiar with was the concerted effort to get what was
17 always referred to in the Bureau as "our friends in the media"
18 to publish personal and very private information taken from the
19 wiretap which itself was of questionable legal validity on
20 Dr. Martin Luther King. Of course, the day-to-day manipulation
21 was accomplished by leaking choice items to our "friends".

22 It was not at all uncommon to learn of some politically
23 damaging information about some leading figure in politics as
24 having been developed by the Bureau and then always at a time
25 when it would be most damaging to the individual, the information

1 would some way show up in the Chicago Tribune or some other
2 friend of the Bureau. If the information was more valuable
3 for purposes of political blackmail by holding it, than by
4 giving it to the press, it was withheld. The leaked informa-
5 tion always seemed to involve persons of liberal persuasion.
6 From my years in the Bureau, I can only assume that the Bureau
7 had deduced that persons of liberal persuasion are somehow
8 more apt to sleep with somebody else's wife, drink too much
9 liquor, or be sexually perverted than are solid conservatives.

10 The fourth point is absolute authority at the top and blind
11 loyalty at the bottom aided by the selection process.

12 This question of loyalty is interesting since, of course,
13 we all like our friends to be loyal to us and we respect it as
14 a quality in man. The Watergate hearings were particularly
15 informative on this point, as you all recall. Each of the
16 witnesses who were implicated in wrong-doing in Watergate
17 opened their statements with a bit on loyalty and went on to
18 tell eventually how in the name of loyalty they had violated
19 the law. The Bureau has its parallel in this concept of blind
20 loyalty.

21 I might interject here I think I saw some of it a few
22 minutes ago. Personnel have been willing to forego their
23 own integrity to allow improper, unethical, or illegal activity
24 by the Bureau to go on unchallenged rather than injure the
25 Bureau by a public attack which many regard as disloyal to the

1 Bureau.

2 Number five is the harsh disciplinary measures, and I
3 understand these may have been changed somewhat under Mr.
4 Kelley. The harsh disciplinary measures which were the hall-
5 mark of Mr. Hoover's personnel policy are too extensive to
6 go into at length here. They sometimes resulted in humorous
7 situations but very often in very tragic situations.

8 As an illustration of that, I might say when coming down
9 here from northern New York, my wife became terribly distraught
10 and she turned to me and said, "Do you think they will take
11 your pension away from you?" And I assured her, "No, honey,
12 they won't."

13 By the mid-1960's these harsh disciplinary measures had so
14 eroded confidence in Hoover among the agent-personnel that the
15 policy of "tell the man nothing" had reached a point where
16 information could actually get into the hands of Bureau super-
17 visors, and it still would not get to Hoover because the harsh-
18 ness of the disciplinary action made the integrity of all
19 agents very pliable.

20 In a democracy, domination of a powerful organization
21 such as the Federal Bureau of Investigation by any segment of
22 the political spectrum threatens the very existence of
23 democracy.

24 The process results in the organization being used to aid
25 the political and philosophical friends or causes of the leader

1 and to neutralize any opposition.

2 Mr. Hoover's vendetta against Dr. Martin Luther King
3 illustrates this process in a graphic manner..

4 I submit that the FBI now constitutes a degenerate
5 dictatorship in which the structure still remains but from
6 which public support is rapidly being withdrawn. I further
7 submit that such a dictatorship is incompatible with the
8 Constitutional concepts upon which this nation was founded.
9 I feel that this can be historically paralleled with the ascen-
10 sion of other dictatorships throughout the world.

11 I make the following recommendations.

12 I recommend that any reform which you consider deal
13 directly with each of the points I mentioned in the establish-
14 ment of the process, but I urge you to give particularly
15 careful attention to the process of agent selection.

16 In order to insure against re-establishment of uncontrol-
17 lable power within the Bureau I would suggest the following:
18 Seek the removal of all entrenched personnel, including the
19 Director, as quickly as is practical, not in a vindictive way,
20 but for the good of the service. These gentlemen have been
21 trapped into the system; they have been unculturalized; and
22 they can't act differently than they act, but they are a
23 serious threat to the freedom and security of the United
24 States under our Constitution.

25 The second thing: Establish a system by which line-level

1 personnel can report unethical or illegal activity within the
2 Bureau to an outside control agency. Incidentally, I was
3 very happy to hear Mr. Adams say this morning that the Bureau
4 would be willing to submit to an outside control agency. It
5 is only a sad thing they didn't do it twenty years ago and
6 we wouldn't be here today.

7 Although there are some Constitutional questions involved,
8 I would recommend that the control agency be under the
9 judiciary, thus extending the concept of checks and balances,
10 and that the time necessary for setting up hearings and resolv-
11 ing difficulties be extremely short, maybe as little as seven
12 days so that corruptive processes could not get started.

13 Number three: That all personnel working within the
14 agency and all new personnel working within the agency be re-
15 quired to attend instructional classes given by various educa-
16 tional institutions throughout the country in which the rights
17 and duties of Bureau employees would be thoroughly taught so
18 that we would not have people like Jim McCord in the Watergate
19 situation telling the Senate or the House in years to come
20 that he thought that what was obviously illegal could be made
21 legal by the flick of a pen by the Attorney General or the
22 Director. This concept was very prevalent in the Bureau when
23 I was there. If Mr. Hoover ever said something, no one ever
24 questioned whether he was right or wrong, legal or ethical,
25 illegal or otherwise. There was never anything taught in the

1 Bureau schools to equip agents to make decisions they made in
2 this area.

3 Number four: Legislate the process of agent selection in
4 such a way that future personnel would represent the full
5 spectrum of American society instead of only a narrow segment
6 as it now does. Either reduce the pay of agent personnel or
7 establish educational requirements for admission that would
8 justify the current high-pay standards. I would prefer that
9 the standards be made higher and leave the pay where it is.

10 Number five: Legislate controls regarding the release of
11 information from the Bureau which will prevent the Bureau from
12 using the wealth of information it collects at government
13 expense as a means of press manipulation. If Quinn Martin
14 Productions can examine Bureau records and produce a television
15 play, as they did in the Philadelphia-Mississippi case, and,
16 incidentally, I worked on that case at great length and I
17 know the circumstances, and they produced this two-hour movie
18 which was on NBC last spring, and the picture of what actually
19 happened down there, from my viewpoint, was very badly dis-
20 torted. The movie was made in such a way as to protect the
21 Bureau image and protect the Bureau's relationship with the
22 Mississippi State Police.

23 And it had many things in there that I would not have put
24 in, and I think anyone of a moderate liberal persuasion would
25 not have put in.

1 So the legislation should provide if anybody can look at
2 the Bureau records and write a book, if any special person
3 can, anybody can. If we are going to have a free press, let's
4 have it free all the way, in other words, and I think this
5 restraint the Bureau has used in making the records available
6 to writers and to the press is a sort of reverse or inverse
7 abridgment of the First Amendment of those who weren't able to
8 get to these records.

9 I think, gentlemen, that if those recommendations, or
10 some like it, are put into effect, that the Bureau can be re-
11 established as an organization in the Justice Department
12 which is a service body for the United States Government,
13 which belongs to the people, and the Bureau can be brought back
14 into perspective and do an excellent job, and it has a big job
15 to do.

16 Thank you very much.

17 Chairman Pike. Thank you very much, Mr. Murtagh. Obvi-
18 ously, you feel very strongly on this subject, and it took a
19 certain amount of courage on your part to be here.

20 Rather than attempt to question at this time, we do
21 have one other statement by a former sometime employee of the
22 FBI, Mr. Robert Hardy. It is a very short statement, and I
23 think perhaps we can get that in before we break for lunch.

24 If Mr. Hardy would take the table. Bring the microphone
25 close to you and go right ahead.

STATEMENT OF ROBERT HARDY
FORMER FBI INFORMANT

Mr. Hardy. Mr. Chairman and committee members, my name is Robert Hardy. I am 37 years old and I live in Camden, New Jersey. I am married and the father of four children. I support myself and my family as a general contractor. I have served my country in the U.S. Marine Corps and on June 25, 1971 I became an FBI informer.

I am not proud that I was an FBI informer. I am not proud of what happened as a result of my being an informer. I only hope and pray that by coming here today I can right some of the wrong that was committed. Perhaps we all can learn a lesson from what has happened in my case so that it can never happen again.

On June 24, 1971, a long-time friend of mine was having dinner at my house. He was upset. He had been active in the anti-war movement in our area. He related to me that a plan to enter the Camden draft board had been discovered by the FBI and had fallen through. I told him that such a plan was senseless and I discouraged him from considering any such action. I was concerned, however, that a group of people, some of whom I had known for years and considered good, law-abiding Americans, would consider such action in order to protest the war.

The following day I went to the FBI office in Camden and asked them for advice. I told them that I did not want my

2 1 friends to go to jail. They told me, at that time, just to
3 keep them posted on developments. I then went to the group of
4 people I have just mentioned and in a short time they had
5 taken me into their confidence as a member and fellow
6 sympathizer.

7 At first the FBI instructed me not to present any new
8 thoughts or ideas to the group. However, after a while they
9 encouraged me to suggest to the group the exact illegal activity
10 about which I had originally come to them. They told me that
11 all they wanted was enough evidence of a conspiracy to raid
12 the draft board. They told me that this would be a lot
13 better than if some of my friends were charged with the actual
14 crime itself. I was greatly confused at this time, but I
15 trusted the FBI and eventually I carried out their wishes.

16 By mid-July I had gained a strong leadership position
17 within the group. I told the FBI, with whom I was in daily
18 contact at this time, that this was not quite right. I was no
19 longer a mere informer, but was now a promoter or provocateur.
20 They told me to continue.

21 If I may interject in the statement here, the word
22 informer and provocateur was not in my vocabulary at the
23 time. These were words that were put on me by the press and
24 by the FBI after the actual crime had taken place, or the
25 break-in.

In the course of the next month, upon the instructions

3 1 of my FBI agents, my leadership role increased to the point
2 that it became absurd. I was not only encouraging the group
3 to raid the Camden draft board; I was initiating all the plans
4 to do so. The way I did this was very simple. I provided
5 them with constant moral encouragement. I provided them with
6 the tools they needed -- ladders, ropes, drills, bits,
7 hammers and so forth. I provided them with food to sustain
8 them during the course of the preparation. All this was paid
9 by the FBI. They paid me also, on a regular basis, for my
10 services.

11 As a man who had been in the general contracting
12 business most of my adult life I provided invaluable technical
13 assistance to the group. Mr. Chairman, you would not believe
14 what an inept band of bungling burglars these people were.
15 There were about 30 persons in the group. It was a loose-knit
16 anti-war group composed of college professors, clergy,
17 students, and concerned citizens. They were dreamers, who
18 talked a lot but did nothing.

19 On instructions I once tried to give them guns, but they
20 refused.

21 Mr. Johnson. Mr. Chairman?

22 Chairman Pike. Mr. Johnson.

23 Mr. Johnson. May I interrupt at this point, because the
24 gentleman says "on instructions" and I believe that in view
25 of the testimony that came from Mr. Adams that that should be

4 1 more clearly elucidated.

2 On instructions from whom?

3 Mr. Hardy. At the time we were having riots in the
4 City of Camden and the FBI was concerned for the safety of
5 their agents, myself and the people involved in what became
6 known as the Camden 28. They asked me to check to see if they
7 had weapons or a tendency for violence and I offered one of
8 their members a gun which I did not have and would not have
9 provided to them. It was to check out whether they were --

10 Mr. Johnson. You didn't make this clear. You said "on
11 instructions, I once tried to give them guns."

12 Mr. Hardy. Yes, my agent that I had been in contact
13 with asked me or suggested that I ask them if there would be
14 any guns for self protection since there was a rioting condition
15 in the City of Camden.

16 Chairman Pike. Go ahead.

17 Mr. Hardy. They were the most non-violent, well-
18 intentioned people I ever met in my life. But most of them
19 couldn't even tie a knot properly. I am not proud to say that,
20 with respect to breaking into the draft board, I taught them
21 everything they knew.

22 Again breaking from the statement, every draft board
23 that had been broken into within the United States had been
24 broken into from the inside. This was the first draft board
25 that was to be broken into from the outside. They had no

5 1 experience in this area.

2 I taught them how to cut glass and open windows without
3 making any noise. I taught them how to open file cabinets
4 without a key. I rented trucks for them. I obtained a floor
5 plan of the draft board building for them. I taught them how
6 to climb ladders easily and walk on the edge of a roof without
7 falling. My neighbors began to wonder why I had this crowd
8 of people climbing up the side of my house and parading along
9 the edge of my roof everyday. I began to feel like the Pied
10 Piper.

11 I had convinced the group to break into the draft board
12 on either August 21st or August 22nd. A week before the
13 appointed time I went to the FBI numerous times and told them
14 that my job had been accomplished. The conspiracy had taken
15 place and I wanted to be stopped. It was not stopped. I was
16 told there were 100 FBI agents in the area for the occasion.
17 I protested vigorously that I had been double-crossed. The
18 FBI apologized to me and told me that the new orders had come
19 directly from the little White House in California.

20 Members of the committee, the rest is history. In the
21 early hours of August 22nd a group of people were caught and
22 arrested for breaking into the Camden draft board. Violence
23 and lawless conduct by the radical left had been averted. The
24 FBI, again, had gotten its man. The country could now see
25 positive proof that the Administration was correct in warning

2:00 p.m.

AFTERNOON SESSION

2:00 p.m.

2 Chairman Pike. The committee will come to order.

3 Our procedure, because of the time constraints we have,
4 is going to be just to go through the prepared statements
5 of all of the witnesses whom we have remaining, and we have
6 five of them, after which we will go into questions.

7 I understand that some of the witnesses do have to leave.
8 We will understand if they really have to get out of here.

9 Our first witness will be Ms. Lori Paton, who I understand
10 is not a member of the Socialist Workers Party. Please
11 proceed with your statement.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

6 1 the country about the threat from the left.

2 I will never forget the role I played in this abuse of
3 American justice. I am sure such things have happened before,
4 but I am here to try and prevent them from happening again.

5 Chairman Pike. Thank you very much.

6 The committee will stand in recess until 2:00 this
7 afternoon.

8 (Whereupon, at 12:10 p.m. the committee was recessed,
9 to reconvene at 2:00 the same day.)
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATEMENT OF LORI PATON, STUDENT, UNIVERSITY
OF VIRGINIA

Ms. Paton.

My name is Lori Paton. I am now a sophomore at the University of Virginia. I am here today to talk with you about something that happened to me when I was a student at West Morris Mendham High School in Mendham, New Jersey.

In February of 1973, I was one of about 25 students enrolled in a social studies course called "Left to Right." As the title suggests, this course involved the study of the spectrum of the contemporary American political scene. For a class assignment, I wrote a letter to what I thought to be the Socialist Labor Party, requesting information about its programs and policies. However, I had inadvertently addressed the letter to the Socialist Worker's Party. At that time, as I later learned, the FBI was conducting surveillance of all mail addressed to the Socialist Workers' Party. Thus, unknown to me, the FBI acquired my name from the letter I sent and began a criminal investigation to determine if I was engaged in "subversive activities."

(I have submitted Exhibit A, the FBI memorandum directing that investigation.) The FBI contacted the Morris County Credit Bureau and the Police Chief of Chester, New Jersey and made inquiries about my family and me. The FBI next appeared at my high school and told the principal that I was under investigation because of contact with the Socialist Workers' Party. After the agent left, my parents and I were notified by a school official of the investigation. That was when I first became aware that my letter had been intercepted and that I was the subject of an FBI

investigation. My first reaction was anger because I had been investigated without my knowledge and I felt that at least I should have been contacted by the agent. Shortly after that, our high school newspaper learned of the FBI's investigation and wrote an article about it. This public exposure that I was the subject of an FBI investigation caused me a great deal of embarrassment among my fellow students and townspeople. I was subjected to remarks by other students and I felt I was an object of ridicule. I was no longer known for myself but instead I became known as a person who was investigated by the FBI. I later became notorious among townspeople, many of whom felt that I should not rock the boat by making an issue of this incident.

When I became aware of the investigation, I was concerned about its possible effects on my career plans. I was approaching my senior year in high school and was looking forward to college. My plans were to major in Chinese and to find employment in government service. I knew that the fact that I had been investigated by the FBI might adversely affect my career plans, particularly if I wanted to work for the government. I found this possibility very distressing.

Because of the above concerns, my teacher in the "Left to Right" course, Mr. Gabrielson, suggested that we ask the ACLU for advice. My parents said that they would support me in anything I did, so Mr. Gabrielson contacted the ACLU. At that time, I wanted to find out what was in my file and

whether it could have an effect on my later life. My lawyer, Professor Frank Askin of Rutgers Law School, who is with me today, sent a letter to the FBI asking why they had investigated me and if there were any FBI files concerning me. I was shocked when FBI Director La Prade wrote back denying that I had been the subject of an investigation. (I attach as Exhibit B Director La Prade's reply letter.) I realized that the FBI's denial was false because I obviously had been investigated. At this point I was very upset over the conduct of the FBI. I was initially surprised to find that I had been the subject of an FBI investigation but I found it even more incredible that a representative of my government would lie to me in this way. The possibility that I had an FBI file and my disillusionment with the government's conduct led me to bring a lawsuit seeking expungement of my file and damages for the violation of my constitutional rights. That suit is still pending. The United States Court of Appeals for the Third Circuit ruled recently that I was entitled to sue the FBI agents involved for damages and injunctive relief.

1 Chairman Pike. Thank you very much, Lori.

2 The next witness will be Mr. Peter Camejo, who, as
3 I understand it, is a member of the Socialist Workers Party.
4 I would like to make it very clear at this point that nobody
5 on this committee has, nor do they intend, to ask any questions
6 that sound like "Are you now or have you ever been a member
7 of ---".

8 Please proceed.
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATEMENT OF PETER CAMEJO, REPRESENTATIVE OF THE
SOCIALIST WORKERS PARTY

Mr. Camejo. I ma now and I have been.

My name is Peter Camejo. As the Presidential candidate of the Socialist Workers Party, I would like to thank the committee for this opportunity to testify. I realize that you disagree with many of my views. Until today, the investigations of FBI and CIA activities have not given those of us who have been the victims of those agencies an opportunity to be heard. Of course, there are many other victims of these FBI and CIA activities in addition to the SWP.

Because the FBI spends so much time and money trying to disrupt the SWP, I think it's important that I explain briefly exactly who we are and what we stand for.

We believe that this society needs to be recognized on the basis of production for human needs, not for private profit. We think that a political party based on the working class is needed. That is why we are offering candidates in the 1976 elections.

Both by vote and the number of states for which we have gained ballot status in recent years, we are the fourth largest political party in the United States -- after the Democratic, Republican and American Independent Parties. In 1974 our vote rose to 440,000 in just ten states. In 1976 we hope to be on the ballot in 30 to 40 states.

1 On many issues our views are shared by many, if not
2 most, Americans. These are issues such as the right of every
3 worker to a job, the right of Blacks to attend desegregated
4 schools, the importance of organizing massive support for the
5 Equal Rights Amendment for women, and opposition to sending
6 American soldiers to prop reactionary governments around the
7 world.

8 On the question of establishing socialism, however, we are
9 in a minority. Our goal is to win a majority to our point
10 of view.

11 We run in elections to explain our ideas and win support
12 for our program. In addition, our members participate in
13 organization demonstrations, such as the large peaceful antiwar
14 marches that helped force an end to the Vietnam war. Many
15 of our members are active in the labor movement and the
16 struggle to desegregate the schools. We hold public meetings
17 and distribute leaflets, books and newspapers.

18 These are all activities protected by the Bill of Rights.

19 The Socialist Workers Party doesn't advocate or engage
20 in violent or illegal activity. The FBI has never produced any
21 evidence to the contrary. But, in spite of that, they admit
22 that they began wiretapping us in 1945. They've burglarized
23 us, "investigated" us, bugged our offices, "covered" our
24 mail, visited our members, gotten them fired from jobs, harassed
25 our election campaigns and generally made efforts to prevent

1 us from getting a hearing for our views.

2 But since the exposure of the illegal and unconstitutional
3 FBI COINTELPRO tactics, the FBI has been trying to fool the
4 public with a claim that it stopped disrupting political ac-
5 tivities back in April 1971. But we know that's not the case.
6 I'm turning over to the committee a list of some 225 incidents
7 of FBI harassment that have taken place since April 1971.
8 These include FBI visits to landlords, employers, and parents
9 of members and supporters of my party and visits to
10 members and supporters themselves.

11 Two of the witnesses with me, Kathy Sledge and Lori Paton
12 will describe two incidents from that list of 225.

13 In the FBI's view, the SWP continues to be a legitimate
14 target for disruption. They have been attempting it for decades
15 and they are continuing it right now.

16 In their public explanations, sometimes they say this is
17 because we are terrorists, or because we are "subversives,"
18 or because we advocate violence. I would like to respond to
19 these charges.

20 First, the FBI itself has provided us with proof that
21 their charges are false. Let's look at the record. The FBI
22 admits it began wiretapping our party in 1945. Since then
23 the FBI has not brought a single indictment against a single
24 member of the SWP. Not one indictment against a single
25 member in thirty years of the tightest imaginable surveillance.

1 As was pointed out earlier today, the Democratic and
2 Republican parties, on the other hand, cannot point to such
3 a record.

4 Secondly, I call your attention to the 1961 FBI memorandum
5 that launched the "SWP Disruption Program." Here they give
6 the FBI's real reason for this war of disruption. This document,
7 which was never intended for public view, stands in sharp
8 contrast to their public charges of violent and illegal acts.
9 I was astonished this morning that the FBI failed to make a
10 single reference to the COINTELPRO Program in their
11 statements.

12 The memo said: "The SWP has . . . been openly espousing
13 its line . . . through running candidates for public office
14 and strongly directing and/or supporting such causes as
15 Castro's Cuba and integration problems arising in the South."

16 They don't charge us with violence, not assassinations, not
17 kidnapping. Our crimes, to the FBI, were running candidates,
18 supporting the fight against segregation, and opposing this
19 government's criminal attempts to overthrow the Castro regime.

20 What about the public charges that the FBI makes? Is
21 the SWP terrorist? Absolutely not. We believe, as Marxists
22 have always believed, that the philosophy and methods of
23 terrorism are damaging to the workers' movement. We believe
24 that society can only be changed through the efforts of millions,
25 through broad social forces representing the overwhelming
majority, not through acts of terror.

1 Advocacy of terrorism is incompatible with membership
2 in the SWP. And, I repeat, no evidence has ever been
3 produced by the government that the SWP advocates or engages in
4 terrorism or other illegal acts of violence.

5 To take up another charge: Is the SWP run by a foreign
6 power or organization? No. We are internationalists. We work
7 for the release of political prisoners in Chile, in Spain,
8 in the Soviet Union and in China. We are opposed to totalitarianism
9 everywhere in the world, whether in the USSR or in Spain. We
10 meet with socialists from other countries to exchange ideas
11 and to discuss major world political developments. But
12 these are not illegal acts.

13 We maintain a relationship of fraternal solidarity with
14 the Fourth International. Does this violate the Voorhis Act?
15 No. We decide on our own policies and principles through our
16 own conventions and elected bodies. And although we strongly
17 disagree with the Voorhis Act, since it was passed in 1940
18 we have not been affiliated to the Fourth International. No
19 government agency has ever produced any evidence to the
20 contrary.

21 In a recent editorial condemning the continuing FBI
22 harassment of the Socialist Workers Party, the New York Times
23 pointed out that "the SWP is a legal American political
24 organization."

25 The FBI has no evidence to dispute that. What they are

1 trying to do is to effectively outlaw our ideas. In their
2 defense against our suit, in place of evidence of illegal
3 SWP activity they are reduced to quoting from books written
4 by Marx and Lenin.

5 The notion that some ideas are "subversive" is dangerous
6 for everyone who may disagree with an administration in power.
7 If it can be applied to our ideas today, it will be applied
8 to others tomorrow.

9 Of course, it is already clear that many dissenting
10 groups other than SWP have been the targets of FBI harassment
11 and attempted disruption, especially Black individuals and
12 organizations. To help force an end to all political spying,
13 the Socialist Workers Party plans to continue with its landmark
14 suit against the FBI, CIA and similar agencies.

15 In our opinion, only a tiny corner has been lifted
16 on the shroud of secrecy behind which the FBI, CIA and other
17 secret police agencies operate. Ending this secrecy would be
18 a big step in the direction of bringing their crimes
19 to a halt.

20 The American people need and deserve all the facts about
21 the past and present secret-police operations carried out
22 behind their backs. I hope this committee will help bring the
23 full truth to light and take steps to bring about the full
24 disclosure of the secret files on the FBI and CIA crimes.
25 Only such steps can give the American people the facts necessary

1 to decide the important issues posed by the actions of the
2 FBI and CIA.

3 Thank you, Mr. Chairman.

4 I would like, with the permission of Chairman Pike,
5 to respond extremely briefly to the one contention made by
6 the FBI against us today. That was they admitted and conceded,
7 and I think it is extremely important, that we have not
8 engaged in any illegal activity. They have admitted that we
9 are not engaging in any illegal activity or advocating
10 violence. Instead they presented the "ripe" theory. That is
11 that although we do not do so now, at some later date when
12 things are ripe -- you might call it the rotten-ripe theory --
13 we will turn rotten and then engage in illegal acts and
14 violence. The FBI knows what our position is probably better
15 than anyone else in this room because they are present in our
16 organization. They have sent informers and agent-provocateurs
17 for decades. They know very well that our goal is to try
18 to win the majority of the American people to establish
19 some basic change. That is what the Declaration of Independence
20 says we have a right to do.

21 The American people have the right to alter the government,
22 the economy or anything else they want to do. It is up to
23 them to do that. We don't believe any such social change can
24 come about unless we win the majority. After we win the
25 majority, we do not intend to use violence or carry out illegal

activities. All we state is that the majority have a right to carry out their activities and should a small group interfere? That is what we mean by revolution, the right of the American people to make basic change, as we did in 1776 and as we did in 1861.

Then we had a majority in this country during the anti-war movement, did we win a majority? Did the SWP engage in illegal activities? On the contrary, the FBI knows we continue to advocate only legal and peaceful means to get the policies of the United States altered.

Now, I do believe that this "ripe" theory, however, does apply to the FBI. When they found it ripe, they did engage in illegal activities and when they see the moment is ripe, they are willing to carry out illegal acts, including violence. That has been the case also for other agencies. I wonder when I listen to them here. They say they must continue to have informants in our party. Are they waiting for the moment when it will be ripe, when the majority of the American people turn to our position and they will turn to violence? We will certainly not. Our position is well established in over 30 years in action before you and by endless evidence and by their own admission. What more can be asked than that we be treated like any other party and that the Watergating of my campaign and other activities be ended and the full treatment of the FBI and CIA be brought to light:

Thank you.

1 Chairman Pike. The House is currently undertaking a
2 vote. The committee will stand in recess until 20 minutes
3 before 3:00, at which time we will resume.

4 (Brief recess.)

5 Mr. Stanton (presiding). The Select Committee on Intelli-
6 gence is now reconvered.

7 We will continue the testimony.

8 At this time we would like to hear from Kathy Sledge-Lovgren
9 who is a member of the Socialist Workers Party and who has
10 been the subject of an investigation.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATEMENT OF KATHY SLEDGE-LOVGREN, MEMBER OF THE
2 SOCIALIST WORKERS PARTY

3 Ms. Sledge-Lovgren. My name is Kathy Sledge-Lovgren.

4 I was born in Spokane, and after attending high school there,
5 graduated from the University of Washington in 1973 with a
6 degree in zoology. I am employed by the Veterans Administration
7 Hospital in Cardiological Research as a surgical technician.

8 I first became acquainted with, and later joined, the
9 Young Socialist Alliance while at the University of Washington,
10 because I, like many other Americans at the time, was very
11 much against the war in Vietnam. I felt the YSA was an
12 organization I could agree with. Other organizations were
13 involved in civil disobedience and acts of violence, like
14 "trashing," a term meaning throwing rocks and breaking
15 windows, et cetera, which I did not then and do not now agree
16 with. Neither, incidentally, does the SWP.

17 Also, the YSA and SWP were organizations respected
18 for their unyielding demand to keep anti-war demonstrations
19 peaceful and legal. Accordingly, they were able to organize
20 large demonstrations which were both effective and law abiding.

21 In 1974 a number of things happened to me as a result of
22 an intense FBI investigation of me, allegedly for a job
23 clearance. First, I received a detailed letter from
24 the Civil Service Commission asked me to answer questions
25 about my political views and associations, about my marital

1 status, and whether or not I was still married to one person
2 while living with another.

3 I was shocked, and upset, over the extent to which the
4 FBI had gone to find out if I was suitable to perform dog
5 surgery. My job was to assist doctors in medical research
6 by doing the surgical preparations on animals -- not a job
7 warranting security precautions.

8 My supervisors were concerned because, to their knowledge,
9 no similar FBI investigation had ever been undertaken regarding
10 an employee of the research staff.

11 Second, the FBI came to my work unit, called in my fellow
12 workers (one at a time), and asked questions about my loyalty
13 to the government, whether I advocated the violent overthrow
14 of the government, if I was a Communist, and whether or not
15 I had tried to sell or hand out subversive literature. My
16 co-workers were upset that they had been brought into the
17 matter at all.

18 My boss, Dr. Tremann, was outraged and disgusted with the
19 FBI for this disruption. Not only had they caused me a lot of
20 worry and fear for my job, but they also managed to anger my
21 chief supervisor, because they had ordered individuals in
22 my work unit to come up and answer questions without first
23 informing the Director of the hospital.

24 Third, the FBI questioned all of the tenants in the
25 apartment complex I was managing at the time, asking them

1 if I had had meetings there, or if they had noticed people
2 coming and going, and what my political views were. They
3 also questioned tenants about who I was living with.

4 My best personal woman friend was called down to an FBI
5 office to answer questions. So, too, was my former boss, who
6 was then living in Chicago. Both were angered by the intrusion.

7 Worst of all, the FBI embarrassed my family in Spokane.
8 My father is a well respected and conservative doctor.
9 They came to his office and questioned him about my political
10 ideas and associations. He became greatly worried about the
11 effect on his practice and reputation.

12 They questioned my mother at home, extensively. As a
13 result, she almost had a nervous breakdown. Both my parents
14 begged me to quit the organization. They feared that I would
15 lose my job.

16 Until then, my family and I had managed to avoid talking
17 about my politics, and maintain a close-knit relationship,
18 including my uncle (a Circuit Court Judge of the Fifth District).
19 We did so, that is, until the FBI caused a breach, which only
20 now is beginning to heal.

21 Sometime after I answered the questions in the Civil
22 Service Commission letter, I found out that my case had been
23 dropped, at least for the time being. Since then, as I have
24 continued to work at the Veterans Hospital, I have received
25 two promotions. I believe I am considered to be an excellent

1 employee by the management.

2 I have no police record. I have never committed a crime
3 or any act of violence. I keep my political ideas to myself
4 when with my fellow employees, who have recently honored
5 me by electing me to be their shop steward for the American
6 Federation of Government Employees.

7 Thank you, Mr. Chairman.

8 Thank you very much for allowing me to come here and
9 hearing what I have to say.

10 Chairman Pike. Thank you, Kathy.

11 We deeply appreciate your testimony.

12 The next witness will be Robert Silverman, a former
13 employer of Social Workers Party member who was investigated
14 by the FBI.

15

16

17

18

19

20

21

22

23

24

25

1 STATEMENT OF ROBERT GEORGE SILVERMAN,
2 PRESIDENT, PEER ENTERPRISES, LTD.

3 Mr. Silverman.
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATEMENT OF ROBERT GEORGE SILVERMAN
BEFORE THE SELECT COMMITTEE
ON INTELLIGENCE

November 18, 1975

Mr. Chairman, Members of the Committee, my name is Robert George Silverman, President of Peer Enterprises Ltd. This is my best recollection of a visit to my offices at Peer Enterprises Ltd. during the fall of 1972 by two men who identified themselves as agents of the FBI.

I was called in our sixth floor production office on that day, and told the two agents were present and wished to inquire about an employee. After they produced FBI identification for my father and me, they inquired about Bruce Bloy--and I believe one other employee. I wanted to know the purpose of their inquiry; their response was vague. They asked what kind of employee Bruce was, and, after I again asked what the investigation was all about, indicated that Bruce--and this other employee--were members of a political party the FBI was interested in.

My father at this point wanted to know if this meant that his employees were members of the Communist Party, that they were "reds." One of the agents responded by saying he couldn't go into that. My father reacted by expressing his desire to fire both of these people.

By now the exchange between my father and one of the FBI agents had become heated. I interrupted, said that I thought my father was not thinking clearly, that there would be no firings that day, and that I deeply resented

the impression that the agents were creating about Bloy and our other employee by refusing to answer our questions while at the same time indicating by inference that the investigation had to do with their political affiliations. Clearly, any reasonable person would conclude that there must be something unacceptable, undesirable, or illegal about my employees conduct.

I told the FBI agents that these employees were desirable ones from my standpoint, that they had never given me cause to believe otherwise, and that until such time as they did, Bruce and the other person could remain with my company.

I said further that as an employer, I had no interest in the political beliefs of my employees, and felt that the FBI had no right to raise such things at an individual's place of employ.

However regrettable my father's response to these FBI questions, it is exactly the sort of response that can be expected from employers approached in this manner by FBI Agents--and I told the agents as much.

I would characterize the approach of the agents as presumptive, mysterious, and in this instance aggressive. What was most distressing to me, was the presumption on the agents' part that we would necessarily share their point of view.

I would like to be specific with respect to Bruce Bloy and the other employee (who remains nameless out of respect for her privacy).. May I state emphatically that I viewed them both as desirable employees with good work habits, and I would be pleased to re-employ them at any time. It is in my view something more than regrettable that these two people should be subjected to such embarrassment, for what third parties suspect they might do, rather than what they have actually done.

Thank you, Mr. Chairman.

1 Mr. Stanton. Thank you, Mr. Silverman.

2 The next witness we will have testimony from is Marcus
3 Raskin, Co-Director of the Institute for Policy Studies, which
4 has been the subject of a five and a half year FBI investigation.

5 Mr. Raskin.

6 STATEMENT OF MARCUS G. RASKIN, CO-DIRECTOR, OF THE INSTITUTE
7 FOR POLICY STUDIES

8 Mr. Raskin.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

I count it as a distinct privilege to appear before you today and to answer any questions which will help you in your difficult and important task.

My name is Marcus G. Raskin. I am Co-Director of the Institute for Policy Studies in Washington, D.C. I am a graduate of the University of Chicago and its Law School. I have served in the United States government for five years as an advisor to a group of Congressmen and then as a member of the Special Staff of the National Security Council under President Kennedy. I also served as a member of the Presidential Panel on Educational Research and Development and an education advisor in the Bureau of the Budget. I have written half a dozen books in the area of foreign and national security policy, political philosophy and politics, as well as numerous articles which have appeared in scholarly journals, newspapers and magazines.

Since 1963 I have served as the Co-Director of the Institute for Policy Studies with Richard J. Barnet, a leading scholar in foreign and economic affairs. In 1963 the Institute for Policy Studies was established as an independent center of research and education in public policy. Its mandate was to pursue inquiry and truth about those matters which were central to a free and democratic society. The Institute grew out of a belief that the great universities were too closely identified with ongoing policies of the federal government in the area of public policy. We believed that it was necessary to develop an institution which would be financially independent of the government. Consequently, the Institute does not accept government contracts and grants. We also believe that the major questions of our time are moral and political ones. Those of us who were in the government found that the fundamental questions about policies were virtually never asked. Thus, moral questions, or even questions about consequences, were almost never addressed. The emphasis was on "getting it done" without much concern with what the "it" was. I might add that this unwillingness in government, difficult in all cases, to ask fundamental moral and political questions, culminated in the Nixon period of government, although as you are

aware, the seeds of the Nixon era have been present in American government for many years.

Since 1963, fellows of the Institute have published books, studies, reports and articles on a wide variety of issues and questions. These studies include analysis of the university system, the media, health care, the defense system, military budget, education, multinational corporations, political theory, problems of economics, bureaucratic-accountability, problems of religion the neighborhood, as well as worker dissatisfaction and participation in the decisions of the work place. Books by Institute fellows are used in many universities. As you might have guessed from the subject matter considered, Institute fellows have been trained in various disciplines. They have received their degrees in law, economics, physics, psychology, sociology, history and political science. We have also been fortunate in developing a PhD program in conjunction with the Union Graduate School. Seminars and task force discussions are held at the Institute. Membership in such study groups usually includes members from the government, the Congress, educators from universities, people from the different citizen's movements which developed over the last decade, and fellows of the Institute. These sessions are open and informal, indeed too informal, as recent revelations suggest. In this regard, Institute fellows see themselves as as practicing public scholarship. They are "scholars of the people", available to any and all for discussion. They are not on contract to any group or corporation. In this basic sense they are independent of party. From time to time, following the principles of the best social science, the Institute has undertaken certain social inventions and projects. For example, we have begun and studied such social inventions as mini-schools, new towns for people leaving agricultural life as tenant farmers, neighborhood science laboratories and community technology labs. We have helped communities begin neighborhood governments. Recently we have initiated a clearing house of policy

alternatives for people interested in local and state governments.

During this last thirteen year period where so many values have been questioned, and where authority has been seen to be unwise and insensitive, people have reacted through the development of movements which they hoped would make real the ideals of American civilization. Movements concerning civil rights, worker participation, ecology, anti-war, consumerism, and women's liberation shaped and reflected a new consciousness on American life. These impulses set the terms of what equality, freedom and democracy should be.

We at the Institute attempted to relate our intellectual studies to this new consciousness. One reason was that people at the Institute believe that there was a congruence of the high ideals of these movements to those qualities necessary to make this society a decent and humane one. This point of view was not shared by the various police and intelligence agencies of the government who feared public scholarship and the kind of scholarship which gave information to anyone who cared to listen or read. For our troubles we have found ourselves harrassed, bugged, tailed, broken-into, eavesdropped, wiretapped and burgled. We know the following, but I am sure that now you know much more.

Every agency which has responded to FOIA requests: the FBI, the CIA, the Office of Naval Intelligence, Army Intelligence - have indicated that they have files on IPS and its fellows.

Reliable testimony indicated that:

- 1) The "special services" squad of IRS, the Service's political "hit" squad, collected information on IPS in a special room of the IRS. The IPS tax status underwent special audit for about six years. A spurious challenge to this status was finally made; it was overruled upon appeal within the IRS in 1974, as the Watergate scandal began to unravel the Nixon Administration's plans to quash domestic discussion.

2) The FBI targeted informers to infiltrate and report upon IPS meetings and seminars. Informers also attempted to gain employment at IPS, but without success. The Bureau also rifled IPS garbage, reviewing papers involved, reconstructing typewriter tapes which were thrown out, and presumably dispensing with the coffee grounds, tissue papers, paper towels, and other garbage generally thrown out each day. The Bureau files on the Institute and its fellows run to several feet of papers already, and only the barest minimum have been revealed.

3) IPS fellows were targets of the Boston grand jury investigation of the Pentagon Papers, an investigation which never resulted in indictments. Several had subpoenas issued against them, but these were dropped rather than reveal tapes of conversations which had been overheard on warrantless wiretaps.

4) It is clear that IPS fellows have had their conversations intercepted by many warrantless wiretaps, although it is not yet known on whom the taps were placed. It is clear that the IPS files were created by each of the federal agencies: the CIA, the FBI, the Office of Naval Intelligence, military intelligence agencies in general. It is not known if IPS or its fellows were targets of the special "watch lists" which were distributed to various intelligence agencies, including NSA, the FBI, CIA, IRS, and military intelligence, but it would be surprising if it were not. The Institute, Richard Barnett and I were on President Nixon's Enemies list. And various IPS trustees were given special auditing treatment.

5) As if federal attention were not sufficient, IPS came to the attention of the DC Police and their political intelligence unit. The DC police employed the same informer used by the FBI against IPS, and perhaps several others. Several mysterious break-ins took place at IPS over a course of two years.

The powerful and the state are never very comfortable with open scholarship and with the willingness to pursue questions whose answers may not serve the status

quo. This problem is one which goes with the territory for the public scholar, the scholar for the people. Ideas are indeed frightening things. They cannot be seen, but they can be felt, they represent the accumulated wisdom of people, and yet they seem ivory towered and remote; they challenge the status quo and undermine the powerful, but they can be tested and evaluated publicly and honestly. This can be done through debate, not through wiretapping or burglary. It can be done not through imprisonment, indictment, impugning the patriotism or honesty of another person, but by stating directly one's interests, arguments and purposes. The value of this hearing is that it will encourage the police agencies to think again about who they are and what they serve. It might even encourage them to come to discussions of the Institute not as spies, sneaks and informers, but as participants who are open to having their dearest assumptions challenged.

3:00 p.m.
11/18/75

1 Mr. Stanton. Thank you, Mr. Raskin. I am delighted to
2 have your testimony, and my colleague, Congressman Dellums,
3 is delighted to welcome you as a co-member of the President's
4 Enemy List, on which he is happy to join you. We would like
5 at this time for Mr. Murtagh and Mr. Hardy to pull chairs up
6 to the table.

7 We will begin the questioning of members of the panel.
8 Any member who wants to question any particular person who
9 has testified can do it now.

10 Mr. McClory. I don't want to get the answer right now,
11 but the last witness, Mr. Raskin, I guess, you mentioned wire-
12 taps in a very general way and unlawful acts and things like
13 that.

14 We are investigating the FBI today, and I would like you
15 to, at an appropriate time, delineate the precise time and
16 place when unlawful wiretaps were placed on you and any
17 members of your organization, or any other illegal acts were
18 performed by them which we could investigate with them.

19 Mr. Stanton. Fine; Mr. Raskin, do you want to respond?

20 Mr. Raskin. Mr. Congressman, may I submit the file to you?

21 Mr. McClory. Yes, that is what I want you to do.

22 Mr. Raskin. I don't have it with me, but I will submit
23 it.

24 (The information is to be supplied.)
25

1 Mr. McClory. I want to ask Mr. Murtagh, you mentioned
2 unlawful wiretaps and especially a wiretap on Martin Luther
3 King. As a matter of fact, that was a wiretap which was placed
4 on Martin Luther King by direct authority of the Attorney
5 General Robert Kennedy, was it not?

6 Mr. Murtagh. As I understand it --- I guess you have been
7 through this before, and I said, "of questionable legality",
8 and I am not concerned --

9 Mr. McClory. Just answer the question.

10 Mr. Stanton. Do you know who placed the wiretap or
11 authorized it?

12 Mr. Murtagh. No, I don't know who authorized it.

13 Mr. Stanton. That answers the question.

14 Mr. Murtagh. May I make a correction in my original
15 statement, Mr. Chairman?

16 Mr. Stanton. We would be happy to have any corrections.

17 Mr. Murtagh. This is just a short correction and will
18 only take a minute. I said that I had known thousands of
19 agents who had resigned in disgust, and I guess that would be
20 incorrect; I probably have known hundreds who did.

21 Mr. McClory. Would you give us the names of five or ten
22 you can think of?

23 Mr. Murtagh. No, sir, I couldn't give you the names of
24 five or ten agents. I don't recall names that rapidly. I
25 think I could --

1 Mr. McClory. Do you know the names of ten?

2 Mr. Murtagh. Yes; I could go back and review them. If
3 the Bureau would want to give me a list of the agents that
4 went through the offices I was in, I could pick out many.

5 Mr. McClory. Get ten for me. I would like to have the
6 names.

7 Every former FBI agent I met until you came along was
8 very proud of his service, of the FBI, and felt a sense of
9 loyalty right up until today and didn't feel any need to
10 bring such loyalty as you have today.

11 Mr. Murtagh. You and I are talking to different agents.

12 Mr. Stanton. Mr. McClory, I don't think you ought to
13 characterize the witness' testimony. ...

14 Please continue.

15 Mr. McClory. I want to ask Mr. Camejo, from 1938, I
16 think it was, until 1940 the Socialist Workers Party did, and
17 originally did advocate the overthrow of the government by
18 force of violence, did it not? . . .

19 Mr. Camejo. No, it did not.

20 Mr. McClory. It never did? . . .

21 Mr. Camejo. Never did.

22 Mr. McClory. Are you talking about never since you
23 became affiliated with it or never in its history?

24 Mr. Camejo. Never in its history.

25 Mr. McClory. Now, when you talk about that, you want to

1 assert rights such as those that were exercised in 1776 and
2 1861, those were violent revolutions, were they not?

3 Mr. Camejo. The American people chose in 1776 that they
4 wanted no taxation without representation; they wanted a
5 republic; they wanted a democracy; and there was a tyranny
6 that would not allow them to have that.

7 I don't know if you are acquainted with this type of his-
8 tory, but there was a revolution at that time which most
9 Americans supported. The entire nation is celebrating it next
10 year. You might have heard of that.

11 Mr. McClory. Was it a violent revolution?

12 Mr. Camejo. Yes, it was quite violent.

13 Mr. McClory. Is that the kind you advocate now?

14 Mr. Camejo. I support the revolution of 1776.

15 Mr. McClory. Is that the kind you advocate now?

16 Mr. Camejo. No; I think we don't need to repeat that
17 revolution. We are independent from England now, so it is
18 unnecessary to try that one again. It would be rather foolish.

19 Mr. McClory. Mr. Murtagh, in addition to the wiretap that
20 you say was illegal, will you give me the ---

21 Mr. Murtagh. Congressman, I did not say the wiretap was
22 illegal.

23 Mr. McClory. You used the expression illegal activity
24 throughout your testimony. I want to know what they were.

25 Mr. Murtagh. The illegal activity consisted of a series

1 of things --

2 Mr. McClory. I want you to delineate them.

3 Mr. Murtagh. If you will give me an opportunity, I will
4 answer them.

5 Mr. McClory. We won't have time today, because I am sure
6 there are too many you want to delineate. I want you to fur-
7 nish the Committee with a complete list of all the illegal
8 activity you were called on to perform when you were in the
9 FBI.

10 My time is up. That is why I am asking you to submit it.
11 So if you will do that, I would appreciate it.

12 Mr. Murtagh. All right, Mr. McClory, let me tell you
13 this. I will not bother to submit it for this reason: I have
14 been through this thing. My wife has been suffering --

15 Mr. McClory. I just want --

16 Mr. Murtagh. Can I make my statement or not?

17 Mr. McClory. You are not responding to my question any more
18 than Mr. Camejo responded. I want answers to questions. I
19 don't want speeches and performances here. This isn't a
20 spectacle. It is an investigation, and you are refusing to
21 respond to my question when you refuse to turn over in
22 delineated form the illegal activities which you referred to
23 in a general way in your statement.

24 Mr. Stanton. I think we will give you one moment to
25 explain, Mr. Murtagh, if you would like to explain why you are

1 not going to submit the testimony.

2 Mr. Murtagh. I am not going to continue any longer in
3 this business. If the Committee hasn't by this time collected
4 enough information to see the need for reform of the FBI, then
5 I think that the cause is lost and the country is lost if we
6 can't do it with what we have now.

7 Mr. Stanton. Thank you. The Chair would like to ask
8 Mr. Raskin if there has ever been a time when the Institute
9 for Policy Studies has ever advocated change by violent means.

10 Mr. Raskin. No, sir.

11 Mr. Stanton. Has the IPS ever engaged in training ses-
12 sions or strategy sessions for individuals who advocated
13 violence to achieve their goal?

14 Mr. Raskin. No, sir.

15 Mr. Stanton. Have they ever provided refuge for fugitives
16 from justice?

17 Mr. Raskin. No, sir.

18 Mr. Stanton. Thank you.

19 The Chair will yield to Mr. Dellums.

20 Mr. Dellums. Thank you, Mr. Chairman.

21 Mr. Murtagh, unfortunately I was not able to be here this
22 morning, -and I would like to take the opportunity to ask you
23 a few questions, perhaps in a different tone and certainly in
24 a different nature than the distinguished ranking minority
25 member.

1 Has the FBI tended to screen out certain racial
2 groups and religious groups?

3 Mr. Murtagh. I am sorry; I didn't hear the question.

4 Mr. Dellums. Has the FBI tended, over the years, to
5 screen out certain racial groups and religious groups?

6 Mr. Murtagh. Racial and religious groups. I don't
7 understand what you mean by screen out. In hiring?

8 Mr. Dellums. Yes.

9 Mr. Murtagh. There is no question about it, that the
10 selection process has been designed in such a way that a per-
11 son could not be hired in an agent capacity unless he could get
12 by an interview with a person who was already in the position
13 of, say, an SAC and the screening has been done along the
14 lines of if you look the part, if you are the type of person
15 that I am, then we will take you, and if you are not, we
16 won't.

17 I have personal experience in a situation where an
18 Air Force captain was coming into the Bureau -- I mean was
19 asking for employment and the assistant in charge in Atlanta
20 called me in. I had been assisting in screening some of these
21 people. He asked me to go out and take a look at this fellow,
22 and I went out and looked at him, and I went back in and he
23 said, "Do you see anything wrong with him?" I said, "No, I
24 can't see anything wrong."

25 He said, "Didn't you notice that he has eyes like Robert

1 Mitchum? His eyelids fall down over his eyes." I said,
2 "Yes, I noticed that." He said, "Well, I would be afraid to
3 recommend him." He said, "I got transferred one time for
4 recommending somebody that had gone on their face."

5 I give that as an illustration of the sort of qualifica-
6 tions that they looked into....

7 Mr. Dellums. Thank you, Mr. Murtagh.

8 My next question, has this policy of exclusion had con-
9 sequences or affected the results or policies of the FBI?

10 Mr. Murtagh. I think it is the whole problem because the
11 direction and the attitudes that control the thinking in the
12 FBI are the attitudes of those that are hired.

13 Now, Mr. Adams here this morning was mentioning that they
14 were having trouble recruiting minority agents. I happened to
15 know of a situation where I recruited minority people in
16 Atlanta for clerical positions at the request of the SAC,
17 several hundred of them over a period of four years, and I
18 recruited them very vigorously...

19 My job was merely to get them, approve them for investi-
20 gation, and then other agents conducted the investigations.
21 We got to the point where we had a hundred or more finished
22 investigations at the Bureau...

23 The boss at that time was Joe Ponder, the boss in
24 Atlanta. He came to the Bureau for his yearly conference and
25 came back to me, came up to my desk, sat down and said, "Art,

1 I was at the Bureau last week, and I went around the horn
2 and talked to all the supervisors until I got to Adams, and
3 Adams spoke to me and he said, "One way or another, you have
4 got to stop Murtagh's movement" -- meaning Murtagh's Blacks --
5 "coming up to the Bureau to work." And he says, "If you don't
6 stop it, you are going to get those niggers back down south
7 to work in your office."

8 Mr. DeLoach. Thank you, Mr. Murtagh. My next question
9 is, does the FBI have a political philosophy, and, if so, does
10 the agency's political views affect its investigation of
11 Blacks, browns, reds, yellows, Socialist Workers Party,
12 anti-war movement and other so-called dissident groups?

13 Mr. Murtagh. The emphasis on all the intelligence investi-
14 gation is to hit the left hard and to ignore the right until
15 they do enough damage as they did in the sixties in the Klan
16 situation, to do enough damage so that the Bureau is forced
17 into investigating by the press...

18 I went into Birmingham in the Birmingham bombing situation
19 and the trouble in Birmingham with a group of agents in the
20 early sixties and the Bureau at that time -- the Brown deci-
21 sion came down in 1954 and by 1962 they had nothing on the Klan
22 in Alabama other than a list of first names and that sort of
23 thing, no penetration whatsoever, and if you contrast that
24 with the intensive investigations that they made of the Black
25 units -- and I did them myself, so I know what I am talking

1 about --- the Black units in the Atlanta area during the
2 sixties when certain Blacks became militant, there is no com-
3 parison whatsoever of the effort put in, the agent time, the
4 amount of agents assigned to the job, the thoroughness with
5 which the investigations were worked in connection with Black
6 militants as opposed to the Klu Klux Klan.

7 The only time they investigated the Klan was when there
8 was actual murder and the press forced them into it.

9 Mr. Dellums. Thank you very much for that illuminating
10 testimony, Mr. Murtagh.

11 Mr. Stanton. The Chair recognizes the gentleman from
12 Colorado.

13 Mr. Johnson. Thank you, Mr. Chairman.

14 Mr. Murtagh, this morning you said with respect to the
15 call that you had from a Colonel Klink about the Andrew Young
16 election, that you thought that the information, his hand-
17 writing sample, I believe it was, was going to be used in an
18 unrecorded counterintelligence operation to destroy Mr. Young's
19 chances of being elected.

20 Was that anything that you knew about, or is that a
21 speculation on your part?

22 Do you know of any kind of counterintelligence operation
23 against Mr. Young or any other candidate for Congress?

24 Mr. Murtagh. That I know of personally, myself?

25 Mr. Johnson. Yes, sir; that you know of.

1 Mr. Murtagh. No, I know of another situation involving
2 information that was used in that manner or at least Arthur
3 DeLoach told us it was, in which they picked up some informa-
4 tion on a midwestern -- I wouldn't mention his name, but a
5 midwestern Senator who was in a hit-and-run accident situation.

6 He told us this in a class with fifty agents present here
7 in Washington on the week that Kennedy was killed. >

8 Mr. Johnson. Was that used by the FBI in operation
9 against somebody's election?

10 Mr. Murtagh. Here is what DeLoach said. Somebody asked
11 him, "What do we use all this memorandum stuff we put in about
12 things we see, what do you do with it?" DeLoach said, "You
13 fellows have been in the Bureau for more than ten years, so I
14 guess I can talk to you off the record." He said, "The other
15 night we picked up a situation where this Senator was seen
16 drunk, in a hit-and-run accident, and some goodlooking broad
17 was with him." He said, "We got the information, reported it
18 in memorandum", and DeLoach -- and this is an exact quote --
19 he said, "By noon the next day the good Senator was aware that
20 we had the information and we never have had any trouble with
21 him on appropriations since."

22 Mr. Johnson. Anything else, any other operations that
23 you might know about?

24 Mr. Murtagh. I am only one agent.

25 Mr. Johnson. I understand that. I am just asking you if

1 we are going to find out about this, we have to know what our
2 witnesses can tell us. I would like to know what you thought
3 might be the kind of counterintelligence operation that could
4 be used to destroy Mr. Young's chances by getting a hand-
5 writing sample?

6 Mr. Murtagh. Well, I didn't put it all in the statement.
7 The supervisor in that case said something to the effect that
8 they wanted it to disrupt the relationship between Andrew
9 Young and his co-workers in the SCLC unit by a counter-
10 intelligence operation which I knew to mean writing letters and
11 seeing that they got into SCLC indicating that Hosea Williams
12 was saying something about Young or something of that nature
13 and having them surreptitiously delivered to the individuals
14 causing internal difficulty.....

15 Mr. Johnson. Does the Committee know who Colonel Klink
16 is and who called him with this idea and on whose orders that
17 was initiated?

18 Mr. Murtagh. His name is Charles Harding. He is retired
19 from the Bureau now.

20 Mr. Johnson. He is the one you identified as Colonel
21 Klink?

22 Mr. Murtagh. The last I heard, he was working as a fund-
23 raiser for SCLC.

24 Mr. Johnson. Do we know who initiated that contact with
25 Colonel Klink?

1 Mr. Murtagh. Who initiated it?

2 Mr. Johnson. Yes; you said he received a call. You
3 don't know whose orders this allegedly originated with; is
4 that correct?

5 Mr. Murtagh. All I know is Klink called me in after
6 hours, and he said, "Art, the Bureau called. Can your boy
7 get" -- apologies for the reference to boy, but -- "can your
8 boy" -- meaning my Negro informant -- "can your boy get hand-
9 writing samples and letterhead material and envelopes from
10 SCLS?"

11 I responded, "Yes, he can, but he won't, and I know what
12 you want them for." I said, "You and your crowd are going to
13 run a counterintelligence operation and you can tell that
14 guy at the Bureau I won't do it."

15 Mr. Johnson. Did Colonel Klink confirm what --

16 Mr. Stanton. Your time is up.

17 Mr. Johnson. I am sorry...

18 Mr. Stanton. Thank you...

19 The Chair recognizes the gentleman from Florida,

20 Mr. Lehman.

21 Mr. Lehman. Just a couple of brief questions on provoca-
22 teurs and the information I received was that there were no
23 provocateurs used previously to now or in the present time
24 acting as provocateurs.

25 This is contradictory to some information that I had

1 received, and I just wonder, I have no quarrel with informers,
2 but how do you keep informers from becoming provocateurs, and
3 did you have knowledge of any provocateurs when you were in
4 the FBI?

5 Mr. Murtagh. I spoke to Mr. Hardy this morning when the
6 question of provocateurs came up and said it is my judgment
7 that the situation that he told you about is probably a rarity
8 in the Bureau. I think that it was probably the actions of
9 an individual agent.

10 The Bureau, to my knowledge, never indicated they wanted
11 you to develop a provocateur, but, of course, it is also my
12 feeling that this unbalanced political membership of agents,
13 that is, the fact that they are all rightwingers rather than
14 having a liberal here and there, this creates an atmosphere
15 in which provocateurs develop.

16 If you were in the Bureau and you were a racist, you
17 were a strong supporter of the Viet Nam War; you hated all the
18 minority groups; you could be very popular, because most of the
19 agents felt that way.

20 Mr. Lehman. That was a little different -- I was trying
21 to find out if you had any information as to --

22 Mr. Murtagh. No; frankly, I think the Bureau did not want
23 the agents to develop provocateurs.

24 Mr. Lehman. I am just trying to find out the facts; that
25

1 is all. Thank you.

2 Mr. Stanton. I would like to thank the witnesses for
3 coming. We are going to adjourn the Select Committee until
4 twenty to four, at which time we will have questions for the
5 early-morning witnesses from the FBI.

6 Thank you very much for coming. We appreciate it.

7 (The Committee stands recessed until twenty to four.)

3:50 8 Mr. Dellums (presiding). The Committee will come to
9 order. May we have the FBI witnesses return to the table,
10 please?

11 May I ask the gentlemen who are witnesses if you have
12 opening statements? If you don't, we will proceed to the
13 questioning.

14 Mr. Wannall. Mr. Chairman, we appeared earlier today
15 and there was an opening statement. I would appreciate just
16 a couple of minutes to make a few remarks, if I may.

17 Mr. Dellums. You may proceed.

18 FURTHER TESTIMONY OF W. RAYMOND WANNALL, OF FBI

19 Mr. Wannall. Chairman Pike asked that I remain this after-
20 noon and listen to the testimony which has been given by the
21 witnesses who appeared.

22 Prior to our arrival here this morning, we had not received
23 the statements which were utilized by those witnesses in making
24 their presentations. We are not in a position to discuss in
25 detail the various allegations which have been made. We

1 certainly are in a position to talk about our policies and
2 procedures, and from the allegations which I have heard today,
3 I can assure you that they do not represent the policy of the
4 FBI at this time, and, to my knowledge, not at any time in
5 the past.

6 There were some questions which Congressman Dellums posed
7 regarding our policy with respect to employment of minority
8 groups. I had the opportunity during the recess, from which
9 we have just returned, to have a call placed to our office,
10 and I do have figures with respect to employment of minorities
11 as of October 31, 1975.

12 May I say before I put these figures on the record,
13 Mr. Adams addressed himself this morning to the efforts which
14 are being made to build up our complement among the minority
15 groups.

16 As of October 31, we had among our special agent comple-
17 ment 103 agents who are Blacks, 113 with Spanish-American
18 surnames, fourteen of American-Indian background, twenty-one
19 of Oriental background.

20 We do have on our rolls to date 37 female agents, and a
21 very great need for additional ones among the female agents and
22 among the others which I have delineated.

23 Chairman Pike. To put those figures in perspective, can
24 you tell us out of how many agents?

25 Mr. Wannall. Our total agent complement is in the

8300 to 8400

1 neighborhood of 8,384.

2 Among our clerical complement we have 1,863 Blacks, 263
3 with Spanish-American surnames, thirteen American Indians, and
4 96 Orientals. Very many of these are females. I have not
5 tried to delineate between the males and females of our
6 clerical complement.

7 It is the charter of this Committee to check into our
8 operations, and I hope that that also, Chairman Pike, will be
9 put into perspective. We have been discussing only the domes-
10 tic intelligence operations of the FBI. May I give you an
11 idea of what percentage of our overall operations that repre-
12 sents?

13 The FBI does have investigative responsibility under some
14 135 statutes. The agent complement of the 8,384 agents we
15 have, there are less than ten percent who are engaged in our
16 domestic intelligence operations. The most up-to-date figure
17 I have at my fingertips was as the result of a survey made in
18 April last year, and the precise number was 788, and that num-
19 ber has been reduced since that time.

20 Some three years ago, that number was over 1,200. The
21 trend has been downward, as a result of our requirements to
22 place on higher priority work additional manpower.

23 There have been statements made or questions asked, per-
24 haps I should say, with regard to the FBI utilization of agent
25 provocateurs. When we speak of agent provocateurs, I am sure

1 we are speaking about activities which would amount to entrap-
2 ment.

3 Ever since I have been in the FBI, and that has been
4 about a third of a century, there has been in our manual a
5 very specific prohibition against any agent engaging in entrap-
6 ment. Any agent who was found to have engaged in that would
7 be subject to severe disciplinary action.

8 With regard to the utilization of informants: At the
9 present time in our domestic intelligence area, we are investi-
10 gating a certain number of organizations, each of which has
11 numerous chapters, districts, clubs. If you put all of those
12 together, including the segments of the organizations as well
13 as the principal organizations, we would come up with a figure
14 of over 1,100 organizations or subdivisions of organizations
15 that to some extent would receive investigative attention.

16 Our total number of informants in our domestic intelligence
17 area is less than that number, less than 1,100. The extent of
18 our use of informants might be best represented -- and I might
19 explain here that I am talking about informants not only in our
20 domestic intelligence area, I am talking about those we use in
21 our foreign counterintelligence operations. I am also talking
22 about those individuals whom we have under inquiry for the pur-
23 pose of determining whether or not they may be utilized as
24 informants.

25 The total amount of money paid for all of these things in

1 1974 was one-half of one percent of the FBI's budget. In no
2 year in the last twenty has it exceeded 1.2 percent of the
3 budget. And that figure was attained at a time when our activi-
4 ties were particularly concentrated in our foreign counter-
5 intelligence areas.

6 The witnesses who have appeared this afternoon are con-
7 nected with organizations -- not all of them, the majority --
8 organizations which are currently involved in litigation involv-
9 ing also the FBI as well as other agencies and officials of
10 our government. The Socialist Workers Party presently has a
11 suit pending for some \$27 million against numerous officials
12 and agencies of the government.

13 I offer to you, Mr. Chairman, that in connection with that
14 suit we have, of course, been required to file pleadings
15 papers indicating the basis for investigation, and if the Com-
16 mittee would be interested in having a copy of that particular
17 paper, we would be very happy to submit it for the Committee
18 records.

19 Chairman Pike. I don't have any idea how voluminous these
20 documents are, but without objection, they will be made part of
21 the Committee records.

22 Mr. Wannall. I spoke particularly of the documents showing
23 the basis for our investigation, Mr. Chairman.

24 Chairman Pike. Can you tell me roughly the size of that
25 document, that is all I am asking.

1 Mr. Wannali. I am told it is about five pages.

2 Chairman Pike. That is fine. Without objection, it will
3 be made part of the record.. . . .

4 (The information is to be supplied.)
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 Mr. Wannall. There was one statement made by Miss Lori
2 Paton this afternoon that I would like to comment upon.
3 There is litigation involving Miss Paton at the present time,
4 also, so I do not want to go extensively into it, but she did
5 make a statement that when she wrote to the Director of the
6 FBI to inquire as to whether there was an FBI investigation of
7 her, she received a reply in the negative, and I am sure that
8 is the case.

9 She has explained there were three contacts which were
10 made, and I think this morning it was pointed out that it took
11 us six months really to get around to doing this, but three
12 contacts that were made and established that she was a high-
13 school student and in connection with a civics class, I think
14 it was, had prepared and sent a letter.

15 When that information was developed, it was considered by
16 our field office as completely insignificant, not of suffi-
17 cient significance to send to headquarters, so when Miss Paton
18 wrote to headquarters and made this inquiry, we had absolutely
19 no record in the files of our headquarters division with
20 respect to Miss Paton, and that was the basis for her having
21 received the reply which she did.

22 Thank you, Mr. Chairman. I did want to make these few
23 remarks, and if I am able to reply to matters of a policy or
24 procedure nature, I would certainly be most happy to attempt
25 to.

Chairman Pike. I am interested in your last comment that there was no record at headquarters involving this Paton case. Are you saying there was no record at all at headquarters involving this Paton case?

Mr. Wannall. At our headquarters here in Washington.

Chairman Pike. Now, are you saying that this mail cover surveillance under which Miss Paton's name got picked up was not operated out of Washington but was operated on a regional basis?

Mr. Wannall. No, sir.

Chairman Pike. How did the regional office get Miss Paton's name?

Mr. Wannall. Through the mail cover concerning --

Chairman Pike. So there was some record in Washington of Miss Paton's investigation, at least that her name had been sent from Washington to the regional office; is that not correct?

Mr. Wannall. No, sir. The mail cover in order to be established -- and I think it ran for a period of some 120 days -- had to be approved at headquarters. It could not have been put on without headquarters approval. In fact, it could not have been put on without the approval of the chief postal inspector of the Post Office Department.

The mail cover then was operated in a regional office covering the Socialist Workers Party.

Chairman Pike. You mean that once the headquarters says go ahead and run a mail cover, they no longer get any records as to the result of the mail cover?

Mr. Wannall. We get complete records of significant information.

Chairman Pike. Well, here is a situation in which a kid in a high school class wrote to a political party and, as a result, got investigated by the FBI. That is really what it boils down to.

Then when she found she was being investigated by the FBI, she wrote to the FBI and asked them whether she was being investigated by the FBI and they said no.

Now, I don't really think that you can avoid responsibility for this sort of misinformation by the bland statement that "We didn't have any records about her in Washington."

Do you mean the FBI every time that anybody asks them whether they are being investigated doesn't bother to check in the region?

Rudolph
follows
3:59 p.m.

dolph
Kls

1 Mr. Wannall. No, sir. What I am trying to convey
2 to you is that our manual, which provides the guidelines for
3 investigation in this area, a copy of which has been sent
4 to you --

5 Chairman Pike. Well, the letter which was sent to Mr. Frank
6 Askin on July 6, 1973, was from the Newark, New Jersey,
7 office and was signed by J. Wallace LaPrade, Special
8 Agent in Charge, and flatly denied that there was any
9 investigation by the Bureau. That didn't come from Washington;
10 that came from the Regional Office and from the man who
11 purported or alleged that he was in charge of the investigation.

12 Mr. Wannall. I am not familiar with the letter, but
13 I was basing my remarks on ^{Miss} Mrs. Paton's statement that the
14 Director of the FBI had lied to her.

15 I assumed from that she had written to Headquarters.

16 Chairman Pike. I don't know whether she said the
17 Director had lied to her. She said the FBI had lied to her.

18 Mr. Wannall. Then I took my notes down incorrectly,

19 Mr. Chairman.

20 Chairman Pike. It is possible that you are right.

21 But the man in charge, J. Wallace LaPrade, is a real name,
22 he was the one in charge of this and here is the language
23 of the letter: "After carefully reviewing the facts in this
24 matter, I have concluded there was no impropriety on the part
25 of investigative personnel of this bureau and that the FBI

1 has no knowledge of any letter Ms. Paton may have sent
2 to the Socialist Labor Party. You may be sure that Ms.
3 Paton is not the subject of an investigation by this Bureau
4 and that the FBI does not maintain a general policy of surveil-
5 lance of correspondence of political groups such as the
6 Socialist Labor Party."

7 We are now talking about the Socialist Labor Party
8 as opposed to the Socialist Workers Party. But other than
9 that, it seems to me a rather straightforward mis-assertion
10 of the facts as they actually were.

11 Mr. Wannall. Mr. Chairman, I will be very happy to pursue
12 this, get the facts and submit them to you. I was endeavoring
13 to address myself to the policies and procedures that we
14 have.

15 Chairman Pike. Mr. McClory.

16 Mr. McClory. Thank you, Mr. Chairman.

17 With respect to the employment of FBI agents, Mr. Murtagh
18 stated that there were thousands who have been forced to
19 leave the FBI service in utter disgust. Now you state that
20 you have 8300 agents. How many were asked to resign last year
21 or how many resigned voluntarily last year?

22 Mr. Stanton. Would the gentleman yield for a second?
23 He amended his statement.

24 Mr. McClory. I know, but I am just asking how many.
25 I am not asking whether he made a direct statement or not.

1 Mr. Stanton. You would not want to misrepresent what
2 he said.

3 Mr. McClory. That is his written statement. All I
4 want to know is how many wanted to resign or how many requested
5 to resign. Would you furnish us with that information for the
6 last two or three years so we will know how many are resigning
7 in disgust or what?

8 Mr. Wannall. Mr. McClory, the best way I can answer
9 that is to tell you that the turnover rate among agents,
10 if you exclude those who retire, is less than 3 percent.

11 Mr. McClory. With respect to informants, that is a
12 legitimate and very vital way of securing information
13 and intelligence, isn't it?

14 Mr. Wannall. Yes, sir.

15 Mr. McClory. You are not going to discontinue that
16 because we have some intelligence excesses or failures or abuses,
17 I hope.

18 Now also, Mr. Murtagh, of course, came to work for you
19 in 1951. That was before the Civil Rights Act of '64 and before
20 the Voting Rights Act of '65.

21 We have had a change, have we not, during these later
22 years with respect to rights of minorities, especially the
23 rights of blacks to vote and unemployment and things like
24 that and they have been reflected in the FBI as well as in
25 all segments of our society, I trust. Is that right?

1 Mr. Wannall. I think that is a correct statement, sir.

2 Mr. McClory. Mr. Murtagh also testified about the wiretap
3 of Martin Luther King, Jr., but he didn't seem to know
4 whether it was authorized or unauthorized, actually.

5 Actually, that was authorized by a former Attorney General,
6 Robert Kennedy, was it not?

7 Mr. Wannall. It was authorized, yes, sir.

8 Mr. McClory. Now, with respect to state wiretaps,
9 you don't have anything to do with that, whether they are
10 authorized or unauthorized, do you?

11 Mr. Wannall. No.

12 Mr. McClory. Have you had any kind of wiretaps on this
13 organization which is the IPS Institute of Policy Studies, do
14 you know?

15 Mr. Wannall. Mr. McClory, that case is in litigation
16 and we would be very glad to answer that in executive
17 session.

18 Mr. McClory. With respect to the Socialist Workers
19 Party, did they at one time, according to your information,
20 advocate the overthrow of the government by force and
21 violence?

22 Mr. Wannall. Yes, sir.

23 Mr. McClory. When was that?

24 Mr. Wannall. It is my recollection that Leon Trotsky
25 established the Fourth International in 1938 and the Party

1 here in the United States was established at the same time.

2 Mr. McClory. Do you regard them as a revolutionary
3 party now that is advocating overthrow of the U. S. Government
4 by force and violence?

5 Mr. Wannall. I would have to say I regard them as
6 a party that follows the doctrine of Marxism-Leninism as inter-
7 preted by Leon Trotsky.

8 Mr. McClory. How about the Institute of Policy Studies,
9 do they advocate any violent overthrow of the Government?

10 Mr. Wannall. I have no knowledge to that effect.

11 Mr. McClory. We have quite a large file here. This is
12 the FBI file on the IPS. Why do we keep such a large file
13 on that?

14 Mr. Wannall. As was pointed out this morning, we had
15 investigation, I think it was for about five and a half
16 years.

17 Mr. McClory. Do they pose some threat to the United
18 States Government?

19 Mr. Wannall. I think our investigation principally
20 was based on the individuals who were involved in the
21 organization as opposed to the organization itself.

22 Mr. McClory. Do the individuals who belong to the
23 organization belong to some other organizations that advocate
24 the overthrow of the government by force and violence?

25 Mr. Wannall. I think the principal basis for our opening

1 active investigation was the association or connections,
2 at least, with an organization which was known as the Students
3 for a Democratic Society which ultimately evolved into two or
4 three organizations, one of which is the Weathermen³ underground
5 today.

6 Mr. McClory. My time is up.

7 Chairman Pike. It is my understanding, Mr. Hayes,
8 that because of the bells, you got counted out of your
9 questioning period. The gentleman is recognized.

10 Mr. Hayes. The feeling that I get is that somehow I am
11 plunged back into a very murky ideological swampland.
12 I didn't really realize that anybody was still tramping
13 around discussing at the kind of level that has been discussed
14 today and in the testimony particularly, the ideological
15 posturings of groups in America. I think it is really quite
16 strange and to me quite disturbing. I want to simply comment
17 on some views that were placed in the record by Mr. McClory,
18 particularly, some views I think probably ought to be taken
19 into account considering the testimony we have had here
20 this morning and considering some of the explanations
21 that you have given.

22 The question of how long we should stay with an
23 investigation of someone is answered, I think, basically
24 by the FBI and the other witnesses representing the FBI
25 as being interminably until such a time as they might renounce

1 the use of force or the use of terrorism or any device
2 in carrying out what their end result might be, what they
3 desire. That might be a change in the economic or political
4 structure of this country. But as I understand it, this
5 particular group here today is just simply saying that there
6 is going to be a revolution, economic or political, and
7 there is nothing they can do to either start it or stop it,
8 and not much we can do to start it or stop it, but it is
9 simply something that is going to happen.

10 The renunciation of something really is not in our
11 laws. I do not know of anyplace we have a requirement, in the
12 Smith Act, which has been cited ad infinitum today, or any
13 other act. So we do not require the renunciation of any
14 course of action. If somebody is silent, they stay silent.
15 If you pursue these people because of their regard for Trotsky--
16 have you heard of Max Eastman, because if you haven't heard
17 of him, he was drowned reading the Reader's Digest. But he
18 did happen to be Trotsky's secretary at one time. I think
19 it is an expensive chore that you are getting the Government
20 into if you are suggesting to policy makers that we pursue
21 these investigations to some degree.

22 This is where I think Mr. McClory is mistaken when he
23 lauds loyalty and this fastening down and makes all kinds
24 of inquiries about what you found out about what somebody
25 believes. You said you do not investigate organizations, but

1 rather individuals in organizations. That is rather a
2 sophistical way of looking at it. I don't believe it washes
3 out and I don't know of any legislative charge that would allow
4 you to do that. I think quite properly we should not be
5 heaping too much blame on the FBI because it does rest
6 with the Attorney Generals and ultimately with the Presidents
7 and with the Congress to a great degree.

8 We have allowed monuments to be built to the FBI in
9 the form of the office building you are now working at and we
10 allow even some kind of admiration to grow up by saying we
11 know most of the agents are really loyal to the organization.
12 I don't hear of anybody talking about loyalty to the Fairfax
13 County Police Department. It seems to me this is an instance
14 where our ministerial officers, whether they are police
15 officers or whatever, really have one job to do, and that
16 is carry out with reasonableness the laws of this country.

17 Mr. McCloxy is also interested in the use of informants
18 and how swell they are, and I think they probably are, in the
19 case of solving the enormous amount of Dyer Act cases
20 in the United States. But I think most of us who have
21 hung around in the courts system for any amount of time know
22 what type of informants we are talking about. We are talking
23 about the people you ask, "Did you see a yellow Plymouth convertible
24 in your neighborhood and if they did, you have to pick it up.
25 That is how we use informants. You are not cracking any

1 big cases using them. So I think it is important that
2 we begin in some manner or other to qualify the kind of
3 testimony that we have here from Mr. Adams at page 11, which
4 I covered this morning, about how or where we ought to be
5 and that there are those who have as an ultimate goal the
6 overthrow of this country. That is a broad misstatement
7 and a misunderstanding of the ideological philosophy of those
8 groups which is a particular misunderstanding of your group being
9 intelligence officers of this country.

10 Chairman Pike. The gentleman's time has expired.

11 If you would like to comment at all you are welcome to.

12 Mr. Wannall. I would only say that we do, of course,
13 provide all our material to the Department for review.

14 I think you are aware that the Attorney General is addressing
15 himself to the matters Congressman Hayes brought up in
16 the preparation of a series of guidelines at the present time.

17 Chairman Pike. Mr. Stanton.

18 Mr. Stanton. Mr. Wannall, you have had
19 an opportunity, in your position with the FBI, to examine
20 in 1975 and 1974 what I would call the Socialist Workers
21 Party modern structure.

22 Do you consider any of the modern structure of the Socialist
23 Workers Party a threat to this country?

24 Mr. Wannall. Congressman, I think we are trying
25 to resolve in this forum a matter which is before the courts
at the present time.

1 I would be reluctant to try to give you a reply to that.
2 I think the Courts themselves are going to make the decision
3 in connection with the current litigation.

4 Mr. Stanton. You rely, apparently, upon your investi-
5 gation of the Socialist Workers Party on the predication
6 that Mr. Trotsky was the founder of this organization.
7 You stated or inferred that Mr. Trotsky advocated the
8 overthrow of the Government of the United States. Do you
9 believe that statement?

10 Mr. Wannall. I don't know that I inferred that he specifi-
11 cally advocated the overthrow of the Government of the United
12 States. To my knowledge he was never here. But I have offered, and
13 certainly will follow through on the offer, to provide to the
14 committee a five-page document which shows the basis
15 for the investigation.

16 Mr. Stanton. A five-page document? I will be happy
17 to look at that.

18 Can you justify now, after the fact, in your own mind,
19 illegal entries by the FBI as a practice, historically?
20 Do you think it is justified that the Government should ever
21 authorize, whether it is illegal or not, an agency of the
22 Government that has a police jurisdiction to be involved in
23 violation of the law?

24 Mr. Wannall. Congressman Stanton, that matter is under
25 review by the Attorney General. I think the reason it is

1 under review, I heard someone cite an example, if a law
2 enforcement agency knew that a group had an atomic bomb in
3 the basement of the building and had an opportunity to prevent
4 its going off, should the agency go in or not? There are
5 ramifications to this.

6 Mr. Stanton. That would not be a violation of the law.

7 Mr. Wannall. Well, take something, then, that is not
8 fissionable material, which does not specifically rest
9 in the Atomic Energy Act.

10 Mr. Stanton. If you are an FBI agent and you have
11 knowledge of somebody who has nuclear material and if you had
12 knowledge that they might use that nuclear material in a
13 way that might damage the rights of other people or damage
14 them physically, then you have a duty. Would you?

15 Mr. Wannall. I'm sure this is the rationalization which
16 is being followed by the Department in connection with
17 the consideration of the problem.

18 Mr. Stanton. There is a provision under the law which
19 allows for search and seizure by governmental agencies.
20 Warrant for search and seizure is authorized under the law.
21 But I think as a matter of philosophy and policy that is
22 important. You have a high position in the FBI. You have
23 a high responsibility to ensure that from this day forward there
24 is not a violation of the law in terms of the conduct of the
25 United States Government. I think it is important to get from

1 you some ideas as to whether you would justify in
2 your own mind an illegal act such as must have been justified
3 at some point in time by Mr. Hoover as head of the FBI.

4 Can you see any chance where you would act at some point the
5 way Mr. Hoover acted?

6 Mr. Wannall. I cannot see any circumstances where I
7 would either authorize or engage in an illegal act.

8 Mr. Stanton. I think that is important. You are going
9 to affect the decisions of the Bureau and affect the careers
10 of young men who will be coming in the Bureau in the future.
11 I think your attitude in how you thrust these questions
12 in terms of the disciplines within the Bureau itself are
13 important for the future of the Bureau. There are many of us
14 here who abhor the fact that you get involved in what we
15 consider frivolous investigations at times or illegal
16 investigations. We want to correct those abuses but at the same
17 time we want a bureau which represents the best part of the
18 American people and the American public.

19 Mr. Wannall. I am sure our Director does, too, and I can
20 assure you I do, Mr. Stanton.

21 Chairman Pike. Mr. Johnson.

22 Mr. Johnson. Mr. Wannall, did you have a chance to
23 hear or see the testimony presented by Mr. Hardy with respect
24 to the Camden operation?

25 Mr. Wannall. I was not here during his testimony this

1 morning.

2 Mr. Johnson. Have you seen that?

3 Mr. Wannall. I glanced over it at lunch time.

4 Mr. Johnson. Is there anything you would care to say
5 in reply to that?

6 Mr. Wannall. No, sir.

7 I cannot comment on it. The case in fact was not
8 even handled in the Division of which I am the Assistant
9 Director. It was in another division. I have no first hand
10 knowledge which would lend any information to the deliberations
11 of this committee.

12 Mr. Johnson. Well, I think that in the event that
13 anybody at the Bureau chooses to, the committee would be pleased
14 to hear any reply which you might care to offer.
15 I would ask the Chairman, without objection, that that opportunity
16 may be made available.

17 Chairman Pike. Certainly.

18 Mr. Johnson. If they choose to. There may be. At
19 this point the statement stands un rebutted. We are offering you
20 this opportunity.

21 Mr. Wannall. I can certainly say what I read in that
22 statement does not represent the policy of the FBI.

23 Mr. Johnson. I understand it is not the policy. It
24 might be an aberration. That is what we are trying to find
25 out. Aberrations can happen. We would like to have verification

1 or your statement that it is or is not the truth, if
2 you care to make it.

3 Chairman Pike. If the gentleman will yield for just a
4 moment, I would simply say that that request which you made
5 with regard to Mr. Hardy's statement, would hold forth to any
6 of the statements which you would like to comment on, any
7 statement made during the course of the day.

8 Mr. Wannall. Thank you.

9 Mr. Johnson. I would like to pursue in the brief time
10 I have remaining your response to Mr. McClory's question
11 about whether or not the Socialist Party poses a threat through
12 violence to this country. Your answer was evasive. I under-
13 stand you don't make policy, necessarily. But your answer was
14 evasive, based on the fact of adherence to the Fourth International
15 but in essence according to the testimony as I heard it,
16 and as I say, I am an old District Attorney and I am
17 prosecution-minded, you have been surveilling people for 30
18 years on the basis that they might commit a crime sometime
19 in the future. I would like to know at whose direction
20 this process was started, how often it was reviewed, if
21 it was reviewed? Is it something that just got started
22 and goes on forever without anybody considering whether
23 it should be stopped or whether it was re-evaluated. We do not
24 have any testimony justifying this kind of conduct.

25 I also know you said that wasn't your policy, yet

1 it has gone on.

2 Mr. Wannall. I am not able to tell you who started
3 it. It started before I did in the Bureau. But we do have
4 the regular practice and procedure of sending our reports
5 to a section at the Criminal Division of the Department of
6 Justice with the understanding that if there is objection
7 to our continuing with an investigation, it will be called
8 to our attention.

9 Mr. Johnson. If anybody objects?

10 Mr. Wannall. If a decision is made that we should
11 discontinue, we would be notified, may I put it in that
12 sense?

13 Mr. Johnson. And that would be made by the Department
14 of Justice.

15 Mr. Wannall. Yes, sir.

16 Mr. Johnson. By the Attorney General?

17 Mr. Wannall. By a section in the Criminal Division which
18 of course is under the Attorney General.

19 Mr. Johnson. I suppose there is an Assistant Attorney
20 General involved?

21 Mr. Wannall. There is an Assistant Attorney General
22 in charge of the Criminal Division.

23 Mr. Johnson. Is that an appointed office? Is that
24 one of those offices where you have people that are serving
25 for a while and then they go out and another is appointed

1 and he goes out? It looks to me this is probably what
2 happened, that they started the investigation 30 years ago
3 and nobody ever challenged it or stopped it.

4 Mr. Wannall. It is an appointed office, but I'm sure
5 the reports are not personally reviewed by him. They are
6 probably reviewed by someone under him, who would certainly
7 have some degree of continuity in his position.

8 Mr. Johnson. What kind of oversight in the Congress
9 do we have to check these things?

10 Mr. Wannall. Oversight by Congress?

11 Mr. Johnson. Yes, has anybody in the Congress ever said
12 "Why are you doing this and why have you continued for
13 30 years when you have not found there is any danger?"

14 Mr. Wannall. I don't know whether it would be termed
15 oversight as such, but I think during the entire period of
16 time the Director of the FBI testified in connection with
17 the appropriations of the FBI.

18 Mr. Johnson. We have had testimony about what that
19 kind of testimony involved. If that is what it was, it is
20 understandable as to how it went on so long.

21 Chairman Pike. Mr. Dellums.

22 Mr. Dellums. Before going into questions, I would like
23 to say I appreciate your going into statistics with respect
24 to minorities employed by the FBI. But in appropriate terms
25 your employment of blacks is 1.2 percent and in a nation

1 where 51.2 percent of the population is women, you have
2 .4 percent women agents.

3 Now with respect to your statement about the Fourth
4 International, as I understand it, the Socialist Workers
5 Party was affiliated with the Fourth International back in the
6 late '30s which was not illegal. As a result of the passage
7 of the Voorhis Act the Socialist Workers Party discontinued
8 any affiliation from that day to the Fourth International
9 which in my opinion flies in the face of your justification
10 for 30 years of intimidation, burglarizing, warrantless wiretaps
11 and other programs you have used to justify under the absurd
12 nomenclature of counter-intelligence program. With respect
13 to the Socialist Workers Party specifically, as I understand
14 this morning you testified that the FBI has not engaged in
15 surreptitious entry or burglary since 1965.

16 In the fall of 1971 the Office of the Michigan Socialist
17 Party was burglarized and file materials were taken. In
18 April, 1973, the Civil Service Commission confronted a former
19 SWP member with a copy of a letter of resignation from SWP.
20 The letter had been in the burglarized file.

21 My questions are twofold. Has the FBI burglarized SWP
22 offices and specifically have you burglarized Michigan offices
23 of the SWP?

24 Mr. Wannall. Congressman Dellums, this morning the
25 date I mentioned was 1958 as opposed to 1965. I have no knowledge
that the FBI has burglarized the Socialist Workers Party

1 in that or other instances you are talking about since then.

2 Mr. Dellums. You say you have no knowledge. Let me
3 put it this way: I would like to suggest that you check
4 the files and if there is any material leading to any facts
5 that you burglarized the SWP or the Michigan Office, would
6 you supply that in writing to this committee?

7 Mr. Wannall. The files have been checked, and I assure
8 you there is nothing in the files to indicate that in 1971 the
9 Michigan office was burglarized.

10 Mr. Dellums. Thank you.

11 FBI Manual Section 122, entitled "Extremist Matters
12 and Civil Unrest" says in part: "In addition to the three
13 principal statutes outlined above the following statute would
14 pertain to investigations of Klan and other white hate groups.

15 (4) Civil Rights Act of 1968 (T18, USC, (241)

16 In summary, this statute makes it unlawful for two or
17 more persons to conspire to injure, oppress, threaten, or
18 intimidate any citizen in the free exercise or enjoyment of
19 any right or privilege secured to him by the Constitution
20 or laws of the United States. Additionally, it prohibits two
21 or more persons going in disguise on the highway or on the
22 premises of another with intent to prevent or hinder his
23 free exercise or enjoyment of any rights secured by the
24 Constitution or the laws of the United States."

25 Doesn't this in fact describe the major part of the FBI's

1 intelligence activities against so-called dissent groups
2 in this country?

3 Mr. Wannall. The entire matter relating to the so-called
4 COINTELPRO has been reviewed and is under consideration
5 in the Civil Rights Division of the Department of Justice.
6 We took our entire file on the COINTELPRO and made it available
7 to the Assistant Attorney General and two of his deputies to
8 review the matter. While it was not possible for him to look
9 at every serial, he did look at all serials and in fact Mr.
10 Ryan, who is at the table with me, tried to direct his
11 attention to specific items that might be troublesome.

12 Following the review, he said based on his review there
13 was no indication of a violation of the statute. He did say
14 that if any information is called to his attention in the future,
15 he certainly would consider it.

16 Mr. Dellums. You indicated in testimony this morning that
17 you no longer have a security index file. You have an ADEX
18 file, does the FBI still maintain at some location cards
19 which have names of 13,000 persons who were on this
20 security index?

21 My point is: You say you don't have it, but don't you in
22 fact still have those names and you can call them forward
23 at any time?

24 Mr. Wannall. We have cards on 13,000. I will accept
25 that figure. I think it is probably in that neighborhood.

1 When the security index was discontinued by legislation
2 of this Congress in September of 1971, we had a program
3 regularly of destroying cards. They were maintained for a certain
4 period of time and then destroyed. However, Senator Mansfield
5 issued instructions in January of this year that no
6 records should be destroyed pending the outcome of the investi-
7 gations by the Senate Committee. We have made no destruction
8 of any records since that time.

9 Chairman Pike. The time of the gentleman has expired.

10 Mr. Milford.

11 Mr. Milford. Thank you, Mr. Chairman.

12 First, I would like to clear up for the record the
13 colloquy you had with the Chairman concerning this Lori Paton
14 statement. According to the written statement the appropriate
15 words of the statement were: "I was shocked when FBI Director
16 LaPrade wrote back denying I had been the subject of
17 investigation." Now the record is clear on it.

18 Mr. Wannall. Thank you. I picked up FBI Director.
19 I did not pick up LaPrade. In that instance, I have read
20 the letter signed by Mr. LaPrade. He was not the Director.
21 He was Special Agent in Charge of our Newark Office.

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Copeland
Wls. Rudolph
4:30 p.m.

Mr. Milford. Mr. Wannall, on the surface it would seem that several witnesses have appeared before this committee and have given some very disturbing testimony against the FBI. Some of these accusations and allegations are very serious.

Under our system of justice whether in our courts or before our juries or even in Congressional investigations there exists the right of rebuttal by the accused or maligned. Without a doubt the FBI has been accused of some serious aberrations and violations of our laws. There are actually two hearings going on here today.

One is the official hearing being conducted by this committee on behalf of the House of Representatives. The other is a public hearing that in effect is a form of trial by television and notoriety by newspapers.

With little doubt tonight's television and tomorrow's newspapers will detail the sensational statements made by the witnesses that appeared before this committee today.

Unlike our legal system of justice the press is not required to plod through painstaking investigations to assure that all legitimate facts are known and presented to the jury or to the public.

They are legally free to print or broadcast any item of information as long as someone will simply say it, particularly if it conveniently fits a one-minute TV blurb or

three-hundred word newspaper item, and particularly if the quotes are sensational, controversial or scandalous.

While the FBI is probably going to flunk out as a TV star in tonight's news or as a celebrity in tomorrow's newspaper, I think it is extremely important for this committee's record to have the complete and detailed information concerning the allegations and accusations that have been made by witnesses before us today.

You have rebutted portions of that testimony. Mr. Wannall, I realize that you may not be able to fully comment on each and every allegation that has been made today. The time remaining for this committee to finish its investigation will probably not allow us to call you or other FBI officials back before the committee in formal hearings.

Therefore, I will ask you, as an official of the FBI to take the statements of each and every witness that have appeared here today in each case where the FBI has been charged with the commission of an illegal act or allegations of improper actions have been made, and I would ask you to supply for the committee's record the following information:

1. All evidentiary information contained in FBI files that will either substantiate or rebut each allegation.

2. Written and sworn statements, if any, from other individuals who can give testimony to the fact that either rebut or substantiate each allegation that has been made by the above

1 list of witnesses.

2 3. Any other documents or evidence that will tend to
3 rebut or substantiate each allegation that has been made by
4 the above-listed witnesses.

5 Will you supply that information for the committee
6 record, sir?

7 Mr. Wannall. We will do our best to reply to your
8 requests.

9 Mr. Milford. Mr. Chairman, I ask unanimous consent that
10 Mr. Wannall's reply and all documentary inclusion attached to
11 his reply be made part of the committee record when received.

12 Chairman Pike. I frankly thought we had already covered
13 that. Without objection it is so ordered.

14 (The above-referred to information follows:)

15

16

17

18

19

20

21

22

23

24

25

1 Mr. Milford. Thank you, sir. I yield back my time.

2 Mr. Dellums. Would the gentleman yield to me?

3 Mr. Milford. Yes.

4 Mr. Dellums. I would like to ask this question: From
5 your records wasn't the real reason for the IPS investigation
6 their relationship with Ramparts Magazine and your perception
7 of Ramparts Magazine?

8 Mr. Wannall. Of the IPS?

9 Mr. Dellums. Yes.

10 Mr. Wannall. Not to my knowledge.

11 Mr. Dellums. What was the justification?

12 Mr. Wannall. I think I previously stated that the ^{Bill} act
13 of investigation, to the best of my recollection, was opened
14 in 1968 based upon contacts with an organization which was
15 then known as Students for Democratic Society.

16 Mr. Dellums. Do you have documentation that indicates
17 that your records will show that there were contacts with the
18 Weathermen? You mentioned that very specifically.

19 Mr. Wannall. We have information that there were, as I
20 recall, contacts with at least two Weathermen; yes, sir.

21 Mr. Dellums. Would you supply that to this committee,
22 please? -

23 Mr. Wannall. Yes, sir.

24 Mr. Dellums. Thank you.

25 (The above-referred to information follows:)

1 Chairman Pike. The time of the gentleman has expired.

2 Mr. Field?

3 Mr. Field. Mr. Wannall, do agents of the FBI rummage
4 through people's trash in order to collect intelligence, so-
5 called trash covers?

6 Mr. Wannall. I think there have been isolated incidents
7 where that has been done. The policy of the FBI since the
8 middle of 1966 has been not to conduct so-called trash covers.

9 Mr. Field. Since 1966 that has been their policy and
10 did you testify under oath before our committee that since
11 then to your knowledge that has not been done?

12 Mr. Wannall. I did so testify. I have since learned
13 of one occasion where trash which was discarded by an organi-
14 zation was in fact recovered by an agent. It was not done
15 with prior knowledge of FBI headquarters.

16 Mr. Field. Mr. Wannall, is it a policy of the FBI to
17 report on somebody's secret life if it has no relevance to the
18 investigation?

19 Mr. Wannall. No, sir.

20 Mr. Field. In other words, they would not report on it?

21 Mr. Wannall. No, sir.

22 Mr. Field. Mr. Wannall, are you aware of the memo of
23 August 29, 1972 -- and I will read from it since it is not
24 classified -- saying, "On August 23rd last, Special Agent
25 Robert Feuer observed the private trash truck picking up trash

1 from the Institute of Policy Studies. The truck proceeded
2 to a burning dump where the trash was abandoned. Special
3 Agent Feuer obtained the IPS trash and information obtained
4 from this source is being a signed symbol number WF 4868-S."
5 Is that the incident you are referring to?

6 Mr. Wannall. That is the incident I am referring to
7 concerning which I have become acquainted since my deposition
8 on the fifth day of this month.

9 Chairman Pike. Would the gentleman yield?

10 You did get some information about some trash recovered
11 from the House Select Committee on Intelligence, too, didn't
12 you?

13 If the gentleman doesn't know the answer --

14 Mr. McClory. If the gentleman will yield, I think what
15 happened is that someone in the building reported that to
16 the FBI and --

17 Mr. Ryan. The superintendent ^{of an} and apartment building
18 furnished certain classified documents to the FBI that were
19 found in the trash of that apartment.

20 Chairman Pike. Weren't the so-called classified documents
21 the envelopes in which classified documents had once been
22 contained?

23 Mr. Ryan. They were primarily envelopes. I understand
24 and I was not personally involved with this, that there was
25 one document which had communications intelligence coded

1 words on it which was classified top secret. I could be wrong
2 in that.

3 Chairman Pike. There was one document which was
4 classified confidential. And I did have --

5 Mr. McClory. If the gentleman will yield.

6 Chairman Pike. Certainly, it is Mr. Field's time we
7 are arguing over, Mr. McClory.

8 Mr. McClory. That was reported to the FBI by someone
9 or you got information about that? You are not carrying on
10 an investigation of all of the trash of all of the staff and
11 members of the committee, are you?

12 Mr. Ryan. No, sir, as I understand this was reported to
13 the FBI by the superintendent of an apartment building where
14 a staff member of this committee resided.

15 Mr. Milford. Mr. Chairman, I ask unanimous consent that
16 Mr. Field's full time be restored to him.

17 Chairman Pike. Without objection.

18 Mr. Field. Thank you very much, Mr. Milford and Mr.
19 Chairman.

20 This trash cover, was it referred to in later documents --
21 and again I quote from a non-classified document: "On August
22 23, 1972, WF 4868-S --" which we now know is plain IPS trash --
23 "who has furnished reliable information in the past, gave the
24 following information and/or material to Special Agent Robert
25 W. Feuer."

1 Are you aware of that kind of document and why would
2 trash be referred to as a person who has furnished reliable
3 information in the past?

4 Mr. Wannall. Does it say a person?

5 Mr. Field. It says who. Who usually refers to people.

6 Mr. Wannall. I think it is a matter of the way the agent
7 sets it up in the report.

8 Mr. Field. Are you aware in the course of rummaging
9 through the trash your special agent came across a typewriter
10 ribbon which the FBI reconstituted and it contained a letter
11 exclusively involving the sex life of some employees of the
12 Institute of Policy Studies?

13 Are you aware of that letter and was that letter kept in
14 your files and if so where?

15 Mr. Wannall. I am not aware of the letter. I knew as a
16 result of a reconstruction of a typewriter ribbon some
17 document was produced. I have not seen the document. I was
18 not aware of the contents of it.

19 Mr. Field. Perhaps the staff could provide you a copy
20 of that letter and you could perhaps explain why a letter like
21 that, which is almost totally sexual gossip would be in the
22 FBI files on the Institute of Policy Studies.

23 Mr. Wannall. Mr. Field, I have previously indicated I
24 was in a position to try to address myself to policies and
25 procedures and my knowledge with regard to specifics, if any,

1 of these cases would be very vague. I don't usually get
2 down to the --

3 Mr. Field. Mr. Wannall, you testified under oath last
4 week that the policy of the FBI was not to report on somebody's
5 sex life if it had no relevance to the case. Did this person's
6 sex activities have any relation to this case?

7 Mr. Wannall. What is this document, Mr. Field? I don't
8 have the first page.

9 Mr. Field. I believe that is all that was provided to
10 the committee when we received the documents from the FBI.

11 Mr. Wannall. This is not in the form of a document
12 prepared for dissemination. In fact it is a memorandum from
13 the agent to his supervisor in the Washington field office
14 setting forth the results of the so-called trash cover in
15 this instance.

16 At least that is what it appears to me to be.

17 Mr. Field. That is correct. In other words, it is not
18 raw intelligence. This is now a finished product, often
19 referred to as an analyzed product.

20 Why would this information make it through the analysis
21 procedure if it was the policy of the FBI to screen out
22 information about people's sex lives if they had no relevance
23 to the investigation?

24 Mr. Wannall. I think, Mr. Field, if you will check my
25 deposition you will establish that I indicated that information

1 of this type could well be recorded in our files but certainly
2 not reported in a disseminative document.

3 Mr. Field. I took that to mean it obviously could be
4 collected in raw form but it would not be reported further
5 unless it had some relevance to the investigation.

6 We now see a memo in which some agent has analyzed this
7 information, has included excerpts from it and every single
8 excerpt pertains only to sexual information.

9 Is that a correct analysis of that memo?

10 Mr. Wannall. I have not read it. Do you want me to
11 take a reading of it?

12 Chairman Pike. I think my answer would be no. You have
13 never seen this memo before?

14 Mr. Wannall. No, sir.

15 Chairman Pike. I think what Mr. Field is trying to put
16 forth is that it certainly doesn't seem to comply with what
17 you have stated your policy to be and I think that rather
18 than ask you to read it at this time and analyze it, we will
19 drop that.

20 Mr. Field. Thank you, Mr. Chairman. I have no further
21 questions.

22 Chairman Pike. I want to thank you, Mr. Wannall, and
23 I do recognize the fact that when we deal in the policies of
24 an organization we frequently find that we get surprised by
25 some of the specifics that come up.

1 I appreciate the fact that you did return this afternoon
2 and that you did comment on some of these issues on rather
3 short notice.

4 Mr. Dellums?

5 Mr. Dellums. Mr. Chairman, my very last question that
6 I asked of the gentleman with respect to IPS, and "Ramparts
7 Magazine," the staff has given me different information.
8 Can I just ask one question before we adjourn?

9 Chairman Pike. You may ask one question before we adjourn.

10 Mr. Dellums. Thank you.

11 In response to my question, wasn't the real reason for
12 the IPS investigation their relationship with "Ramparts
13 Magazine" your response was no, it was primarily concerned
14 with SDS.

15 Now the staff has provided me with information that says
16 that the initial memorandum which is dated November 1968 from
17 your office dealing with IPS, was exclusively devoted to
18 "Ramparts Magazine" and that it wasn't until a memorandum
19 written in March of 1969 that there was any reference to SDS
20 and that there is in fact no evidence of SDS contacts with
21 this organization.

22 Now that contradicts your testimony before we leave and
23 I wanted to give you an opportunity to address that.

24 Mr. Wannall. Congressman Dellums, I gave you the best
25 information I could, based on my having seen material. It seems

1 to me that there was a meeting in Chicago sometime before we
2 opened the investigation on that and during the course of
3 briefing sessions which I have had over the last three or four
4 days, including Saturday and Sunday, my recollection was that
5 the principal interest that we had in the IPS at the time
6 the case was opened, at least, was contact with the SDS.

7 I did not try to mislead you or give you false information.
8 I was trying my best to call up the facts as I recalled them
9 from the briefing sessions.

10 Chairman Pike. Before I adjourn, I want to announce one
11 thing. At the time of our next meeting which will be on
12 Thursday, we will have ready the report which it is necessary
13 for us to provide to the Floor of the House to accompany our
14 action on certain subpoenas. That report will be available
15 for the members to approve at our next meeting which will be
16 at 10:00 o'clock Thursday morning.

17 Mr. McClory. And the opportunity for presenting
18 additional or Minority views will expire when?

19 Chairman Pike. It will expire one week from Friday
20 because our committee rules appear to be in some conflict
21 with the House rules and I am giving the broadest possible
22 interpretation which is the committee rules which give five
23 days after the approval of the report. That is actually six
24 days, but Thanksgiving comes in there and that is a holiday
25 so a week from Friday will be the last day for Minority,

1 additional, concurring or whatever you want to call them,
2 views.

3 The Committee stands in recess until 10:00 o'clock
4 Thursday morning.

5 (Whereupon, at 4:45 p.m. the Committee adjourned.)
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25