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5/26/64

REC-91

Airtel

99-2539-215

To: SAC, Philadelphia

From: Director, FBI

RUSSELL A. BUFALINO
AR

RePHairtels 5/20 and 22/64.

PHairtel dated 5/20/64 advised that Sue Nichols was interviewed by Philadelphia Agents in regard to subject, Bufalino, on 6/7/61 which interview is recorded on pages 5 and 21 of Philadelphia report of SA Frederick T. Houlihan dated 6/30/61. It is noted that your office did not prepare an FD-302 since the information received from Nichols was nonspecific and of no evidentiary value.

Philadelphia is authorized to furnish to Vincent A. Schiano, trial attorney, Immigration and Naturalization Service (INS) the exact two paragraphs from SA Houlihan's report with the complete understanding a Bureau Agent will not be called to introduce the material furnished.

Insure that your office is fully aware of the position which will be taken by PH 665-C-TE when she appears as an apparent unwilling witness on 6/3/64, at Bufalino's deportation hearing. Every effort must be taken to protect her informant status.

OTHER 4

You are instructed to advise the Bureau whether [redacted] a former PCI of your office, plans to testify, if subpoenaed for appearance at Bufalino's deportation hearing. In the event [redacted] testified and defense counsel invokes the Jencks Law requesting INS to produce, as with other witnesses, information previously furnished by the witness to FBI Agents, advise the steps you plan to take in that regard. In the event [redacted] plans to testify, immediately furnish the Bureau with the identity of pertinent case files so the material can be reviewed prior to any dissemination by your office to INS.

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

KAL:erw
(4)

(See note, page 2)

MAILED 27
MAY 26 1964
COMM-FBI

JUN 3 1964 MAIL ROOM TELETYPE UNIT

Airtel to Philadelphia
Re: RUSSELL A. BUFALINO

NOTE: Bufalino is presently subject of an INS deportation hearing in Philadelphia. Sue Nichols testified as a Government witness 5/13/64 at this hearing at which time she admitted being previously interviewed by FBI Agents in 1959 or 1960 re subject. Defense Counsel has requested copies of all information furnished to the FBI by Nichols concerning subject. This procedure was followed by Defense Counsel with an earlier witness, J. R. Troup, who had furnished Bureau Agents a signed statement concerning Troup's association with subject. Philadelphia was authorized in that instance to provide a copy of the signed statement to INS with the understanding it need not be introduced by Bureau personnel.

Witness Nichols information furnished Philadelphia Agents on 6/7/61 concerned Jane Collins being a friend of Bufalino and that she had observed Bufalino at Club 82 at Pittston, Pennsylvania, which she believed he owned along with some dress factories. No other pertinent information was furnished. [redacted] Bufalino's paramour, is identical to PH 665-C-TE. She has advised Philadelphia Agents she will not testify at Bufalino's hearing by invoking the Fifth Amendment. This action by [redacted] should result in her informant status remaining intact and eliminate an opportunity for Defense Counsel to inject the Jencks Law. OTHER 4

Regarding witness [redacted], we must first establish if he plans to testify. If he invokes the Fifth Amendment, there is no apparent problem. However, if he does not, we must be prepared to meet Defense Counsel's usual request for information furnished by [redacted] to the FBI by having the pertinent files identified and reviewed.

FBI

Date: 5/20/64

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL REGISTERED MAIL
(Priority or Method of Mailing)

TO: Director, FBI (92-2839)
FROM: SAC, Philadelphia (92-441) (P)
RUSSELL A. BUFALINO, aka
AR
OO: Phila.

ReBuairtel to Phila. 5/18/64.

Reairtel stated BUFALINO's attorney, JACK WASSERMAN, under Jencks law, had requested copies of all statements made to the FBI by SUE NICHOLS.

SUE NICHOLS was interviewed in regard to BUFALINO 6/7/61. Results of this interview are set forth on pages 5 and 21, Phila. report of SA FREDERICK T. HOULIHAN, 6/30/61. Information supplied by her, because of the non-specific content and did not appear to be of any evidentiary value, was not recorded on FD 302. It is recommended that the I&NS be furnished the exact two paragraphs from SA HOULIHAN's report.

In regard to the possibility that [redacted] will be a witness at the hearing of BUFALINO's deportation on 6/3/64, the following should be noted:

BUFALINO's paramour, [redacted], is PH 665-C-TE. In this capacity she was originally contacted 9/20/63 and has continued to furnish information primarily in regard to BUFALINO since that time. Information furnished will be shown in Bureau file 137-9678.

Because of the confidential relationship, information from this source has been reported under confidential informant T symbol in AR reports in regard to BUFALINO.

It is of interest to note that informant in recent contacts has advised contacting Agent she has no intention of testifying as a Government witness in regard to BUFALINO's deportation hearing but in all probability will plead the

[Handwritten signature]

OTHER 4

REC-97

92-2839-215

C.C. Wick

MAY 29 1964

3 - Bureau - RM
2 - Phila.
Approved: *[Signature]* Special Agent in Charge
Sent *5/26/64* M Per *[Signature]*
JRP:ERG
(5)

PH 92-441

5th amendment. It would appear therefore that [] will not afford WASSERMAN the opportunity to claim results of interview of [] under the Jencks law.

OTHER 4

Phila., through liaison with I & N S at Phila., is endeavoring to identify other possible Government witnesses scheduled to appear against BUFALINO and will initiate any necessary action and keep the Bureau informed as to developments in this regard.