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[COMMITTEE PRINT]

Patrick F. Vuerger
Edward F. Grossing

RULES OF PROCEDURE

FOR THE

SELECT COMMITTEE TO STUDY
GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

UNITED STATES SENATE

(Adopted April 9, 1975)

(Amended September 22, 1975)



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SENATE SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

(Established by S. Res. 21, 94th Cong., 1st sess.)

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FREDERICK A. O. SCHWARTZ Jr., *Chief Counsel*
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(III)

RULES OF PROCEDURE

These Rules are issued pursuant to the 1st Section of Senate Resolution 21, 94th Congress, 1st Session, agreed to January 27, 1975, and printed in full in the appendix hereto.

RULE 1. CONVENING OF MEETINGS

1.1 The Committee may schedule a regular day and hour for the Committee to meet.

1.2 The Chairman shall have authority, upon proper notice, call such additional meetings of the Committee as he may deem necessary and may delegate such authority to any other member of the Committee.

1.3 A special meeting of the Committee may be called at any time upon the written request of six or more members of the Committee, filed with the Clerk of the Committee.

1.4 In the case of any meeting of the Committee, other than a regularly scheduled meeting, the Clerk of the Committee shall notify every member of the Committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, D.C. and at least 48 hours in the case of any meeting held outside Washington, D.C.

1.5 If a majority of the members of the Committee have made a request in writing to the Chairman to call a meeting of the Committee and the Chairman fails to call such a meeting within seven calendar days thereafter, including the day on which the written notice is submitted, such majority may call a meeting by filing a written notice with the Clerk of the Committee who shall promptly notify a member of the Committee in writing of the date and time of the meeting.

RULE 2. MEETING PROCEDURES

2.1 Meetings of the Committee shall be open to the public except when otherwise directed by the Chairman or majority vote of members present.

2.2 It shall be the duty of the staff director to keep or cause to be kept a record of all Committee proceedings.

2.3 The Chairman of the Committee, or if the Chairman is not present the Vice Chairman, shall preside over all meetings of the Committee. In the absence of the Chairman and the Vice Chairman at any meeting the ranking majority member, or if no majority member is present the ranking minority member present shall preside.

2.4 Except as otherwise provided in these Rules, decisions of the Committee shall be by majority vote of the members present and voting. A quorum for the transaction of Committee business, including

the conduct of Executive sessions, shall consist of six Committee members except, that for the purpose of hearing witnesses, taking sworn testimony, and receiving evidence under oath, a quorum may consist of one Senator.

2.5 A vote by any member of the Committee with respect to any measure or matter being considered by the Committee may be cast by proxy if the proxy authorization (1) is in writing to the Chairman or Vice Chairman; (2) designates the member of the Committee who is to exercise the proxy; and (3) is limited to a specific measure or matter and any amendments pertaining thereto. Proxies shall not be considered for the establishment of a quorum.

RULE 3. BROADCASTING, TELEVISION, AND PHOTOGRAPHY

Any Committee meeting which is open to the public may, subject to Rule 6.7, be covered, in whole or in part, by television, radio, still photography, or other media coverage, if the Chairman authorizes such coverage. When coverage by any such media is authorized it must be conducted in an orderly and unobtrusive manner, and the Chairman may for good cause terminate such media coverage in whole or in part, or take such other action as the circumstances may warrant.

RULE 4. INVESTIGATIONS

No investigation shall be initiated by the Committee unless a majority of the members of the Committee has specifically authorized such investigation, but any member of the Committee shall be entitled to pursue any inquiry individually unless specifically prohibited by a majority vote of the members of the Committee. Authorized investigations or inquiries may be conducted by members of the Committee and/or by designated staff members.

RULE 5. SUBPOENAS

Subpoenas for attendance of witnesses or the production of memoranda, documents, records, or any other material may be issued by the Chairman, or any other member designated by him after consultation with the Vice Chairman, and may be served by any person designated by the Chairman or member. Each subpoena shall contain a copy of Senate Resolution 21, 94th Congress, 1st Session.

RULE 6. PROCEDURES RELATED TO THE TAKING OF TESTIMONY

6.1 *Notice.*—Witnesses required to appear before the Committee shall be given reasonable notice and all witnesses shall be furnished a copy of these Rules.

6.2 *Oath or Affirmation.*—Testimony of witnesses shall be given under oath or affirmation which may be administered by any member of the Committee.

6.3 *Interrogation.*—Committee interrogation shall be conducted by members of the Committee and such staff personnel as is authorized by the Chairman, the Vice Chairman, or the presiding member.

6.4 *Counsel for the Witness.*—(a) Any witness may be accompanied by counsel. A witness who is unable to obtain counsel may inform

the Committee of such fact, and if consistent with the notice given under Section 6.1 hereof, at least 24 hours prior to his appearance before the Committee, the Committee shall then endeavor to obtain voluntary counsel for the witness, but failure to obtain such counsel will not excuse the witness from appearing and testifying.

(b). Counsel shall conduct themselves in an ethical and professional manner. Failure to do so shall, upon a finding to that effect by a majority of the members present, subject such counsel to disciplinary action which may include warning, censure, removal, or a recommendation of contempt proceedings.

(c). There shall be no direct or cross examination by counsel. However, counsel may submit in writing any questions he wishes propounded to his client or to any other witness and may, at the conclusion of his client's testimony, suggest the presentation of other evidence or the calling of other witnesses. The Committee may such questions and disposed of such suggestions as it may see fit.

6.5 *Statements by Witnesses.*—A witness may make a statement which shall be brief and relevant, at the beginning and conclusion of his testimony. Such statements shall not exceed a reasonable period of time as determined by the Chairman, or other presiding member. Any witness desiring to make a prepared or written statement for the record of the proceedings shall file a copy with the Clerk of the Committee, and in so far as practicable and consistent with the notice given, shall do so at least 72 hours in advance of his appearance before the Committee.

6.6 *Objections and Rulings.*—Any objection raised by a witness or counsel shall be ruled upon by the Chairman or other presiding member, and such ruling shall be the ruling of the Committee unless a majority of the Committee present overrules the ruling. In the case of tie votes the rule of the chair will prevail.

6.7 *Rights and Broadcasting.*—Any witness, whether appearing voluntarily or pursuant to subpoena, may request that his testimony not be covered by television, motion picture, or other cameras or radio microphones. Unless prior notice is waived by the Committee, a witness desiring to make such a request must so inform the Counsel of the Committee in writing at least 48 hours prior to the time that witness is scheduled to testify. Such requests shall be ruled on in accordance with Rule 2.4.

6.8 *Inspection and Correction.*—All witnesses testifying before the Committee shall be given a reasonable opportunity to inspect, in the office of the Committee, the transcript of their testimony to determine whether such testimony was correctly transcribed. The witness may be accompanied by counsel. Any corrections the witness desires to make in the transcript shall be submitted in writing to the Committee within five days of the availability of the transcript. Corrections shall be limited to grammar and minor editing, and may not be made to change the substance of the testimony. Any questions arising with respect to such corrections shall be decided by the Chairman. Upon request, those parts of testimony given by a witness in Executive session which are subsequently quoted or made part of a record shall be made available to that witness at his expense.

6.9 *Persons Affected by Testimony.*—A person who believes that testimony or other evidence presented at a public hearing, or any

comment made by a Committee member or Committee counsel, may tend to affect adversely his reputation, may request to appear personally before the Committee to testify on his own behalf, or may file a sworn statement of facts relevant to the testimony, evidence, or comment, or may submit to the Chairman proposed questions in writing for the cross-examination of other witnesses. The Committee shall take such action as it deems appropriate.

6.10 *Contempt Procedures.*—No recommendations that a person be cited for contempt of Congress shall be forwarded to the Senate unless and until the Committee has, upon notice to all its members, met and considered the alleged contempt, afforded the person an opportunity to state in writing or in person why he should not be held in contempt; and agreed, by majority vote of the Committee to forward such recommendation to the Senate.

6.11 *Release of Name of Witness.*—Unless authorized by the Chairman, the name of any witness scheduled to be heard by the Committee shall not be released prior to his appearance before the Committee.

RULE 7. PROCEDURES FOR HANDLING CLASSIFIED OR SENSITIVE MATERIAL

7.1 Committee staff offices on the first floor of the Dirksen Office Building shall operate under strict security precautions. At least one security guard shall be on duty at all times by the entrance to control entry. All persons before entering the offices shall identify themselves. At least one additional security guard shall be posted at night for surveillance of the secure area where sensitive documents are kept.

7.2 Sensitive or classified documents and material shall be segregated in a secure storage area. They may be examined only at secure reading facilities. Copying, duplicating, or removal from the Committee staff offices of such documents and other materials is prohibited except as is necessary for use in, or preparation for, interviews or Committee meetings, including the taking of testimony; and in conformity with Section 9.2 hereof.

7.3 Each member of the Committee shall at all times have access to all papers and other material received from any source. The Staff Director shall be responsible for the maintenance, under appropriate security procedures, of a registry which will number and identify all papers and other materials in the possession of the Committee, and such registry shall be available to any member of the Committee.

7.4 Access to classified information supplied to the Committee shall be limited to the Staff Director, the Chief Counsel and the Counsel to the Minority, and to those staff members with appropriate security clearances and a need-to-know.

7.5 No testimony taken including the names of witnesses testifying or material presented at an Executive Session, or classified papers, and other materials received by the staff or its consultants while in the employ of the Committee shall be made public, in whole or in part or by way of summary, or disclosed to any person outside the Committee unless authorized by a majority vote of the entire Committee, or after the termination of the Committee, in such manner as may be determined by the Senate.

7.6 Before the Committee is called upon to make any disposition with respect to the testimony, papers, or other materials presented to it, the Committee members shall have a reasonable opportunity to examine all pertinent testimony, papers and other materials that have been obtained by the Committee staff. No member shall release any such testimony, papers, or other materials, or any information contained in such testimony, papers, or other materials, to the public, or any person outside the Committee unless authorized by a majority vote of the entire Committee, or after the termination of the Committee, in such manner as may be determined by the Senate.

RULE 8. PREPARATION FOR COMMITTEE MEETINGS

8.1 Under direction of the Chairman, the Staff Director, Chief Counsel, Counsel to the Minority, or other designated staff members shall brief members of the Committee at a time sufficiently prior to any Committee meeting in order to assist the Committee members in preparation for such meeting and to determine any matter which the Committee member might wish considered during the meeting. Such briefing shall include a list of all pertinent papers and other materials that have been obtained by the Committee that bear on matters to be considered at the meeting.

8.2 The Staff Director, the Chief Counsel, and the Counsel to the Minority shall recommend to the Chairman and the Vice Chairman the testimony, papers, and other materials to be presented to the Committee at any meeting. The determination whether such testimony, papers, and other materials shall be presented in open or Executive session shall be made pursuant to the rules of the Senate.

RULE 9. STAFF

9.1 The appointment of all staff members and consultants shall be confirmed by a majority vote of the Committee. After confirmation, the Chairman shall certify staff appointments to the Financial Clerk of the Senate in writing.

9.2 Except as otherwise provided by the Committee, the duties of staff and consultants shall be performed, and staff personnel affairs and day-to-day operations, including security and control of classified documents and material, shall be administered under the direct supervision and control of the Staff Director and the Chief Counsel. The Counsel for the Minority shall be kept fully informed regarding all matters and shall have access to all material in the files of the Committee.

9.3 The staff of the Committee shall not discuss either the substance or procedure of the work of the Committee with anyone other than a member of the Committee or other Committee personnel. Upon termination of employment by the Committee, each member of the staff, or consultant, shall surrender all classified and other material relating to the work of the Committee which came into his possession while in the employ of the Committee.

9.4 The employment of any member of the staff or consultant who fails to conform to any of these Rules shall be immediately terminated.

RULE 10. SERVICES, INFORMATION, FACILITIES, AND PERSONNEL OF THE GOVERNMENT; CONSULTANTS

The Chairman shall have the authority to utilize the services, information, facilities, and personnel of the departments and agencies of the government, and to procure the temporary or intermittent services of experts or consultants or organization thereof to make studies or assist or advise the Committee with respect to any matter under investigation.

RULE 11. REPORTING OF MEASURES OR RECOMMENDATIONS

11.1 No measure or recommendations shall be reported from the Committee unless a majority of the Committee is actually present and a majority of those present concur.

11.2 In any case in which the Committee is unable to reach a unanimous decision, separate views or reports may be presented and printed by any member or members of the Committee.

11.3 A member of the Committee who gives notice of his intention to file supplemental, minority, or additional views at the time of final Committee approval of a measure or matter, shall be entitled to not less than three calendar days in which to file such views, in writing, with the Clerk of the Committee. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report.

RULE 12. CHANGES IN RULES

These Rules may be modified, amended, or repealed by the Committee, provided that a notice in writing of the proposed change has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken.

94TH CONGRESS
1ST SESSION

S. RES. 21

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1975

Mr. Pastore submitted the following resolution; which was ordered to be placed on the calendar (under general orders)

JANUARY 27, 1975

Considered, amended, and agreed to

RESOLUTION

To establish a select committee of the Senate to conduct an investigation and study with respect to intelligence activities carried out by or on behalf of the Federal Government.

- 1 *Resolved*, To establish a select committee of the Senate
- 2 to conduct an investigation and study of governmental op-
- 3 erations with respect to intelligence activities and of the
- 4 extent, if any, to which illegal, improper, or unethical activ-
- 5 ities were engaged in by any agency of the Federal Govern-
- 6 ment or by any persons, acting individually or in combinat
- 7 with others, with respect to any intelligence activity carried
- 8 out by or on behalf of the Federal Government; be it further

- 9 *Resolved*, That (a) there is hereby established a select
- 10 committee of the Senate which may be called, for con-

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venience of expression, the Select Committee To Study Governmental Operations With Respect to Intelligence Activities to conduct an investigation and study of the extent, if any, to which illegal, improper, or unethical activities were engaged in by any agency or by any persons, acting either individually or in combination with others, in carrying out any intelligence or surveillance activities by or on behalf of any agency of the Federal Government.

(b) The select committee created by this resolution shall consist of eleven Members of the Senate, six to be appointed by the President of the Senate from the majority Members of the Senate upon the recommendation of the majority leader of the Senate, and five minority Members of the Senate to be appointed by the President of the Senate upon the recommendation of the minority leader of the Senate. For the purposes of paragraph 6 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member, chairman, or vice chairman of the select committee shall not be taken into account.

(c) The majority members of the committee shall select a chairman and the minority members shall select a vice chairman and the committee shall adopt rules and procedures to govern its proceedings. The vice chairman shall preside over meetings of the select committee during the absence

as may be assigned to him by the select committee or the chairman. Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the select committee and shall be filled in the same manner as original appointments to it are made.

(d) A majority of the members of the select committee shall constitute a quorum for the transaction of business, but the select committee may affix a lesser number as a quorum for the purpose of taking testimony or depositions.

SEC. 2. The select committee is authorized and directed to do everything necessary or appropriate to make the investigations and study specified in subsection (a) of the first section. Without abridging in any way the authority conferred upon the select committee by the preceding sentence, the Senate further expressly authorizes and directs the select committee to make a complete investigation and study of the activities of any agency or of any and all persons or groups of persons or organizations of any kind which have any tendency to reveal the full facts with respect to the following matters or questions:

(1) Whether the Central Intelligence Agency has conducted an illegal domestic intelligence operation in the United States.

(2) The conduct of domestic intelligence or counterintelligence operations against United States citizens by the Federal Bureau of Investigation or any other Federal agency.

(3) The origin and disposition of the so-called Huston Plan to apply United States intelligence agency capabilities against individuals or organizations within the United States.

(4) The extent to which the Federal Bureau of Investigation, the Central Intelligence Agency, and other Federal law enforcement or intelligence agencies coordinate their respective activities, any agreements which govern that coordination, and the extent to which a lack of coordination has contributed to activities or actions which are illegal, improper, inefficient, unethical, or contrary to the intent of Congress.

(5) The extent to which the operation of domestic intelligence or counterintelligence activities and the operation of any other activities within the United States by the Central Intelligence Agency conforms to the legislative charter of that Agency and the intent of the Congress.

(6) The past and present interpretation by the Director of Central Intelligence of the responsibility to

the provision in section 102 (d) (3) of the National Security Act of 1947 (50 U.S.C. 403 (d) (3)) that "... that the agency shall have no police, subpoena, law enforcement powers, or internal security functions. . . ."

(7) Nature and extent of executive branch oversight of all United States intelligence activities. . . .

(8) The need for specific legislative authority to govern the operations of any intelligence agencies of the Federal Government now existing without that explicit statutory authority, including but not limited to agencies such as the Defense Intelligence Agency and the National Security Agency. . . .

The nature and extent to which Federal agencies cooperate and exchange intelligence information and the adequacy of any regulations or statutes which govern such cooperation and exchange of intelligence information. . . .

(9) The extent to which United States intelligence agencies are governed by Executive orders, rules, or regulations either published or secret and the extent to which those Executive orders, rules, or regulations interpret, expand, or are in conflict with specific legislative authority. . . .

(10) The violation or suspected violation of any State or Federal statute by any intelligence agency or

1 by any person by or on behalf of any intelligence agency
2 of the Federal Government including but not limited
3 to surreptitious entries, surveillance, wiretaps, or eaves-
4 dropping, illegal opening of the United States mail, or
5 the monitoring of the United States mail.

6 (11) The need for improved, strengthened, or con-
7 solidated oversight of United States intelligence ac-
8 tivities by the Congress.

9 (12) Whether any of the existing laws of the
10 United States are inadequate, either in their provisions
11 or manner of enforcement, to safeguard the rights of
12 American citizens, to improve executive and legislative
13 control of intelligence and related activities, and to re-
14 solve uncertainties as to the authority of United States
15 intelligence and related agencies.

16 (13) Whether there is unnecessary duplication of
17 expenditure and effort in the collection and processing
18 of intelligence information by United States agencies.

19 (14) The extent and necessity of overt and covert
20 intelligence activities in the United States and abroad.

21 (15) Such other related matters as the committee
22 deems necessary in order to carry out its responsibilities
23 under section (a).

24 SEC. 3. (a) To enable the select committee to make
25 the investigation and study authorized and directed by this

1 resolution, the Senate hereby empowers the select committee

2 as an agency of the Senate (1) to employ and fix the com-

3 pensation of such clerical, investigatory, legal, technical,

4 and other assistants as it deems necessary or appropriate

5 but it may not exceed the normal Senate salary schedules;

6 (2) to sit and act at any time or place during sessions

7 recesses, and adjournment periods of the Senate; (3) to hold

8 hearings for taking testimony on oath or to receive docu-

9 mentary or physical evidence relating to the matters and

10 questions it is authorized to investigate or study; (4) to

11 require by subpoena or otherwise the attendance as witnesses

12 of any persons who the select committee believes have

13 knowledge or information concerning any of the matters

14 or questions it is authorized to investigate and study; (5)

15 to require by subpoena or order any department, agency,

16 officer, or employee of the executive branch of the United

17 States Government, or any private person, firm, or corpora-

18 tion, to produce for its consideration or for use as evidence

19 in its investigation and study any books, checks, canceled

20 checks, correspondence, communications, document, papers,

21 physical evidence, records, recordings, tapes, or materials re-

22 lating to any of the matters or questions it is authorized to

23 investigate and study which they or any of them may have

24 in their custody or under their control; (6) to make to the

25 Senate any recommendations it deems appropriate in respect

1. to the willful failure or refusal of any person to answer ques-
 2. tions or give testimony in his character as a witness during
 3. his appearance before it or in respect to the willful failure
 4. or refusal of any officer or employee of the executive branch
 5. of the United States Government or any person, firm, or
 6. corporation to produce before the committee any books,
 7. checks, canceled checks, correspondence, communications,
 8. document, financial records, papers, physical evidence,
 9. records, recordings, tapes, or materials in obedience to any
 10. subpoena or order; (7) to take depositions and other testi-
 11. mony on oath anywhere within the United States or in any
 12. other country; (8) to procure the temporary or intermit-
 13. tent services of individual consultants, or organizations, there-
 14. of, in the same manner and under the same conditions as
 15. a standing committee of the Senate may procure such serv-
 16. ices under section 202 (i) of the Legislative Reorganiza-
 17. tion Act of 1946; (9) to use on a reimbursable basis, with-
 18. the prior consent of the Committee on Rules and Adminis-
 19. tration, the services of personnel of any such department,
 20. or agency; (10) to use on a reimbursable basis or other-
 21. wise with the prior consent of the chairman of any sub-
 22. committee of any committee of the Senate the facilities or
 23. services of any members of the staffs of such other Senate
 24. committees or any subcommittees of such other Senate com-
 25. mittees or any subcommittees of such other Senate com-
 26. mittees or any subcommittees of such other Senate com-

1. that such action is necessary or appropriate to enable the
 2. select committee to make the investigation and study author-
 3. ized and directed by this resolution; (11) to have direct
 4. access through the agency of any members of the select
 5. committee or any of its investigatory or legal assistants
 6. designated by it or its chairman or the ranking minority
 7. member to any data, evidence, information, report, analysis,
 8. or document or papers, relating to any of the matters or
 9. questions which it is authorized and directed to investigate
 10. and study in the custody or under the control of any depart-
 11. ment, agency, officer, or employee of the executive branch
 12. of the United States Government, including any department,
 13. agency, officer, or employee of the United States Govern-
 14. ment having the power under the laws of the United States
 15. to investigate any alleged criminal activities or to prosecute
 16. persons charged with crimes against the United States and
 17. any department, agency, officer, or employee of the United
 18. States Government having the authority to conduct intelli-
 19. gence or surveillance within or outside the United States;
 20. without regard to the jurisdiction or authority of any other
 21. Senate committee, which will aid the select committee to
 22. prepare for or conduct the investigation and study authorized
 23. and directed by this resolution; and (12) to expend to the
 24. extent it determines necessary or appropriate any moneys

1 made available to it by the Senate to perform the duties
2 and exercise the powers conferred upon it by this resolution
3 and to make the investigation and study it is authorized by
4 this resolution to make.

5 (b) Subpoenas may be issued by the select committee
6 acting through the chairman or any other member designated
7 by him, and may be served by any person designated by
8 such chairman or other member anywhere within the borders
9 of the United States. The chairman of the select committee,
10 or any other member thereof, is hereby authorized to admin-
11 ister oaths to any witnesses appearing before the committee.

12 (c) In preparing for or conducting the investigation
13 and study authorized and directed by this resolution, the
14 select committee shall be empowered to exercise the powers
15 conferred upon committees of the Senate by section 6002 of
16 title 18, United States Code, or any other Act of Congress
17 regulating the granting of immunity to witnesses.

18 SEC. 4. The select committee shall have authority to
19 recommend the enactment of any new legislation or the
20 amendment of any existing statute which it considers neces-
21 sary or desirable to strengthen or clarify the national secu-
22 rity, intelligence, or surveillance activities of the United
23 States and to protect the rights of United States citizens
24 with regard to those activities.

1 SEC. 5. The select committee shall make a final report
2 of the results of the investigation and study conducted by
3 it pursuant to this resolution, together with its findings and
4 its recommendations as to new congressional legislation it
5 deems necessary or desirable, to the Senate at the earliest
6 practicable date, but no later than September 1, 1975. The
7 select committee may also submit to the Senate such interim
8 reports as it considers appropriate. After submission of its
9 final report, the select committee shall have three calendar
10 months to close its affairs, and on the expiration of such
11 three calendar months shall cease to exist.

12 SEC. 6. The expenses of the select committee through
13 September 1, 1975, under this resolution shall not exceed
14 \$750,000 of which amount not to exceed \$100,000 shall be
15 available for the procurement of the services of individual
16 consultants or organizations thereof. Such expenses shall be
17 paid from the contingent fund of the Senate upon vouchers
18 approved by the chairman of the select committee.

19 SEC. 7. The select committee shall institute and carry
20 out such rules and procedures as it may deem necessary to
21 prevent (1) the disclosure, outside the select committee, of
22 any information relating to the activities of the Central In-
23 telligence Agency or any other department or agency of the
24 Federal Government engaged in intelligence activities, or

1 tained by the select committee during the course of its study
2 and investigation, not authorized by the select committee
3 to be disclosed; and (2) the disclosure, outside the select
4 committee, of any information which would adversely affect
5 the intelligence activities of the Central Intelligence Agency
6 in foreign countries or the intelligence activities in foreign
7 countries of any other department or agency of the Federal
8 Government.

9 SEC. 8. As a condition for employment as described in
10 section 3 of this resolution, each person shall agree not to
11 accept any honorarium, royalty or other payment for a
12 speaking engagement, magazine article, book, or other en-
13 deavor connected with the investigation and study under-
14 taken by this committee.

15 SEC. 9. No employee of the select committee or any
16 person engaged by contract or otherwise to perform services
17 for the select committee shall be given access to any classi-
18 fied information by the select committee unless such em-
19 ployee or person has received an appropriate security clear-
20 ance as determined by the select committee. The type of
21 security clearance to be required in the case of any such
22 employee or person shall, within the determination of the
23 select committee, be commensurate with the sensitivity of
24 the classified information to which such employee or person
25 will be given access by the select committee.

94TH CONGRESS
1ST SESSION

S. RES. 21

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1975

Mr. PASTORE submitted the following resolution; which was ordered to be placed
on the calendar (under general orders)

JANUARY 27, 1975

Considered, amended, and agreed to

RESOLUTION

To establish a select committee of the Senate to conduct an investigation and study with respect to intelligence activities carried out by or on behalf of the Federal Government.

1 *Resolved*, To establish a select committee of the Senate
2 to conduct an investigation and study of governmental op-
3 erations with respect to intelligence activities and of the
4 extent, if any, to which illegal, improper, or unethical activ-
5 ities were engaged in by any agency of the Federal Govern-
6 ment or by any persons, acting individually or in combination
7 with others, with respect to any intelligence activity carried
8 out by or on behalf of the Federal Government; be it further

9 *Resolved*, That (a) there is hereby established a select
10 committee of the Senate which may be called; for con-

V

1 venience of expression, the Select Committee To Study
2 Governmental Operations With Respect to Intelligence Ac-
3 tivities to conduct an investigation and study of the extent, if
4 any, to which illegal, improper, or unethical activities were
5 engaged in by any agency or by any persons, acting either
6 individually or in combination with others, in carrying out
7 any intelligence or surveillance activities by or on behalf
8 of any agency of the Federal Government.

9 (b) The select committee created by this resolution
10 shall consist of eleven Members of the Senate, six to be
11 appointed by the President of the Senate from the majority
12 Members of the Senate upon the recommendation of the
13 majority leader of the Senate, and five minority Members of
14 the Senate to be appointed by the President of the Senate
15 upon the recommendation of the minority leader of the
16 Senate. For the purposes of paragraph 6 of rule XXV of the
17 Standing Rules of the Senate, service of a Senator as a
18 member, chairman, or vice chairman of the select committee
19 shall not be taken into account.

20 (c) The majority members of the committee shall select
21 a chairman and the minority members shall select a vice
22 chairman and the committee shall adopt rules and procedures
23 to govern its proceedings. The vice chairman shall preside
24 over meetings of the select committee during the absence
25 of the chairman, and discharge such other responsibilities

1 as may be assigned to him by the select committee or the
2 chairman. Vacancies in the membership of the select com-
3 mittee shall not affect the authority of the remaining mem-
4 bers to execute the functions of the select committee and
5 shall be filled in the same manner as original appointments
6 to it are made.

7 (d) A majority of the members of the select committee
8 shall constitute a quorum for the transaction of business, but
9 the select committee may affix a lesser number as a quorum
10 for the purpose of taking testimony or depositions.

11 SEC. 2. The select committee is authorized and directed
12 to do everything necessary or appropriate to make the in-
13 vestigations and study specified in subsection (a) of the
14 first section. Without abridging in any way the authority
15 conferred upon the select committee by the preceding
16 sentence, the Senate further expressly authorizes and directs
17 the select committee to make a complete investigation and
18 study of the activities of any agency or of any and all persons
19 or groups of persons or organizations of any kind which
20 have any tendency to reveal the full facts with respect to
21 the following matters or questions:

22 (1) Whether the Central Intelligence Agency has
23 conducted an illegal domestic intelligence operation in
24 the United States.

1 (2) The conduct of domestic intelligence or coun-
2 terintelligence operations against United States citizens
3 by the Federal Bureau of Investigation or any other
4 Federal agency.

5 (3) The origin and disposition of the so-called Hus-
6 ton Plan to apply United States intelligence agency
7 capabilities against individuals or organizations within
8 the United States.

9 (4) The extent to which the Federal Bureau of In-
10 vestigation, the Central Intelligence Agency, and other
11 Federal law enforcement or intelligence agencies coordi-
12 nate their respective activities, any agreements which
13 govern that coordination, and the extent to which a lack
14 of coordination has contributed to activities or actions
15 which are illegal, improper, inefficient, unethical, or con-
16 trary to the intent of Congress.

17 (5) The extent to which the operation of domestic
18 intelligence or counterintelligence activities and the
19 operation of any other activities within the United States
20 by the Central Intelligence Agency conforms to the leg-
21 islative charter of that Agency and the intent of the
22 Congress.

23 (6) The past and present interpretation by the
24 Director of Central Intelligence of the responsibility to
25 protect intelligence sources and methods as it relates to

1 by any person by or on behalf of any intelligence agency
2 of the Federal Government including but not limited
3 to surreptitious entries, surveillance, wiretaps, or eaves-
4 dropping, illegal opening of the United States mail, or
5 the monitoring of the United States mail.

6 (11) The need for improved, strengthened, or con-
7 solidated oversight of United States intelligence ac-
8 tivities by the Congress.

9 (12) Whether any of the existing laws of the
10 United States are inadequate, either in their provisions
11 or manner of enforcement, to safeguard the rights of
12 American citizens, to improve executive and legislative
13 control of intelligence and related activities, and to re-
14 solve uncertainties as to the authority of United States
15 intelligence and related agencies.

16 (13) Whether there is unnecessary duplication of
17 expenditure and effort in the collection and processing
18 of intelligence information by United States agencies.

19 (14) The extent and necessity of overt and covert
20 intelligence activities in the United States and abroad.

21 (15) Such other related matters as the committee
22 deems necessary in order to carry out its responsibilities
23 under section (a).

24 SEC. 3. (a) To enable the select committee to make
25 the investigation and study authorized and directed by this

1 the provision in section 102 (d) (3) of the National
2 Security Act of 1947 (50 U.S.C. 403 (d) (3)) that
3 "... that the agency shall have no police, subpena, law
4 enforcement powers, or internal security functions. . . ."

5 (7) Nature and extent of executive branch over-
6 sight of all United States intelligence activities.

7 (8) The need for specific legislative authority to
8 govern the operations of any intelligence agencies of
9 the Federal Government now existing without that
10 explicit statutory authority, including but not limited to
11 agencies such as the Defense Intelligence Agency and
12 the National Security Agency.

13 The nature and extent to which Federal agencies
14 cooperate and exchange intelligence information and
15 the adequacy of any regulations or statutes which
16 govern such cooperation and exchange of intelligence
17 information.

18 (9) The extent to which United States intelligence
19 agencies are governed by Executive orders, rules, or
20 regulations either published or secret and the extent
21 to which those Executive orders, rules, or regulations
22 interpret, expand, or are in conflict with specific legis-
23 lative authority.

24 (10) The violation or suspected violation of any
25 State or Federal statute by any intelligence agency or

1 resolution, the Senate hereby empowers the select committee
2 as an agency of the Senate (1) to employ and fix the com-
3 pensation of such clerical, investigatory, legal, technical,
4 and other assistants as it deems necessary or appropriate,
5 but it may not exceed the normal Senate salary schedules;
6 (2) to sit and act at any time or place during sessions,
7 recesses, and adjournment periods of the Senate; (3) to hold
8 hearings for taking testimony on oath or to receive docu-
9 mentary or physical evidence relating to the matters and
10 questions it is authorized to investigate or study; (4) to
11 require by subpoena or otherwise the attendance as witnesses
12 of any persons who the select committee believes have
13 knowledge or information concerning any of the matters
14 or questions it is authorized to investigate and study; (5)
15 to require by subpoena or order any department, agency,
16 officer, or employee of the executive branch of the United
17 States Government, or any private person, firm, or corpora-
18 tion, to produce for its consideration or for use as evidence
19 in its investigation and study any books, checks, canceled
20 checks, correspondence, communications, document, papers,
21 physical evidence, records, recordings, tapes, or materials re-
22 lating to any of the matters or questions it is authorized to
23 investigate and study which they or any of them may have
24 in their custody or under their control; (6) to make to the
25 Senate any recommendations it deems appropriate in respect

1 to the willful failure or refusal of any person to answer ques-
2 tions or give testimony in his character as a witness during
3 his appearance before it or in respect to the willful failure
4 or refusal of any officer or employee of the executive branch
5 of the United States Government or any person, firm, or
6 corporation to produce before the committee any books,
7 checks, canceled checks, correspondence, communications,
8 document, financial records, papers, physical evidence,
9 records, recordings, tapes, or materials in obedience to any
10 subpoena or order; (7) to take depositions and other testi-
11 mony on oath anywhere within the United States or in any
12 other country; (8) to procure the temporary or intermit-
13 tent services of individual consultants, or organizations there-
14 of, in the same manner and under the same conditions as
15 a standing committee of the Senate may procure such serv-
16 ices under section 202 (i) of the Legislative Reorganiza-
17 tion Act of 1946; (9) to use on a reimbursable basis, with
18 the prior consent of the Committee on Rules and Adminis-
19 tration, the services of personnel of any such department
20 or agency; (10) to use on a reimbursable basis or other-
21 wise with the prior consent of the chairman of any sub-
22 committee of any committee of the Senate the facilities or
23 services of any members of the staffs of such other Senate
24 committees or any subcommittees of such other Senate com-
25 mittees whenever the select committee or its chairman deems

1 that such action is necessary or appropriate to enable the
2 select committee to make the investigation and study author-
3 ized and directed by this resolution; (11) to have direct
4 access through the agency of any members of the select
5 committee or any of its investigatory or legal assistants
6 designated by it or its chairman or the ranking minority
7 member to any data, evidence, information, report, analysis,
8 or document or papers, relating to any of the matters or
9 questions which it is authorized and directed to investigate
10 and study in the custody or under the control of any depart-
11 ment, agency, officer, or employee of the executive branch
12 of the United States Government, including any department,
13 agency, officer, or employee of the United States Govern-
14 ment having the power under the laws of the United States
15 to investigate any alleged criminal activities or to prosecute
16 persons charged with crimes against the United States and
17 any department, agency, officer, or employee of the United
18 States Government having the authority to conduct intelli-
19 gence or surveillance within or outside the United States;
20 without regard to the jurisdiction or authority of any other
21 Senate committee, which will aid the select committee to
22 prepare for or conduct the investigation and study authorized
23 and directed by this resolution; and (12) to expend to the
24 extent it determines necessary or appropriate any moneys

1 made available to it by the Senate to perform the duties
2 and exercise the powers conferred upon it by this resolution
3 and to make the investigation and study it is authorized by
4 this resolution to make.

5 (b) Subpenas may be issued by the select committee
6 acting through the chairman or any other member designated
7 by him, and may be served by any person designated by
8 such chairman or other member anywhere within the borders
9 of the United States. The chairman of the select committee,
10 or any other member thereof, is hereby authorized to admin-
11 ister oaths to any witnesses appearing before the committee.

12 (c) In preparing for or conducting the investigation
13 and study authorized and directed by this resolution, the
14 select committee shall be empowered to exercise the powers
15 conferred upon committees of the Senate by section 6002 of
16 title 18, United States Code, or any other Act of Congress
17 regulating the granting of immunity to witnesses.

18 SEC. 4. The select committee shall have authority to
19 recommend the enactment of any new legislation or the
20 amendment of any existing statute which it considers neces-
21 sary or desirable to strengthen or clarify the national secu-
22 rity, intelligence, or surveillance activities of the United
23 States and to protect the rights of United States citizens
24 with regard to those activities.

1 SEC. 5. The select committee shall make a final report
2 of the results of the investigation and study conducted by
3 it pursuant to this resolution, together with its findings and
4 its recommendations as to new congressional legislation it
5 deems necessary or desirable, to the Senate at the earliest
6 practicable date, but no later than September 1, 1975. The
7 select committee may also submit to the Senate such interim
8 reports as it considers appropriate. After submission of its
9 final report, the select committee shall have three calendar
10 months to close its affairs, and on the expiration of such
11 three calendar months shall cease to exist.

12 SEC. 6. The expenses of the select committee through
13 September 1, 1975, under this resolution shall not exceed
14 \$750,000 of which amount not to exceed \$100,000 shall be
15 available for the procurement of the services of individual
16 consultants or organizations thereof. Such expenses shall be
17 paid from the contingent fund of the Senate upon vouchers
18 approved by the chairman of the select committee.

19 SEC. 7. The select committee shall institute and carry
20 out such rules and procedures as it may deem necessary to
21 prevent (1) the disclosure, outside the select committee, of
22 any information relating to the activities of the Central In-
23 telligence Agency or any other department or agency of the
24 Federal Government engaged in intelligence activities, ob-

1 tained by the select committee during the course of its study
2 and investigation, not authorized by the select committee
3 to be disclosed; and (2) the disclosure, outside the select
4 committee, of any information which would adversely affect
5 the intelligence activities of the Central Intelligence Agency
6 in foreign countries or the intelligence activities in foreign
7 countries of any other department or agency of the Federal
8 Government.

9 SEC. 8. As a condition for employment as described in
10 section 3 of this resolution, each person shall agree not to
11 accept any honorarium, royalty or other payment for a
12 speaking engagement, magazine article, book, or other en-
13 deavor connected with the investigation and study under-
14 taken by this committee.

15 SEC. 9. No employee of the select committee or any
16 person engaged by contract or otherwise to perform services
17 for the select committee shall be given access to any classi-
18 fied information by the select committee unless such em-
19 ployee or person has received an appropriate security clear-
20 ance as determined by the select committee. The type of
21 security clearance to be required in the case of any such
22 employee or person shall, within the determination of the
23 select committee, be commensurate with the sensitivity of
24 the classified information to which such employee or person
25 will be given access by the select committee.

ELC-181

Rules to Limit FBI Being Draft

WASHINGTON (AP) — The Justice Department is drafting guidelines that would prohibit the FBI from investigating dissidents unless there is "a likelihood" that they are involved in violent and illegal activities, Atty. Gen. Edward H. Levi said Thursday.

The guidelines also would place strict controls upon any future use by the FBI of tactics to discredit or disrupt domestic organizations, Levi told the Senate Intelligence Committee.

Calling past practices outrageous and foolish, Levi said that in the future "preventive action" would be taken only when there was "an immediate risk to human life" and with the approval of the attorney general.

Levi said he had once been the intended recipient of an anonymous letter mailed as part of the FBI's campaign to disrupt domestic organizations, known

as Cointelpro.

Levi termed the proposed guidelines, which would establish departmental review of FBI domestic intelligence operations, "very tough and maybe too tough." But Chairman Frank Church, D-Idaho, said "this is all very vague."

Levi responded, "When one talks about the looseness of the guidelines, you ought to see the statutes that come out of Congress."

Sen. Walter F. Mondale, D-Minn., suggested that the FBI should be barred by law from conducting any domestic security investigation unless there is "unarguable evidence that an exception is needed."

Would the guidelines drafted by the Justice Department "stand up in the face of a direct order from the President of the United States?" Mondale asked. "They would mean nothing," he said in

response to his own question.

Mondale and Levi engaged in a sharp exchange over whether the Intelligence Committee should be given access to internal FBI reports of possible wrongdoing.

"The CIA gave us their reports," Mondale said to Levi.

"I'm not in the CIA," Levi responded.

"Do you think that's a good answer," Mondale asked?

"The answer is as good as the question," Levi said.

Mondale replied, "I think that kind of arrogance is why we have trouble with the executive."

Levi subsequently said he would be willing to give such FBI reports to the committee with assurance they be kept secret and asked Church to "tell Sen.

Mondale I'm not half as arrogant as he thinks I am."

As outlined by Levi, the proposed guidelines would limit domestic security investigations to persons or groups that sought to:

- Overthrow the government;
- Use force or violence to interfere with government functions;
- Foment riots that would require the government to call out federal troops;
- Deprive people of their civil rights;
- Influence the activities of foreign governments inside the United States.

All domestic security investigations would be reported to the attorney general, who would be required to order a halt to any investigation which did not meet the standards.

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Date: DECEMBER 11, 1975

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~~URGENT~~ NITEL
(Priority)

TO: DIRECTOR, FBI (100-106670)

FROM: SAC, NEW ORLEANS (100-16800) (RUC)

ATTENTION: INTELLIGENCE DIVISION

MARTIN LUTHER KING, JR.

IN RESPONSE TO BUREAU NITEL, DEC. 9, 1975, THE FOLLOWING IS SET FORTH:

NO MAIN CASE FILE CAN BE FOUND IN NEW ORLEANS' INDICES ON THE FOLLOWING NAMES, THOUGH MOST OF THESE NAMES ARE INDEXED TO OTHER FILES: CORETTA KING; MARTIN LUTHER KING, SR.; ALBERTA WILLIAMS KING; CHRISTINE KING FARRIS; MRS. ISAAC FARRIS; CPUSA - NEGRO QUESTION; AND STANLEY DAVID LEVISON.

THE FOLLOWING IS AN INVENTORY OF ALL NEW ORLEANS' MAIN CASES ON MARTIN LUTHER KING, JR.; HIS IMMEDIATE FAMILY RELATIVES AND RELATED SUBJECTS, ^{IN NITEL, THEY ARE LISTED} LISTED CHRONOLOGICALLY BY DATE OF CASE OPENINGS IN NEW ORLEANS:

(1) NO 100-16849. "COMMUNIST INFILTRATION OF THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE" (BUFILE 100-438794)

(3) - NEW ORLEANS
(1 - 100-16800)
(1 - 157-10673)
(1) - 66-4448)

CHA:pd
(3) *pd*

62-4448-11

Searched _____
Serialized *WJN*
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PAGE TWO NO 100-16800

THIS FILE CONTAINS ROUTINE CORRESPONDENCE, NONE OF WHICH INCLUDES ANY TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS, OR BULKY EXHIBITS. THIS CASE HAS NO SUBFILES. CASE CONSISTS OF FIVE VOLUMES, 177 SERIALS.

(2) NO 100-16800. "MARTIN LUTHER KING, JR.; SM - C" (BUFILE 100-106670) THIS FILE CONTAINS ROUTINE CORRESPONDENCE WHICH INCLUDES NO TAPES, ELSUR LOGS OR TRANSCRIPTS, OR BULKY EXHIBITS. THE FILE DOES CONTAIN PHOTOGRAPHS OF J. C. MEYERS AND BILL ADOLPH MERRITT, BOTH OF WHOM WERE INTERVIEWED JULY, 1974, REGARDING MATTERS NOT DIRECTLY AFFECTING KING. THIS FILE CONTAINS NO SUBFILES. THE FILE CONSISTS OF TWO VOLUMES, 144 SERIALS.

(3) NO 44-1540. "J. EARL DOWNS, COMMISSIONER OF PUBLIC SAFETY, SHREVEPORT, LOUISIANA; REV. C. C. MC LAIN; REV. HARRY BLAKE; MARTIN LUTHER KING, JR.; REV. WYATT TEE WALKER - VICTIMS; CR" (BUFILE UNKNOWN) THE FILE CONTAINS ROUTINE CORRESPONDENCE WHICH DOES NOT INCLUDE TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THE FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME, 69 SERIALS.

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(4) NO 157-1122. "UNSUBS; BOMBING OF THE RESIDENCE OF REV. A. D. W. KING, BIRMINGHAM, ALABAMA, MAY 11, 1963; BOMBING MATTER" (BUFILE 157-881) FILE CONTAINS ROUTINE CORRESPONDENCE, WHICH DOES NOT INCLUDE TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THE FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME OF 27 SERIALS.

(5) NO 157-2184. "PLOT TO ASSASSINATE MARTIN LUTHER KING AND JACK GREENBERG, ATTORNEY, NAACP, MOBILE, ALABAMA, MAY 17, 1964; RM" (BUFILE UNKNOWN) THIS FILE WAS TRANSFERRED TO THE JACKSON FIELD OFFICE UPON THE OPENING OF THAT OFFICE. THE REMAINING SERIALS IN NEW ORLEANS SHOW NO TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. NO SUBFILES EXIST, AND THE REMAINING FILE IN NEW ORLEANS TOTALS 15 SERIALS.

(6) NO 173-56. "SPRING PEYTON, MANAGER, HOLIDAY INN MOTEL #1, U. S. HIGHWAY 45 NORTH, MERIDIAN, MISSISSIPPI, JULY 24, 1964; MARTIN LUTHER KING, JR. - VICTIM; CRA OF 1964" (BUFILE UNKNOWN) THE ONLY EXISTING REFERENCE TO THIS CASE IS THE NOTATION THAT THE ENTIRE FILE WAS SENT TO THE JACKSON FIELD OFFICE WHEN THAT OFFICE WAS OPENED.

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(7) NO 100-17122. "COMMUNIST INFLUENCE - RACIAL MATTERS; IS - C" (BUFILE 100-442529) FILE CONSISTS OF ROUTINE CORRESPONDENCE WHICH CONTAINS NO TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THE FILE CONTAINS NO SUBFILES, AND CONSISTS OF FIVE VOLUMES, 251 SERIALS.

(8) NO 157-3345. "UNSUB; ALLEGED THREAT ON LIFE OF MARTIN LUTHER KING, JANUARY 18, 1965, SELMA, ALABAMA; RM" (BUFILE UNKNOWN) THE FILE CONTAINS ROUTINE CORRESPONDENCE WHICH DOES NOT INCLUDE TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THE FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME, 34 SERIALS.

(9) NO 157-4225. "PROPOSED ACTIVITY BY NATIONAL KNIGHTS OF THE KU KLUX KLAN UPON MARTIN LUTHER KING, JR.'S VISIT TO ANTIOCH COLLEGE, YELLOW SPRINGS, OHIO, JUNE 18-19, 1965; RM" (BUFILE UNKNOWN) THIS FILE CONTAINS ROUTINE CORRESPONDENCE AND DOES NOT INCLUDE ANY TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THE FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME OF FIVE SERIALS.

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(10) NO 157-8165. "CONTEMPLATED VISIT OF DR. MARTIN LUTHER KING TO ORLANDO, FLORIDA, JUNE 27, 1966; RM" (BUFILE UNKNOWN) THIS FILE CONSISTS OF ROUTINE CORRESPONDENCE WHICH INCLUDES NO TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. IT CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME OF FOUR SERIALS.

(11) NO 62-3896. "VISIT OF MRS. MARTIN LUTHER KING, JR., TO NEW ORLEANS, LOUISIANA, SEPTEMBER 24-25, 1966; MISCELLANEOUS INFORMATION CONCERNING" (BUFILE UNKNOWN) THIS FILE CONTAINS ROUTINE CORRESPONDENCE WHICH CONTAINS NO TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THE FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME OF FOUR SERIALS.

(12) NO 157-8794. "PROPOSED SPEECH OF MARTIN LUTHER KING BEFORE LOUISIANA EDUCATIONAL ASSOCIATION, ALEXANDRIA, LOUISIANA; NOVEMBER 22, 1966; RM" (BUFILE UNKNOWN) THIS FILE CONTAINS ROUTINE CORRESPONDENCE, NONE OF WHICH ARE TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THE FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME OF NINE SERIALS.

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(13) NO 157-9936. "UNSUB, AKA BILL WILLIAMS; THREAT TO KILL MARTIN LUTHER KING; FANNIE ADAMS - COMPLAINANT; RM" (BUFILE UNKNOWN) THIS FILE CONTAINS ROUTINE CORRESPONDENCE WHICH INCLUDES NO TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THE FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME OF SEVEN SERIALS.

(14) NO 157-10637. "WASHINGTON SPRING PROJECT; RM" (BUFILE 157-8428) THIS FILE CONTAINS ROUTINE CORRESPONDENCE, NONE OF WHICH ARE TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THIS FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME CONTAINING TWO SERIALS. *MARTIN LUTHER KING, JR., IS INDEXED AS SUBJECT.*

(15) NO 157-10673. "JAMES EARL RAY, AKA; DR. MARTIN LUTHER KING, JR. - VICTIM; CR - CONSPIRACY; UFAC - ROBBERY; (MURKIN)" (BUFILE 44-38861) THIS FILE CONTAINS ROUTINE CORRESPONDENCE, NONE OF WHICH INCLUDES TAPES OR ELSUR LOGS OR TRANSCRIPTS. THERE ARE 72 ITEMS IN THE EXHIBIT ENVELOPE, MOST OF WHICH ARE PHOTOGRAPHS OF THE SUBJECT ^{RAY} AND OTHER INDIVIDUALS. THE BULKY EXHIBIT SECTION CONTAINS SIX ITEMS, INCLUDING CONTENTS OF THE HOTEL ROOM OF A LOOK-ALIKE OF THE

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SUBJECT, ALL OF WHICH WERE SUBMITTED FOR FINGERPRINT EXAMINATION. THERE ARE THREE SUBFILES, WHICH INCLUDE NEWSPAPER CLIPPINGS, ORIGINALS OF FD-302'S AND INSERTS, AND COPIES OF FD-302'S AND INSERTS MARKED FOR INDEXING. THE MAIN FILE CONSISTS OF 18 VOLUMES, TOTALING 1,308 SERIALS. THERE ARE 72 1-A EXHIBIT ITEMS AND SIX BULKY EXHIBIT ITEMS IN ADDITION TO THE THREE SUBFILES DESCRIBED ABOVE.

(16) NO 157-11617. "MARTIN LUTHER KING, CUT-OFF IMPROVEMENT ASSOCIATION; RM" (BUFILE UNKNOWN) THIS FILE CONTAINS ROUTINE CORRESPONDENCE, NONE OF WHICH CONSISTS OF TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THERE ARE NO SUBFILES, AND THIS FILE CONSISTS OF ONE VOLUME OF ONE SERIAL, AND WAS MADE A DEAD FILE FOR INDEXING PURPOSES.

(17) NO 157-11920. "MARTIN LUTHER KING ACTION MOVEMENT; INFORMATION CONCERNING" (BUFILE UNKNOWN) THIS FILE CONSISTS OF ROUTINE CORRESPONDENCE WHICH CONTAIN NO TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THERE ARE NO SUBFILES, AND THE FILE CONSISTS OF ONE VOLUME OF THREE SERIALS.

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Special Agent in Charge

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(18) NO 157-12101. "COMMEMORATION OF THE DEATH OF MARTIN LUTHER KING, JR., APRIL 4, 1969; RM" (BUFILE 157-12709) THE FILE CONTAINS ROUTINE CORRESPONDENCE, NONE OF WHICH ARE TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BLUKY EXHIBITS. THERE ARE NO SUBFILES TO THIS FILE, WHICH CONSISTS OF ONE VOLUME OF 30 SERIALS.

(19) NO 157-13093. "SECOND ANNIVERSARY OF THE DEATH OF MARTIN LUTHER KING, JR., APRIL 4, 1970; RM" (BUFILE UNKNOWN) THIS FILE CONSISTS OF ROUTINE CORRESPONDENCE, NONE OF WHICH ARE TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BLUKY EXHIBITS. THERE ARE NO SUBFILES, AND THIS FILE CONSISTS OF ONE VOLUME OF FOUR SERIALS.

(20) NO 157-13947. "DEMONSTRATION IN HONOR OF THE BIRTHDAY OF MARTIN LUTHER KING; RM" (BUFILE UNKNOWN) THIS FILE CONSISTS OF ROUTINE CORRESPONDENCE, NONE OF WHICH ARE TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THE FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME OF THREE SERIALS.

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(Priority)

PAGE NINE NO 100-16800

(21) NO 157-14101. "DEMONSTRATIONS IN CONNECTION WITH ANNIVERSARY OF DEATH OF MARTIN LUTHER KING, JR., APRIL 4, 1971; RM" (BUFILE UNKNOWN) THIS FILE CONSISTS OF ROUTINE CORRESPONDENCE, NONE OF WHICH CONSISTS OF TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THE FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME OF TWO SERIALS.

(22) NO 44-5100. "MARCUS WAYNE CHENAULT, AKA; MRS. MARTIN LUTHER KING, SR., AKA - VICTIM; EDWARD BOYKINS - VICTIM; JIMMIE MITCHELL - VICTIM; CR" (BUFILE 44-60978) THIS FILE CONTAINS ROUTINE CORRESPONDENCE, NONE OF WHICH ARE TAPES, ELSUR LOGS OR TRANSCRIPTS, OR BULKY EXHIBITS. THE 1-A ENVELOPE CONTAINS A PHOTOGRAPH OF DINO BALITO. FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME OF 12 SERIALS.

(23) NO 9-2869. "UNSUB, AKA CHARLES OTTO FOX; MRS. MARTIN LUTHER KING, JR. - VICTIM; EXTORTION" (BUFILE 9-58180) THIS FILE CONSISTS OF ROUTINE CORRESPONDENCE WHICH INCLUDES NO TAPES, ELSUR LOGS OR TRANSCRIPTS, PHOTOGRAPHS OR BULKY EXHIBITS. THE FILE CONTAINS NO SUBFILES, AND CONSISTS OF ONE VOLUME OF 11 SERIALS.

Approved: _____ Sent _____ M Per _____

12/4/75

AIRTEL

AIRMAIL

TO: DIRECTOR, FBI
ATTENTION: SUPERVISOR ROBERT D. HAMPTON,
ROOM 4052, DIVISION 5

FROM: SAC, NEW ORLEANS (100-16601) (C)

LEE HARVEY OSWALD
IS - R

Re Bureau telephone calls to New Orleans and Dallas,
12/4/75, by Bureau Supervisor ROBERT D. HAMPTON.

In response to referenced telephone calls, enclosed for FBIHQ are: (1) one photograph of subject dated 8/9/63, which was furnished on 8/27/63, to New Orleans FBI Agent MILTON R. KAACK by the New Orleans PD Identification Bureau, from New Orleans PD file 112 723, (the photograph has been kept in NO 100-16601-1A2); and (2) one photograph of the subject dated 1956, which had been in Dallas file 100-10461 but which was furnished to New Orleans on 9/10/63, (this photograph is furnished from NO 100-16601-1A5).

New Orleans copies only:

Supervisor HAMPTON stated conversationally that he is unable to locate the relevant volumes of the OSWALD file due to current FOIA review of the same file.

- 3 - Bureau (Encs. 2)
- 1 - Dallas (100-10461) (Info)
- ③ - New Orleans
 - (2 - 100-16601)
 - (① - 62-4448)

CHA:pd
(7) *pd*

62-4448-10
Searched _____
Serialized *C* _____
Indexed *C* _____
Filed _____
PA

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW ORLEANS (68-4448)²

FROM : SUPERVISOR CLIFFORD H. ANDERSON

SUBJECT: SENSTUDY ✓

DATE: 12/2/75

On Monday, 11/24/75, GI SCHAFFER telephonically advised that over the weekend he contacted BOB KELLY, the aide to Senator MATHIAS. KELLY was told again of the essence of SCHAFFER's attitude toward the FBI and how, if he were subpoenaed to testify, he would speak favorably of the FBI's administration and handling of SCHAFFER as an informant.

On Monday, 11/24/75, SCHAFFER called KELLY again and was told that, after discussing the matter, the Committee had decided not to ask either of the two SCHAFFERS to testify in this matter.

FBIHQ was telephonically advised of this same information, and Bureau Supervisor PHILIP COOK acknowledged that his office had just received the same determination from the Senate Committee.

On Wednesday, 11/26/75, Assistant Director RAY WANNALL, Division 5, telephonically requested SAC JOSEPH T. SYLVESTER, JR., to advise the SCHAFFERS that WANNALL personally wished to thank the SCHAFFERS for their activities in the past and their current willingness to assist the FBI in projecting a favorable image to the Senate Committee.

On 11/26/75, Supervisor CLIFFORD H. ANDERSON telephonically contacted GI and JILL SCHAFFER and relayed this sentiment, as well as the personal thanks of SAC SYLVESTER and Supervisor ANDERSON. Both SCHAFFERS acknowledged their continued good feelings to their past and current association with the FBI.

① - 68-SENSTUDY²
1 - 134-1073
1 - 134-1050
CHA:pd
(3) *[signature]*

62-4448-9
[initials]
SAC *[initials]*



(Mount Clipping in Space Below)

Copying of Overseas Cables by FBI Told

WASHINGTON (AP) — Western Union officials have told congressional investigators that the FBI and National Security Agency regularly obtained information about cables sent overseas, it was learned Thursday.

The officials, Thomas Greenish and George Callahan, of Western Union International, were scheduled to testify at a public hearing of the House Subcommittee on Government Information and Individual Rights, headed by Rep. Bella Abzug, D-N.Y.

But they never got to testify at a chaotic, four-hour session which was preceded by attempts by the Ford

administration to get the hearing called off.

A staff summary of what they were expected to say was obtained by The Associated Press.

But despite a personal appeal from Atty. Gen. Edward H. Levi and the refusal of several key witnesses to appear, Ms. Abzug, who prefers that title, went ahead.

Ms. Abzug said she also received appeals from the White House to call off the hearing.

Once she had called the session to order, the Republican minority tried to convince Ms. Abzug to postpone the hearing. The Republicans failed and finally William Caming of American Telephone & Telegraph Co. and Earl Connor of AT&T's Washington subsidiary, the Chesapeake and Potomac Telephone Co., took the witness stand.

They were only partway through their testimony when lunchtime and other commitments of subcommittee members forced the chairman to recess until further notice.

Greenish, executive vice president for operation for Western Union International, was expected to tell the subcommittee that in 1965 he discovered a special copying machine in the company's operations room.

The machine belonged to NSA, Greenish subsequently learned, and was serviced once a week by an NSA employee, the staff summary said.

(Indicate page, name of newspaper, city and state.)

SECTION ONE
PAGE EIGHT

TIMES PICAYUNE

NEW ORLEANS, LA.

Date: 10/24/75

Edition:

Author:

Editor: ED TUNSTALL

Title: COPYING OF
OVERSEAS CABLES BY
FBI TOLD

Character:

or

Classification: 62-4448-8

Submitting Office:

☐ Being Investigated

62-4448-8

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FBI-NEW ORLEANS	

JK

(Mount Clipping in Space Below)

Documents Show FBI Keeps 'Security' List

By EDMOND Le BRETON

WASHINGTON (AP) — The FBI maintains a secret list of more than 1,200 Americans targeted for possible investigation as potential security risks in times of national emergency, according to documents disclosed Wednesday.

The documents were released by Rep. Robert W. Kastenmeier, D-Wis. chairman of a House Civil Liberties subcommittee, who said the FBI practice "demands thorough congressional scrutiny and public discussion."

The list is the latest in a series of indexes dating back to before U.S. entry into World War II and originally intended to identify persons to be arrested if they were considered a national security threat in wartime.

The FBI spokesman in August said the list of 15,000 persons subject to possible detention had been destroyed after the congressional authority for such arrests expired in 1971. The latest list of Americans identified for possible investigation, begun in 1971, has not been disclosed previously.

The FBI said the present list, which contained 1,294 names as of Aug. 15, is "an administrative aid ... (that) enables the FBI to remain alert to individuals who have exhibited a propensity to conduct acts inimical to the national security and affords the FBI a record of individuals who would merit close investigative attention pending legal steps by the President to take further action."

A memorandum from FBI Director Clarence M. Kelley said the compilation "serves as an extremely valuable list of individuals who pose a threat to the president of the United States, thereby enabling the FBI to provide current data to the U.S. Secret Service."

"Individuals who are included are those who have exhibited a willingness or capability of engaging in treason, rebellion, sedition, sabotage, espionage, assassination of government officials, terrorism, guerrilla warfare, or other acts which would result in interference with or a threat to the survival and effective operation of national, state or local government," the memorandum said.

"During 1972 the operation of this index was evaluated and revised to include only those individuals who pose a realistic, direct and current danger to the national security," the memorandum added.

Names on the list were not disclosed. The FBI also said it would be impossible to reconstruct past lists as Kastenmeier had asked.

In releasing the Kelley memorandum and a file of related documents, Kastenmeier said in a statement that "although the executive branch does not now assert the authority to suspend the Bill of Rights and incarcerate Americans at its discretion, the fact that it continues to actively maintain a list which had its genesis in a plan to systematically imprison thousands of political dissenters in the early days of the 'cold war' is a fact which demands thorough congressional scrutiny and public discussion."

Kelley's memorandum traced the story of the indexes back to a "custodial 'detention list' compiled during 1939

(Indicate page, name of newspaper, city and state.)

SECTION ONE
PAGE TWO

TIMES PICAYUNE

NEW ORLEANS, LA.

Date: 10/23/75

Edition:

Author: EDMOND LEBRETON

Editor: ED TUNSTALL

Title: DOCUMENTS SHOW FBI
KEEPS SECURITY LIST

Character:

or

Classification: 100-0-
62-4448

Submitting Office:

☐ Being Investigated

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and 1940 of "individuals whose presence at liberty in the United States in time of war or national emergency would be dangerous to the public peace and safety of the U.S. government."

In 1943 the term custodial detention was dropped in the event of a break in diplomatic relations with the Soviet Union, or other serious crisis involving the United States and the U.S.S.R.," Kelley said.

The memorandum said the Justice Department was kept informed and that in 1948 the department "established guidelines for the arrest by the FBI of persons considered dangerous during times of emergency.

"In time of an emergency a presidential proclamation would be issued and brought before Congress for ratification," the memorandum said.

In 1950 Congress enacted an Internal Security Act, one title of which provided that the President, when a state of internal security emergency was proclaimed, would direct arrest and detention of persons who could reasonably be expected to engage in espionage or sabotage. The SI was maintained for use in such a situation.

By then it consisted of 5 by 8 inch cards containing "background information, nationalistic tendency, file numbers and organizational affiliation." Additions or deletions were reviewed by the Department of Justice.

NR045 WA PLAIN

7:43PM NITEL 10/9/75 GHS

TO ALL SACS

FROM DIRECTOR

INTERVIEWS OF FBI EMPLOYEES BY CONGRESSIONAL COMMITTEES

BY MEMORANDUM TO ALL EMPLOYEES DATED MAY 28, 1975,
CAPTIONED "INTERVIEWS OF FBI EMPLOYEES," ALL EMPLOYEES WERE
ADVISED OF THE NECESSITY OF SECURING FBI HEADQUARTERS APPROVAL
PRIOR TO SUBMITTING TO INTERVIEWS BY REPRESENTATIVES OF CON-
GRESSIONAL COMMITTEES. THE NECESSITY OF SECURING THIS AP-
PROVAL IS PROMPTED BY THE EMPLOYMENT AGREEMENT ALL EMPLOYEES
HAVE SIGNED.

YOU WERE ADVISED THAT CONGRESSIONAL STAFF MEMBERS
WERE CONDUCTING INTERVIEWS OF FORMER AND/OR CURRENT EMPLOYEES
AND THAT THIS BUREAU HAD PLEDGED ITS COOPERATION WITH CON-
GRESS. OUR COOPERATIVE EFFORTS, OF COURSE, MUST BE CONSISTENT
WITH BUREAU PROCEDURES.

RECENTLY, WE HAVE HAD ATTEMPTS BY CONGRESSIONAL
COMMITTEE STAFF MEMBERS TO INTERVIEW CURRENT EMPLOYEES WITHOUT
PRIOR CONTACT WITH FBI HEADQUARTERS. YOU ARE AGAIN REMINDED

10-10-75

One copy made

for each SRA

SA

62-4448-6

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PAGE TWO

THAT IF A REPRESENTATIVE OF A CONGRESSIONAL COMMITTEE SHOULD
CONTACT A BUREAU EMPLOYEE, THAT EMPLOYEE SHOULD DECLINE TO
RESPOND TO QUESTIONS POSED TO HIM AND ADVISE THE CONGRES-
SIONAL STAFF MEMBER OF THE NECESSITY OF RECEIVING FBI
HEADQUARTERS APPROVAL BEFORE RESPONDING TO QUESTIONS.

END

PLS HOLD

UNITED STATES GOVERNMENT

Memorandum

TO : ALL AGENTS

DATE: 9/16/75

FROM : SAC J. T. SYLVESTER, JR.

SUBJECT: BANK ROBBERY MATTERS, NEW
ORLEANS DIVISION,
ADMINISTRATIVE REVIEW & SURVEY
(NO file 91-00)

OFFICE MEMO #75-15

Bureau has advised that in Bank Robbery Matters in the New Orleans Division they have conducted an administrative review and survey.

This survey was conducted prior to the recent rash of bank robberies that have occurred throughout the Division. As of the time of the survey, New Orleans Division had 48 violations of the Bank Robbery statute during fiscal year 1975 and had solved 28 of these cases for overall solution rate of 58%, which is well below the field solution rate of 64%. New Orleans in previous years has had a high solution rate of 70% for fiscal year 1973 and 63% for fiscal year 1974.

Since this recent rash of bank robberies, naturally our solution rate has decreased even further.

We need quality informants, who are in a position to furnish information concerning Bank Robbery matters. We also need thorough, complete and imaginative investigation to increase our solution rate in these matters. The key is thoroughness and knowledge of the appropriate legal steps that have to be taken in order to bring out the end result, i.e., justice.

SENSTUDY 75
(NO file 62-4448)

For the information of Agents, the Senate Select Committee or its representatives may contact this office and in order to insure and establish that these individuals are bonafide, any person contacted should request courteously the show of credentials on personal contacts or if telephonically contacted, by telephone back to the Committee, unless information is of a public nature.

In any such contacts, you should immediately advise the SAC or ASAC.

- 1 - Each Agent
- 1 - NO 91-00
- ① - NO 62-4448
- 1 - NO 66-58

1 - NO 66-1065
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(108)

62-4448-5

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As you are aware, the FBI has pledged full cooperation with the Senate Select Committee and wishes to assist and facilitate any investigations undertaken by the Senate Select Committee with respect to the FBI.

In the event this office receives or learns from the Senate Select Committee or otherwise that former employees are being considered for interview by the Senate Select Committee staff, you may be requested to contact the former employee to alert him as to possible interview and remind him of his confidential agreement with the FBI and suggest he may contact the Legal Counsel Division, Assistant Director JOHN A. MINTZ or one of the men assigned there by calling collect, 202-324-3000, for further information.

In the usual case, as circumstances dictate, the former employee is told (1) that he has a right to legal counsel, but that the Bureau cannot provide same; (2) that the Bureau has waived the confidentiality agreement for the interview within specified parameters; and (3) that there are four privileged areas in which he is not required to answer questions. These areas are relating to information which may (a) identify Bureau sources; (b) reveal sensitive methods/techniques; (c) reveal identities of third agencies, including foreign intelligence agencies, or information from such agencies; and (d) adversely affect ongoing Bureau investigations.

In the event the interviewee desires to consult with someone at the Bureau concerning the parameters of interview or privileged areas during an interview, they may contact either personally, if in Washington, D. C., or by collect call, the Assistant Director of the Intelligence Division, Mr. W. R. WANNALL or in his absence, Section Chief W. C. CREGAR.

**FEDERAL GRAND JURY
ENTIRE WESTERN DISTRICT OF LOUISIANA
(NO file 66-1065)**

Federal Grand Jury for entire Western District of Louisiana is being convened in Shreveport at 9:00 a.m. on Wednesday, 10/15/75. Thereafter a Grand Jury will be convened every second Monday of the month pursuant to the Speedy Trial Act. However, if that particular Monday is a Federal Holiday, the Grand Jury will be convened the following Tuesday beginning at 9:30 a.m.

Any Agents needing to do any investigation through the October 15th Grand Jury, or any of the following sessions, should contact U. S. Attorney DONALD E. WALTER for consideration.

NR033 WA CODE

5:26PM 9/4/75 NITEL AJN

TO ALL SACS

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

62-4448

REBUTEL MAY 2, 1975.

PURPOSES OF INSTANT TELETYPE ARE TO (1) REITERATE THAT FBI HAS PLEDGED FULL COOPERATION WITH THE SENATE SELECT COMMITTEE (SSC) AND WISHES TO ASSIST AND FACILITATE ANY INVESTIGATIONS UNDERTAKEN BY THE SSC WITH RESPECT TO THE FBI; AND (2) SET FORTH NEW PROCEDURE RELATING TO SSC STAFF INTERVIEWS OF CURRENT AND FORMER FBI EMPLOYEES.

FOR INFORMATION OF THOSE OFFICES WHICH HAVE NOT PREVIOUSLY HAD CURRENT OR FORMER EMPLOYEES IN ITS TERRITORY INTERVIEWED BY THE SSC, THE BUREAU FREQUENTLY LEARNS FROM THE SSC OR OTHERWISE THAT FORMER EMPLOYEES ARE BEING CONSIDERED FOR INTERVIEW BY THE SSC STAFF. INSTRUCTIONS ARE ISSUED FOR THE FIELD OFFICE TO CONTACT THE FORMER EMPLOYEE TO ALERT HIM AS TO POSSIBLE INTERVIEW, REMIND HIM OF HIS CONFIDENTIALITY AGREEMENT WITH THE BUREAU AND SUGGEST THAT IF HE IS CONTACTED FOR

SAC _____
ASAC _____
SUPV. 3 _____
SUPV. 4 _____
SUPV. 5 _____
SUPV. 6 _____

62-4448-4

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PAGE TWO

INTERVIEW, HE MAY CONTACT THE LEGAL COUNSEL DIVISION BY COLLECT CALL FOR FURTHER INFORMATION. IN THE USUAL CASE, AS CIRCUMSTANCES UNFOLD, THE FORMER EMPLOYEE IS TOLD (1) THAT HE HAS A RIGHT TO LEGAL COUNSEL, BUT THAT THE BUREAU CANNOT PROVIDE SAME; (2) THAT THE BUREAU HAS WAIVED THE CONFIDENTIALITY AGREEMENT FOR THE INTERVIEW WITHIN SPECIFIED PARAMETERS; AND (3) THAT THERE ARE FOUR PRIVILEGED AREAS IN WHICH HE IS NOT REQUIRED TO ANSWER QUESTION. THESE AREAS ARE RELATING TO INFORMATION WHICH MAY (A) IDENTIFY BUREAU SOURCES; (B) REVEAL SENSITIVE METHODS/TECHNIQUES; (C) REVEAL IDENTITIES OF THIRD AGENCIES, INCLUDING FOREIGN INTELLIGENCE AGENCIES, OR INFORMATION FROM SUCH AGENCIES; AND (D) ADVERSELY AFFECT ONGOING BUREAU INVESTIGATIONS.]

HERETOFORE, BUREAU HAS OFFERED INTERVIEWEES CONSULTATION PRIVILEGES WHEREBY A BUREAU SUPERVISOR WOULD BE AVAILABLE NEARBY, ALTHOUGH NOT ACTUALLY AT INTERVIEW, SO INTERVIEWEE MIGHT CONSULT WITH HIM SHOULD QUESTIONS ARISE AS TO PARAMETERS OF INTERVIEW OR PRIVILEGED AREAS. THE CONSULTANT DID NOT ACT AS A LEGAL ADVISOR.

EFFECTIVE IMMEDIATELY, BUREAU WILL NO LONGER PROVIDE

PAGE THREE

ON-THE-SCENE PERSONNEL FOR CONSULTATION PURPOSES TO ASSIST EITHER CURRENT OR FORMER EMPLOYEES. PROSPECTIVE INTERVIEWEES SHOULD BE TOLD THAT, IF THEY DESIRE ASSISTANCE OF THIS NATURE DURING AN INTERVIEW, THEY MAY CONTACT EITHER PERSONALLY (IF INTERVIEW IS IN WASHINGTON, D. C.) OR BY COLLECT CALL, THE ASSISTANT DIRECTOR OF THE INTELLIGENCE DIVISION, MR. W. R. ANNALL, OR, IN HIS ABSENCE, SECTION CHIEF W. O. CREGAR.

THIS CHANGE IN PROCEDURE SHOULD NOT BE CONSTRUED AS LESSENING THE ASSISTANCE WE ARE FURNISHING TO CURRENT AND FORMER EMPLOYEES.

FOR YOUR ADDITIONAL INFORMATION, I AM WORKING WITH THE DEPARTMENT IN EXPLORING AVENUES TO ARRANGE LEGAL REPRESENTATION, WHEN NECESSARY, FOR CURRENT AND FORMER EMPLOYEES WITHOUT EXPENSE TO THEM. YOU WILL BE KEPT ADVISED OF DEVELOPMENTS IN THIS REGARD.

END

NR036 WA CODE

4:45PM NITEL 5-20-75 PAW

TO ALL SACS

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY - 75. 62-4448

REBUTEL MAY 2, 1975.

IN CONNECTION WITH WORK OF THE SENATE AND HOUSE SELECT COMMITTEES, ITS REPRESENTATIVES MAY CONTACT YOUR OFFICE FOR INFORMATION.

IN ONE RECENT INSTANCE, A REPRESENTATIVE OF THE SENATE SELECT COMMITTEE TELEPHONICALLY INQUIRED AS TO IDENTITY OF SAC IN A PARTICULAR OFFICE DURING 1970.

IN HANDLING SUCH INQUIRIES INSURE ESTABLISHING BONA FIDES OF REPRESENTATIVE BY SHOW OF CREDENTIALS ON PERSONAL CONTACT OR, IF TELEPHONIC CONTACT, BY TELEPHONING BACK TO COMMITTEE. UNLESS INFORMATION IS OF A PUBLIC NATURE, AS IN THE INSTANCE CITED ABOVE, OBTAIN FBIHQ CLEARANCE PRIOR TO SUPPLYING ANY INFORMATION. FBIHQ MUST BE EXPEDITIOUSLY ADVISED OF ALL INFORMATION FURNISHED.

END

FBI NO CR CLR DCB AND TU

62-4448-3

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FBI - NEW ORLEANS	

UNITED STATES GOVERNMENT

Memorandum

TO : ALL AGENTS

DATE: 5/7/75

FROM : SAC JOSEPH T. SYLVESTER, JR.

SUBJECT: SENSTUDY 75

The Bureau has advised captioned matter pertains to the Bureau's handling of requests from Senate and House Select Committees to study governmental operations with respect to intelligence activities. In connection with the work of these committees, staff members may seek to interview current and former FBI employees.

Recently, the Senate Select Committee (SSC) staff has interviewed several former employees and it is anticipated that many more such personnel will be contacted.

The FBI has pledged full cooperation with the committee and we wish to assist and facilitate any investigations undertaken by the committee with respect to the FBI. However, we do have an obligation to insure that sensitive sources and methods and ongoing sensitive investigations are fully protected. Should any former employee contact this office and have any question regarding his obligation not to divulge information obtained by virtue of his past FBI employment, he should be instructed to contact Legal Counsel, FBIHQ, by collect call. Your conversations with former employees must be in keeping with our pledge. It is believed such a procedure would insure proper protection and also facilitate the work of the SSC.

The above procedure also applies to current employees of this office. However, contact with the Legal Counsel should be handled through the SAC.

1: Each Agent
1: 62-4448
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Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

NR374 MA CODE

952PM NITEL 5-2-75 MSE

TO ALL SACS

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

CAPTIONED MATTER PERTAINS TO BUREAU'S HANDLING OF REQUESTS FROM SENATE AND HOUSE SELECT COMMITTEES TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES. IN CONNECTION WITH WORK OF THESE COMMITTEES, STAFF MEMBERS MAY SEEK TO INTERVIEW CURRENT AND FORMER FBI EMPLOYEES.

RECENTLY, THE SENATE SELECT COMMITTEE (SSC) STAFF HAS INTERVIEWED SEVERAL FORMER EMPLOYEES AND IT IS ANTICIPATED THAT MANY MORE SUCH PERSONNEL WILL BE CONTACTED.

THE FBI HAS PLEDGED FULL COOPERATION WITH THE COMMITTEE AND WE WISH TO ASSIST AND FACILITATE ANY INVESTIGATIONS UNDERTAKEN BY THE COMMITTEE WITH RESPECT TO THE FBI. HOWEVER, WE DO HAVE AN OBLIGATION TO INSURE THAT SENSITIVE SOURCES AND METHODS AND ONGOING SENSITIVE INVESTIGATIONS ARE FULLY

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ASAC _____
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SUPV. 4 _____
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SUPV. 6 _____

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FBI - NEW ORLEANS	

Pls. handle Rudrow &

PAGE TWO

PROTECTED. SHOULD ANY FORMER EMPLOYEE CONTACT YOUR OFFICE AND HAVE ANY QUESTION REGARDING HIS OBLIGATION NOT TO DIVULGE INFORMATION OBTAINED BY VIRTUE OF HIS PAST FBI EMPLOYMENT, HE SHOULD BE INSTRUCTED TO CONTACT LEGAL COUNSEL, FBIHQ, BY COLLECT CALL. YOUR CONVERSATIONS WITH FORMER EMPLOYEES MUST BE IN KEEPING WITH OUR PLEDGE. IT IS BELIEVED SUCH A PROCEDURE WOULD INSURE PROPER PROTECTION AND ALSO FACILITATE THE WORK OF THE SSC.

THE ABOVE PROCEDURE ALSO APPLIES TO CURRENT EMPLOYEES OF YOUR OFFICE. HOWEVER, CONTACT WITH THE LEGAL COUNSEL SHOULD BE HANDLED THROUGH THE SAC.

END