

File #:

66-LA-5041

Serial Scope:

NR

DWMKT:

WA NR561

NR050 WA PLAIN

642PM NITEL 12/10/75 GHS

TO ALL SACS

FROM DIRECTOR

DIRECTOR'S APPEARANCE BEFORE SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES, DECEMBER 10, 1975

A COPY OF THE STATEMENT I DELIVERED BEFORE THE SENATE
SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES TODAY HAS BEEN
SENT ALL OFFICES. FOR YOUR INFORMATION, THERE FOLLOWS A
SYNOPSIS ACCOUNT OF THE MAJOR AREAS OF THE COMMITTEE'S
QUESTIONS TO ME, TOGETHER WITH MY RESPONSES:

(1) REGARDING FBI INFORMANTS, QUESTIONS WERE ASKED
WHETHER COURT APPROVAL SHOULD BE REQUIRED FOR FBI USE OF
INFORMANTS IN INVESTIGATIONS OF ORGANIZATIONS (MY RESPONSE
WAS THAT THE CONTROLS WHICH EXIST TODAY OVER USE OF INFORMANTS
ARE SATISFACTORY); HOW CAN FBI KEEP INFORMANTS OPERATING
WITHIN PROPER LIMITS SO THEY DO NOT INVADE RIGHTS OF OTHER
PERSONS (MY RESPONSE WAS THAT RELIANCE MUST BE PLACED ON THE
INDIVIDUAL AGENTS HANDLING INFORMANTS AND THOSE SUPERVISING
THE AGENTS' WORK, THAT INFORMANTS WHO VIOLATE THE LAW CAN BE

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PROSECUTED -- AS CAN ANY AGENT WHO COUNSELS AN INFORMANT TO COMMIT VIOLATIONS); AND DID FORMER KLAN INFORMANT GARY ROWE TESTIFY ACCURATELY WHEN HE TOLD THE COMMITTEE ON DECEMBER 2 THAT HE INFORMED FBI OF PLANNED ACTS OF VIOLENCE BUT FBI DID NOT ACT TO PREVENT THEM (MY RESPONSE WAS THAT ROWE'S TESTIMONY WAS NOT ACCURATE).

(2) IN RESPONSE TO QUESTIONS REGARDING IMPROPER CONDUCT BY FBI EMPLOYEES, I STATED THAT ALLEGED VIOLATIONS OF LAW BY FBI PERSONNEL SHOULD BE INVESTIGATED BY THE FBI OR OTHER APPROPRIATE AGENCY; THAT THE INSPECTION DIVISION HAS CONDUCTED INQUIRIES REGARDING ALLEGATIONS OF MISCONDUCT; THAT AN OFFICE OF PROFESSIONAL RESPONSIBILITY HAS JUST BEEN ESTABLISHED IN THE JUSTICE DEPARTMENT, AND WE WILL ADVISE THAT OFFICE OF OUR MAJOR INVESTIGATIONS OF DEPARTMENTAL PERSONNEL, INCLUDING FBI EMPLOYEES, FOR ALLEGED VIOLATIONS OF LAW, REGULATIONS, OR STANDARDS OF CONDUCT; THAT I WOULD RESERVE COMMENT REGARDING POSSIBLE CREATION OF A NATIONAL INSPECTOR GENERAL TO CONSIDER MATTERS OF MISCONDUCT BY EMPLOYEES OF ANY FEDERAL AGENCY.

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(3) IN RESPONSE TO QUESTIONS CONCERNING HARASSMENT OF MARTIN LUTHER KING, JR., I STATED THAT THE PERSONS WHO ISSUED THE ORDERS WHICH RESULTED IN SUCH HARASSMENT SHOULD FACE THE RESPONSIBILITY FOR IT, RATHER THAN THOSE UNDER THEM WHO CARRIED OUT SUCH ORDERS IN GOOD FAITH; THAT THE FBI STILL HAS RECORDINGS RESULTING FROM ELECTRONIC SURVEILLANCES OF KING; THAT WE RETAIN RECORDINGS FOR TEN YEARS BUT WE ALSO HAVE AGREED TO A REQUEST FROM THE SENATE NOT TO DESTROY INFORMATION IN OUR FILES WHILE CONGRESSIONAL INQUIRIES ARE BEING CONDUCTED; THAT I HAVE NOT REVIEWED THE KING TAPES; THAT IF THE COMMITTEE REQUESTED TO REVIEW THE KING TAPES, THE REQUEST WOULD BE REFERRED TO THE ATTORNEY GENERAL.

(4) IN RESPONSE TO QUESTIONS REGARDING WHETHER IT WOULD BE ADVANTAGEOUS TO SEPARATE THE FBI CRIMINAL INVESTIGATIVE RESPONSIBILITIES AND OUR INTELLIGENCE FUNCTIONS, I STATED THAT WE HAVE FOUND THE TWO AREAS TO BE COMPATIBLE, AND I FEEL THE FBI IS DOING A SPLENDID JOB IN BOTH AREAS.

(5) IN RESPONSE TO QUESTIONS CONCERNING THE ADEQUACY OF CONTROLS ON REQUESTS FROM THE WHITE HOUSE AND FROM OTHER GOVERNMENT AGENCIES FOR FBI INVESTIGATIONS OR FOR INFORMATION

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FROM OUR FILES, I STATED THAT WHEN SUCH REQUESTS ARE MADE ORALLY, THEY SHOULD BE CONFIRMED IN WRITING; THAT WE WOULD WELCOME ANY LEGISLATIVE GUIDELINES THE CONGRESS FEELS WOULD PROTECT THE FBI FROM THE POSSIBILITY OF PARTISAN MISUSE.

A FULL TRANSCRIPT OF THE QUESTIONS AND ANSWERS WILL BE FURNISHED TO EACH OFFICE AS SOON AS IT IS AVAILABLE.

ALL LEGATS ADVISED SEPARATELY..

END

HOLD